

**CITY OF COLLEGE PLACE PLANNING COMMISSION AGENDA**  
**368<sup>th</sup> Meeting – Council Chambers – 625 South College Avenue**  
**March 21, 2017 – 7:00 P.M.**

**CALL TO ORDER**

**ROLL CALL:**

Scott Duncan – Vice Chair, Eileen Davis, Tad Hiner, Monte Puymon, Ken Louderback and Dennis Olson

**CONSENT AGENDA:**

1. Approve Planning Commission Minutes from August 19, 2014.
2. Approve Agenda for March 21, 2017.

**Regular Agenda:**

1. Election of Officers for 2017 (effective immediately)
  - A. Nomination of Chair
    - i. Election
  - B. Nomination of Vice Chair
    - i. Election
2. Workshop on Signage Regulations

**REPORTS**

**OTHER BUSINESS**

**ADJOURN**

**367<sup>TH</sup> PLANNING COMMISSION MEETING MINUTES**  
**College Place City Council Chambers**  
**August 19, 2014 – 7:00 P.M.**

**PRESENT**                      Chairman:                      Scott Keller  
   Vice Chairman:                Scott Duncan  
   Commissioners:                Glenn Carter, Eileen Davis, Monte Puymon, and  
                                        Tad Hiner  
   Staff:                              Jon Rickard, Senior Planner  
                                        Charles Phillips, City Attorney

**ABSENT**                      Matt White

**CALL TO ORDER**            Chairman Keller called the meeting to order at 7:03 p.m. Roll was called and it was noted that a quorum was present.

**MINUTES**                    Commissioner Duncan motioned to approve the minutes from the July 15, 2014 meeting, seconded by Commissioner Davis. The motion was approved (6-0).

**CONSENT AGENDA**        Commissioner Puymon motioned to approve the consent agenda for the August 19<sup>th</sup> meeting, seconded by Commissioner Carter. The motion was approved (6-0).

**REGULAR AGENDA**

**Item 1. Public Hearing – Establishing zoning regulating marijuana production, processing and retailing.**

Chairman Keller established the procedures of the public hearing and addressed the appearance of fairness and then asked Mr. Rickard to present the staff report.

Mr. Rickard began by providing the Commission with background information regarding the passage of Initiative 502, the City’s 12 month moratorium, the Attorney General’s Opinion – AGO 2014-2, that the Council tasked the Commission with drafting zoning, Staff prepared the draft zoning at the request of the Commission, environmental review was completed, notice of the public hearing was provided, and that no public comments had been received.

Mr. Rickard then summarized the proposed zoning. Recreational marijuana production, processing, and retailing would only be allowed in light industrial zones via conditional use permit approval. Higher Education College or university, places of worship, and residential zoning districts are added to the Liquor Control Board (LCB) 1000' buffer zones. Applicants must obtain a valid license from the LCB. No outdoor production is allowed and a detailed site plan would be submitted with the applicant's conditional use permit application. It was also noted that there is a penalty provision.

Commissioner Duncan asked that staff elaborate on why the proposal does not require compliance with federal law? Mr. Phillips provided background information on federal law and concluded that the reason compliance with federal law was not included in the proposed ordinance was because staff did not feel it was necessary in light of the AGO's opinion and including such language could possibly raise a red flag.

Chairman Keller asked if the Commission had any other questions for staff. Hearing none he opened the public hearing at 7:25p.m.

Bob Frye of 17 NW Ponti Moro Ct, College Place submitted a comment letter urging the Commission not to allow zoning that would regulate recreational marijuana.

Lucy Henderson of 336 S Palouse St, Walla Walla urged the Commission to extend the moratorium or better yet ban it, use of marijuana is prohibited by federal law, the excise tax collected will not go to the City and locals cannot implement an extra sales tax.

Marvin Parks of 332 SE Davin Dr, urged the continuation of a moratorium in light of House Bill 2322 which will prohibit local governments from taking actions preventing or impeding the creation or operation of commercial marijuana businesses licensed by the liquor control board.

Walt Meske of 23 NW B St, had been a school administrator for 33 years and is very aware of the damages of marijuana. Would ask that the Commission consider a ban.

Dale Johnson of 1165 SE Vista Pl, is confused about the zoning. People seem to think that legalizing marijuana is going to solve the illegal trafficking of marijuana and that is simply not the case. Concerned

about the long-term cognitive effects of marijuana. Would urge the Commission to deny the zoning request.

Garry Fullen of 216 SE 3<sup>rd</sup> St, is concerned about people driving under the influence of marijuana, if marijuana is sold in this town there will be no place that is safe.

Commissioner Keller called for any further comments. Hearing none he closed the public hearing at 7:48p.m.

Commissioner Keller clarified that the Commission is considering rules that would regulate the production, manufacturing, and sale of marijuana and nothing we recommend tonight will have an effect on the public's use of recreational marijuana.

Commissioner Keller called for questions from the Commission.

Commissioner Carter had the following comments. He is concerned about the risk to the City of College Place if we are found violating federal law, concerned about the risk of losing federal funding. There is the possibility of changes in policy at the federal level which puts us at risk. Not sure that what is being proposed tonight would come across at the federal level as a ban.

Commissioner Hiner stated that by effectively banning it by zone is essentially passing the buck instead of just banning it. It seems to me we should just outright ban it.

Commissioner Davis stated that she would like to eliminate lawsuits. It seems that they are picking on small communities because they know it drains them financially. I don't want it in our town and I would like to figure out a way to ban it without the ACLU or whoever suing us.

Commissioner Puymon stated that our council asked us to look at this from the standpoint of zoning and I believe we have done that through the proposal that is before us now. I agree with the others that I have heard from on the Commission that we outright ban the production, manufacturing, and sales of recreational marijuana.

Commissioner Duncan stated that the way he reads the ordinance is that you can do this as long as you can weasel a way around the restrictions. You're giving someone the idea that it's possible while making it impossible. There is no benefit to the community and we should outright ban it.

Commissioner Carter added that we need to think about the message that we are sending to the young people in our community. Our moral authority becomes weakened if we take a position that is contrary to the laws that govern us as a nation and if we don't agree with those laws we need to work to change the federal laws and not change laws at the state and local level that create chaos.

Chairman Keller provided his comments. The City Council asked us to take a look at the zoning to ultimately ban the use within the City. My first comment is if you want to do that then why don't you stand up and ban it. I'm a firm believer that you vote for what you really think is right out there. The plan that the city has put forward is solid but my recommendation is that we ban it.

Chairman Keller called for a motion. Commissioner Carter motioned that "After review of the facts and staff presentation, I move that the Planning Commission recommend to City Council that the City Council ban marijuana production facilities, marijuana processing facilities, and marijuana retail facilities within the City boundaries of College Place", seconded by Commissioner Davis. The motioned was approved unanimously (6-0).

**ADJOURN – The meeting was adjourned at 8:02 p.m. The next regularly scheduled meeting is on September 16, 2014 at 7:00 p.m.**

The foregoing minutes are the official record of the Planning Commission meeting that occurred on August 19, 2014. Audio recordings are available upon request.

**Approved:** \_\_\_\_\_  
Chairman / Vice Chairman Date

**Attest:** \_\_\_\_\_  
Jon Rickard – Planning Director Date

City of College Place  
AGENDA ITEM

Agenda: # 1

**Subject:** Workshop on Signage Regulations

**Agenda Date:** March 21, 2017

**Originator:** Jon Rickard, Planning Director

<b>EXHIBITS</b>	<ol style="list-style-type: none"><li>1. Draft Proposed Sign Code</li><li>2. MRSC Article</li><li>3. Richland, WA Sign Code</li><li>4. Leavenworth, WA Sign Code</li><li>5. Walla Walla, WA Sing Code</li></ol>
<b>SUMMARY STATEMENT</b>	<p>The city's zoning code (Title 17) does not adequately regulate signage, it regulates the sign height to the height of the zoning district, requires a building permit, and restricts home occupations to have signage.</p> <p>The nuisance code (Title 16) prohibits signs, temporary or permanent within the right-of-way, on utility poles, tree, etc. In its strictest application, directional real-estate and yard sale signs are prohibited within the right-of-way. Sandwich board signs are prohibited as well.</p> <p>Staff is proposing modest regulations that are in line with most of the existing signage in College Place.</p>
<b>COMMITTEE ACTION</b>	Consider the proposed regulations and provide staff with feedback.
<b>RECOMMENDED ACTION</b>	No action will be taken until a public hearing and on the subject is held before the planning commission and testimony received.

## COLLEGE PLACE, WA

### DRAFT Sign Code

#### Chapter 17.40

#### SIGNS

Sections:

- [17.40.010](#) Purpose.
- [17.40.020](#) Definitions.
- [17.40.030](#) General.
- [17.40.040](#) Signs in residential zones.
- [17.40.050](#) Signs in business and commercial zones.
- [17.40.060](#) Nonconforming uses and nonconforming signs.
- [17.40.070](#) Exemptions.
- [17.40.080](#) Prohibited signs.

#### **17.40.010 Purpose.**

The purpose of this chapter is to promote and protect the public health, welfare, and safety, by regulating existing and proposed outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, help preserve the historic buildings and areas, preserve the scenic and natural beauty of designated areas, and provide a more enjoyable and pleasing community. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, and curb the deterioration of natural beauty and community environment. This chapter also intends to contribute to a positive harmony within the community, and allow for the appropriate display of information.

#### **17.40.020 Definitions.**

- A. "Changing message center sign" means any electronically or electrically controlled sign where different automatic changing messages are shown on the same lamp bank.
- B. "Construction sign" means a sign used to identify architects, engineers, contractors, or other individuals or firms involved in the construction of a building or structure and to announce the character of the building or the purpose for which it is intended.
- C. "Flashing sign" means any electrified sign that alternates light intensity in a sudden fashion or that switches on and off in a constant pattern. Public service and changing message center signs are excluded from this definition.
- D. "Flush-mounted sign" means any sign attached to the wall or window of a building, or erected against and parallel to the wall of a building, extending less than twelve inches from that wall.
- E. "Garage sale sign" means any temporary sign used to announce a sale including yard, moving, and patio sales of used items.

- F. "Ground sign" means any freestanding sign not over forty-two inches in height above grade.
- G. "Illuminated sign" means any electrical sign that has lighted characters, letters, figures, designs, or outlines as part of the sign.
- H. "Multiple occupancy building" means any single structure housing more than one retail business, office, or commercial venture.
- I. "Off-premises sign" means any sign that directs attention to a business, commodity, service, activity or entertainment not conducted, sold or offered upon the premises where the sign is located.
- J. "Outdoor advertising sign" means any off-premises sign used as an outdoor display for the purpose of making anything known, whether or not a charge is made for advertising thereon.
- K. "Permanent sign" means any sign that is anchored, bolted, erected, or fixed in a way that is designed for long-term placement. Such signs may include pole-mounted signs, ground-mounted signs, projection signs, and fixed wall signs.
- L. "Pole sign" means any freestanding sign wholly supported by a sign structure in or on the ground. Ground signs are excluded from this definition.
- M. "Political sign" means any temporary sign advertising a candidate or candidates for public office, or a political party, or a sign urging a particular vote on any public issue decided by ballot.
- N. "Projecting sign" means any sign that is attached to and projects twelve or more inches from the wall of a building.
- O. "Real estate sign" means any sign pertaining to the sale, lease, or rental of land or buildings.
- P. "Sidewalk sign" means any sign placed on a sidewalk or curbside which is held up by frames, supports, or holders which are not fixed to the ground and are meant to be portable.
- Q. "Sign" means any communication device, structure, or fixture, that is intended to aid an establishment in identification and advertisement/promotion of a business, service, activity, or interest.
- R. "Sign surface area" means the entire area of a sign on which copy is to be placed, but only one side of a double-faced sign is included in the calculation of sign surface area.
- S. "Temporary sign" means any sign, banner, pennant, or flag but not including the flag of any nation, state, city, or other governmental agency, or nonprofit organization, searchlights, balloons, or other air- or gas-filled figures, or advertising displays constructed of cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without frames, intended to be displayed for a limited period of time only. Types of temporary signs and the corresponding amount of time the temporary sign may be displayed are: construction signs, six months prior to construction and the duration of an active building permit; grand opening displays, one month following the grand opening date; real estate signs, the duration of the listing; special event, one week prior and following the special event; garage/yard sale signs, within two hours of the end of the sale; and political signs, within 10 days post-election. Any sign, poster or other advertising matter of any nature placed upon a utility pole or other poles, trees, sidewalks, streets, signs, traffic signs or other traffic control devices or other structures or places within streets, alleys or other public places or rights-of-way is prohibited in accordance with Chapter 8.24 –



Nuisances, however, temporary signs are permitted within the planting strip portion of the right-of-way (the landscaped area between the curb and the sidewalk) with the consent of the abutting property owner.

T. "Exempt sign" means any sign that does not require a building permit as outlined in Section [17.40.070](#).

U. "Personal home decoration" means ornaments, flags, garden signs, welcome mats, beware of dog, and signs of similar nature which are meant for decoration of a residential property.

**17.40.030 General.**

A. The following sign standards by zone district are intended to include every zone in the city. Only signs as described herein and as may be described under "temporary signs" and "exemptions" will be permitted in each particular zone.

B. If any zone is omitted from this title or if a new zone is created after the adoption of this chapter, no sign shall be permitted therein until this chapter is amended to include the new zone.

C. Permits. All signs shall have a permit issued by the city of College Place, unless otherwise noted in this chapter.

D. Application for Permit. An application for a permit shall be submitted and shall contain the following information:

1. Name, address and telephone number of applicant.
2. Location of building, structure or land where sign will be erected.
3. A detailed drawing or plan showing a description of the construction details of the sign including sign wordage, any photos or illustrations, position of lighting or other extraneous devices, a location plan showing the position of the sign on any building or land and its position in relation to nearby buildings or structures and to any private street or highway.
4. If signs are to be pole-mounted or anchored to a building wall, construction documents detailing anchors and supports must be submitted with the application. When required by the building department, construction documents must include design loads and other information pertinent to the structural design, and must be approved by a registered design professional.
5. In the event the applicant is not the legal owner of the structure or property on which the sign is to be erected, written consent of the owner shall be provided in the application for permit. If applicant is a tenant renting a structure, a copy of the lease agreement allowing these modifications or installations may be used as proof of written consent.

E. Fees. Fees shall be in accordance with the current city of College Place fee resolution schedule.

F. Process and Issuance of Permit. Upon the receipt of an application for a permit to erect a sign, it shall be the duty of the administrator or his/her designee to examine plans, specifications and other data submitted with the application and, if necessary, the building or premises where proposed sign shall be erected. If the application and proposed sign meets the requirements of this sign regulation and is in

compliance with all other applicable city regulations, the administrator or his/her designee shall approve and issue a permit.

G. Permit Exceptions. The following actions shall not require a sign permit:

1. The changing of a message on an approved sign.
2. Any maintenance for approved sign including painting, repainting, cleaning and other normal maintenance. Any structural repairs such as replacing or fixing anchorage and supports shall require a permit and must first be approved by the city.
3. Temporary signs and exempt signs are exempt from permit requirements.

H. All signs shall comply with the city development regulations as well as the structural design requirements of Title 15 – Building and Construction, of the College Place Municipal Code.

I. Inspections. Signs may be inspected periodically for compliance with the city regulations.

J. Maintenance. All signs and accompanying components shall be kept in good repair and in a safe, clean, and attractive condition.

#### **17.40.040 Signs in residential zones.**

A. General. The term residential shall apply to all “R-60”, “R-75”, “RM” and PUD zones designated by this title. Signs in residential areas as allowed by this section do not require a permit.

B. Location. Permitted signs may be anywhere on the parcel, except as noted below:

1. Signs may not be erected in areas restricted as noted elsewhere in this title.
2. Signs may not project beyond any property lines.
3. Signs may not be erected in areas that obstruct views at traffic intersections in accordance with Section [17.42.050](#).

C. Pole and ground signs shall not exceed sixty inches in height above grade.

D. Wall Signs. Signs mounted on the building shall be flush with the wall surface and shall not project above the eave or roof line.

E. Illumination Signs. Illuminated signs shall not be permitted in residential zones.

F. Temporary Signs. Temporary sign means any sign, banner, pennant, or flag but not including the flag of any nation, state, city, or other governmental agency, or nonprofit organization, searchlights, balloons, or other air- or gas-filled figures, or advertising displays constructed of cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without frames, intended to be displayed for a limited period of time only. Types of temporary signs and the corresponding amount of time the temporary sign may be displayed are: construction signs, six months prior to construction and the duration of an active building permit; grand opening displays, one month following the grand opening date; real estate signs, the duration of the listing; special event, one week prior and following the special event; garage/yard sale signs, within two hours of the end of the sale; and political signs, within 10 days post-election. Any sign, poster or other advertising matter of any nature placed upon a utility pole or

other poles, trees, sidewalks, streets, signs, traffic signs or other traffic control devices or other structures or places within streets, alleys or other public places or rights-of-way is prohibited in accordance with Chapter 8.24 – Nuisances, however, temporary signs are permitted within the planting strip portion of the right-of-way (the landscaped area between the curb and the sidewalk) with the consent of the abutting property owner.

G. Residential Real Estate. "For Sale" and "Sold" signs shall be limited to one sign per street frontage of the property being sold. Signs must not exceed six square feet in area, and must not exceed a height of seven feet. For undeveloped residential areas, area of sign must not exceed thirty-five square feet. Such signs do not require a permit. Temporary real estate signs providing direction to an "open house" shall comply with the *Sidewalk Signs/Sandwich Boards* section 17.40.050 of this code and shall not be placed earlier than six hours prior to the open house and shall be removed within one hour of the end of the open house.

H. Personal decoration signs shall be allowed in residential zones.

More than one sign may be placed on a property in a residential zone; provided, that signs do not exceed a total surface area of thirty square feet and no single sign may be larger than twelve square feet.

I. Home Occupation. In the case of a home occupation, signage displaying the home occupation shall not be permitted in residential zones.

#### **17.40.050 Signs in business and commercial zones.**

Signs in commercial and business zones shall comply with the following standards:

A. Wall Signs. The maximum area for the total of all permitted wall signs shall not exceed three percent of the building face area. This shall include all window and door areas and shall be measured from the sidewalk or ground line to the building eave line. Building name signs shall not be included in the allowable sign area and shall not exceed three percent of the building face area. In the case of projecting signs, sign area shall be calculated for one side of the sign and shall project no more than four feet over the public right-of-way or closer than five feet from the back of the street curb line. Signs flush against the building face may be located anywhere on the surface of the building.

B. Pole Signs. Pole- or ground-mounted signs are permitted when the building does not cover the full width of the parcel upon which it is located. The total area for a pole sign shall not exceed sixty square feet. Such a sign may extend up to fifty feet above the ground level at the base of the sign in CG – General Commercial zones and up to twenty feet above the ground level at the base of the sign in DMU – Downtown Mixed Use zones, except as may be required by this title. Pole signs more than thirty feet in height must be at least one hundred feet from any residential zone.

C. Sidewalk Signs/Sandwich Boards. Sidewalk signs or sandwich boards no larger than six square feet per side in the DMU – Downtown Mixed Use zone and twelve square feet per side in the CG – General Commercial zone, containing no moving parts and no lights, must be of the A-Frame design, constructed of weather resistant material rated for exterior use. Signage must be removed during non-business hours. Signage must be placed so that there is a clear pedestrian passage way of at least five feet so as not to be a hazard to pedestrians. At no time shall signs block or obstruct safe sight distance, be placed

in a street or gutter and/or become a nuisance, hazard and/or danger to the public as determined by the public works department. No more than one sign shall be allowed per 100 lineal feet of right-of-way frontage in the CG-General Commercial zone and no more than one sign shall be allowed per business in the DMU – Downtown Mixed Use zone.

D. Banners. Banners used by a single business on a site shall not exceed three percent of its building store front area and shall not have illumination of any kind and are considered temporary signs as defined in the definition section of this chapter.

E. Business/Commercial Real Estate. "For Sale" and "Sold" signs shall be limited to one sign per street frontage of the business/commercial property being sold. Real estate signs may be free standing or may be displayed through a window. Sign must not exceed an area of thirty-five square feet, and may not be placed on the public right-of-way. Such sign does not require a permit.

F. Illuminated Signs. Illuminated signs may be ground-mounted or wall attached. Light rays from such signs shall shine only upon the sign or upon the property on which the sign is located and shall not spill over the property lines in any direction except by indirect reflection. Areas for such signs shall not exceed sixty feet.

G. Light Emitting Diode (LED) Signs. LED signs may be ground-mounted, wall attached, or displayed through a window. Light rays from such signs shall shine only upon the sign or upon the property on which the sign is located and shall not spill over the property lines in any direction except by indirect reflection. LED signs must not be flashing in a manner that distracts traffic or becomes a hazard to public safety. If sign displays alternating content, said content must be displayed for at least three seconds before changing. The area of an LED sign shall not exceed thirty-two square feet.

No more than one sign may be placed per property.

H. Temporary Signs. Temporary sign means any sign, banner, pennant, or flag but not including the flag of any nation, state, city, or other governmental agency, or nonprofit organization, searchlights, balloons, or other air- or gas-filled figures, or advertising displays constructed of cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without frames, intended to be displayed for a limited period of time only. Types of temporary signs and the corresponding amount of time the temporary sign may be displayed are: construction signs, six months prior to construction and the duration of an active building permit; grand opening displays, one month following the grand opening date; real estate signs, the duration of the listing; special event, one week prior and following the special event; garage/yard sale signs, within two hours of the end of the sale; and political signs, within 10 days post-election. Any sign, poster or other advertising matter of any nature placed upon a utility pole or other poles, trees, sidewalks, streets, signs, traffic signs or other traffic control devices or other structures or places within streets, alleys or other public places or rights-of-way is prohibited in accordance with Chapter 8.24 – Nuisances, however, temporary signs are permitted within the planting strip portion of the right-of-way (the landscaped area between the curb and the sidewalk) with the consent of the abutting property owner.

#### **17.40.060 Nonconforming uses and nonconforming signs.**

Signs existing and not conforming to the provisions of this chapter, but which were constructed in compliance with previous regulations shall be regarded as nonconforming signs. Such signs may be

maintained in their present condition unless hazardous but may not be altered, erected, or relocated unless in conformity with the sign code.

#### **17.40.070 Exemptions.**

The following types of signs are exempt from all the provisions of this chapter, except for construction and safety regulations and the following requirements:

- A. **Public Signs.** Signs of a noncommercial nature and in the public interest erected by or on the order of a public officer in the performance of his public duty; such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, and the like;
- B. **Integral.** Names of buildings, dates of erection, monumental citations, commemorative tablets, and the like when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure;
- C. **Small Signs.** Signs not exceeding two square feet in area attached flat against the building, stationary, and not illuminated announcing only the name and occupation of building tenant;
- D. **Political.** Signs related to political campaigns for public election may be erected on private property with the permission of the property owner; provided, that said political signs are removed within forty-eight hours after the end of the election. Political signs may not be placed in city or state rights-of-way;
- E. **Temporary Street Banners.** Banners related to city-approved activities or events;
- F. **Seasonal Holiday Signs and Decorations.** Signs or decorations temporarily placed in observance of religious or national holidays (i.e., Christmas, Halloween, Fourth of July) shall be allowed in all zones and shall not require a permit; provided, that such holiday decorations/lights do not interfere with traffic or present a hazard to the safety or welfare of the public;
- G. **Flags.** The flag of any nation, state, city, or other governmental agency, nonprofit organization, educational institution, provided they are maintained and do not constitute a hazard to the safety and welfare of the public;
- H. **Historic and Iconic Signs.** Signs identified to be iconic or of historic interest by the historic preservation commission shall be exempt from the provisions of this chapter. However, any alterations or modifications to iconic or historic signs must be approved by the historic preservation commission.

#### **17.40.080 Prohibited signs.**

Prohibited signs are signs which:

- A. Contain statements, words, or pictures of an obscene, indecent, or immoral character;
- B. Are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic sign or traffic control device and/or may hide from view any traffic or street sign or signal;
- C. Advertise an activity, business, product, or service no longer conducted on the premises upon which the sign is located, including off-premises signs;

- D. Signs that are specifically designed to move or have parts/mechanisms that physically move;
- E. Contain or consist of pennants, ribbons, streamers, strings of light bulbs, spinners, or other similarly moving devices. Exceptions to this are temporary event signs, and temporary street banners related to city-approved activities or events.
- F. May cause a safety hazard by swinging or otherwise noticeably moving as a result of wind pressure because of the manner of their suspension or attachment;
- G. Are erected in such a position that it completely covers another sign already in place on either side;
- H. Billboards;
- I. Any sign, poster or other advertising matter of any nature placed upon a utility pole or other poles, trees, sidewalks, streets, signs, traffic signs or other traffic control devices or other structures or places within streets, alleys or other public places or rights-of-way in accordance with this Chapter and Chapter 8.24 – Nuisances;

## Regulating Political Signs in Election Season: Sign, Sign, Everywhere A Sign...

September 26, 2016 by [Jill Dvorkin](#)  
Category: [Elections](#)



Do this, don't do that, can't you read the sign? Well, pretty much "no," not when you're regulating signs. According to the U.S. Supreme Court in [Reed v. Town of Gilbert](#), local governments may no longer regulate a sign simply because, for example, it's a campaign sign. Instead, under Reed, a sign regulation is presumptively unconstitutional if an agency has to read the sign to determine how it's regulated. For a general overview of Reed, see our [US Supreme Court](#)

[Issues Significant Sign Code Decision](#) and [The Importance of Bringing Your Sign Code Up-To-Date](#) blog posts.

Today's blog post will consider how Reed may affect the regulation of political and other types of temporary signs going forward.

### So Where Does the Reed Decision Leave Us Now That It's Election Season?

Reed presents a significant problem for local governments because most, if not all, sign codes adopted before that decision regulate categories of signs based on content, such as a category for political or real estate signs. Even though the Reed decision was issued over a year ago, local governments are still struggling with how to revise their sign codes to comply with its holding.

Even if your jurisdiction has not yet revised its sign code to comply with Reed, it may not need to change its approach to regulating campaign signs too much this election season if current regulations adhere to the Washington Supreme Court's long-established rules protecting political speech. These existing sign code provisions are likely quite permissive, allowing political signs liberally. Therefore, as a practical matter, it seems unlikely that a dispute would arise related to regulating political signs, except, perhaps, in the context of enforcing any post-election time limits for political signs (see discussion below). A jurisdiction should also be cautious against enforcement of potentially more restrictive regulations that apply to other types of non-commercial temporary signs.

### What Would a Reed-Compliant Regulation Look Like for Political Signs?

To comply with Reed, local jurisdictions should eliminate the category of political signs in their sign codes (along with other content-based categories). Instead, a jurisdiction will have to craft rules for these signs independent of content—likely based on a category such as "temporary signs."

At MRSC, we think this means that all non-commercial temporary signs may need to be allowed in the same manner as political signs, under the umbrella of temporary signs or another content-neutral category. (Note: Most courts

looking at sign codes post-Reed have not extended it to commercial signs. See this [MRSC blog post](#) for more discussion.)

Defining “temporary” without reference to content could be tricky. Rather than looking to the message of the sign to determine if it’s temporary, the category should be defined based on such things as the materials used and how the sign is erected. This poses problems for placing any post-event time limits on temporary signs unless the limitation can be articulated in a content-neutral manner.

## What Has the Washington Supreme Court Said About Political Signs?

Our state Supreme Court has long interpreted the Washington State Constitution as being highly protective of political speech and, prior to Reed, articulated how jurisdictions can and cannot constitutionally regulate political signs. This [MRSC blog post](#) from 2012 provides helpful guidance. In summary:

- Pre-election time restrictions on posting political signs are unconstitutional (e.g., a regulation limiting placement of political signs to within 60 days of an election).
- A reasonable post-election time period for removal had previously been deemed constitutional. (Note: After Reed, regulations imposing post-election time limits on political signs would be considered content-based, unconstitutional, and should not be enforced.)
- Political signs may not be prohibited in the parking strip portion of the right-of-way (that area between the curb and the sidewalk), but probably can be excluded in the median, traffic circles, and other portions of the right of way, provided the prohibition applies to all signs.
- Political signs within the parking strip portion of the right-of-way generally require the consent of the abutting property owner.

Whatever content-neutral type of sign category political signs are placed in to comply with Reed should include regulations that are at least as permissive as the principles outlined above.

## Conclusion

Reed continues to puzzle regulators and scholars alike. Over a year has passed since the Reed decision, and we know of no jurisdiction in Washington that has adopted a revised sign code in response to Reed, although a few jurisdictions have or are close to issuing public drafts.

However, in the context of political signs, not much will likely change. The clutter of political signs will continue to be as much a sign of the season as football and falling leaves. Although the signs may end up staying up a while longer and in the company of other non-commercial temporary signs.

Keep an eye on our website for legal updates and sign code examples. Also, talk to your agency attorney about how your jurisdiction wants to tackle this complicated issue. Of course, each jurisdiction will have to conduct its own risk analysis and decide how strictly to interpret the Reed principles.

Have a question or comment about this information? Have another topic in mind that you’d like to see a blog discuss? Let me know below or contact me directly at [jdvorkin@mrsc.org](mailto:jdvorkin@mrsc.org).



**About Jill Dvorkin**



Jill joined MRSC as a legal consultant in June 2016 after working for nine years as a civil deputy prosecuting attorney for Skagit County. At Skagit County, Jill advised the planning department on a wide variety of issues including permit processing and appeals, Growth Management Act (GMA) compliance, code enforcement, SEPA, legislative process, and public records. Jill was born and raised in Fargo, ND, then moved to Bellingham to attend college and experience a new part of the country (and mountains!). She earned a B.A. in Environmental Policy and Planning from Western Washington University and graduated with a J.D. from the University of Washington School of Law in 2003.

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## Comments

0 comments on Regulating Political Signs in Election Season: Sign, Sign, Everywhere A Sign...

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## RICHLAND WA

### SIGN CODE

#### Chapter 27.08

#### CODE PROVISIONS

Sections:

[27.08.010 General standards for signs.](#)

[27.08.020 Standards specific to zones.](#)

[27.08.030 Special provisions.](#)

[27.08.040 Temporary political signs.](#)

#### **27.08.010 General standards for signs.**

Signs shall be constructed and maintained in compliance with this chapter, the city building code, and all other applicable ordinances. The allowable type of signs, their placement, and other limitations shall be according to the standards established in this section. Provisions for the various use districts under the city comprehensive zoning ordinance may establish standards in addition to, or more restrictive than, the standards in this section.

##### A. General Provisions.

1. Structural. The structure and erection of signs within the city of Richland shall be governed by the current edition of the Uniform Sign Code as adopted by the city of Richland and by the currently applicable Uniform Building Code as adopted by the city of Richland. Compliance with these adopted codes shall be prerequisite to issuance of a sign permit.

2. Electrical. Electrical requirements for signs within the city of Richland shall be governed by the requirements, standards, rules, and regulations established by the state of Washington and adopted by the city of Richland (Chapter [296-46](#) WAC). Compliance therewith shall be required by every sign utilizing electrical energy as a prerequisite to issuance of a sign permit.

3. Light and Glare from Signs. Illumination from or upon any sign shall be shaded, shielded, directed, or reduced so as to avoid brightness, glare, or reflection of light in excess of that recommended by the Illumination Society of America to avoid unreasonable distraction by pedestrians or motorists. Illumination shall not exceed that necessary to make the sign visible to the average person on the street adjacent to the sign.

4. Maintenance. All signs shall be constantly maintained in a state of security, safety, and repair. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five days after receiving written notice from the sign code administrator.

5. Obstruction. No sign shall be located so as to physically obstruct any door, window, or exit from a building. No sign shall be located so as to be hazardous to a motorist's ingress and egress from parking

areas or any way open to the public. No sign shall be located so as to be hazardous to a pedestrian's access to any way open to the public.

6. Inspection. All sign users shall permit periodic inspection of their sign(s) by the city upon request.

7. Conflicting Provisions. Whenever any provisions of this title overlap or conflict with regard to size or placement of a sign, the more restrictive provision shall apply.

#### B. Specific Provisions.

1. Freestanding Signs. A freestanding sign may be located at the property or building line, provided it complies with Chapter [12.11](#) RMC (Intersection Sight Distance) and the sign is located entirely behind the property or building line.

2. Building Mounted Signs. Wall signs shall not extend above the point of intersection of the building wall to which the sign is attached and the building roof except that wall signs may extend to the top of a parapet wall. Wall signs and projecting signs may project over public property within the limits established in Chapter [27.10](#) RMC (Measurements). The structural support for projecting signs shall be an integral part of the sign design or shall be concealed from view. All structural support for projecting signs shall be entirely from the building wall or parapet from which the sign projects.

3. Marquee Awnings or Canopy Signs. Marquee awnings or canopy signs shall be mounted flat against the face of the marquee or canopy and shall not extend below the bottom face to which attached. One identification sign per user is permitted on the underside of a marquee or canopy. Such identification signs shall be mounted perpendicular to the building face and located at the main entrance of use. No other projecting signs relating to the user shall be visible from beneath the marquee or canopy.

4. Gasoline Price Signs. Gasoline price signs shall be located entirely within the property boundaries of the station use and shall be permanently mounted. Gasoline price signs shall not be included in determining the permissible number of freestanding signs.

5. Window Signs. Window signs shall not be included in determining the number of primary signs nor in determining the permissible sign area for each facade.

6. Roof Signs. All roof signs shall be constructed in such a way that they appear as an architectural blade or penthouse and are finished in such a manner that the visual appearance from all sides is such that they appear to be a part of the building itself. Roof signs shall be erected in such a manner that there is no visible support structure.

C. Signs Prohibited in All Zones. Except where otherwise provided in this chapter, the following signs or displays are prohibited:

1. Signs which are an imitation of or resemble an official traffic sign or signal.

2. Signs which, by reason of their size, location, movement, content, coloring, or manner of illumination, may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency vehicle, or which obstruct the visibility of any traffic or street sign or signal device.

3. Signs or displays consisting of strings of lights, spinners, twirlers or propellers, flashing, rotating, or blinking lights, flares, balloons, bubble machines, and similar devices of a carnival nature, or containing elements creating sound or smell.
4. Signs identifying activities, products, businesses, or services which have been discontinued for more than 60 days on the premises upon which the signs are located.
5. Private signs on utility poles.
6. Search lights, banners, clusters of flags, posters, pennants, and streamers.
7. Billboards.
8. Directional signs nonofficial in nature.
9. Signs for which a permit is required and which are erected, altered, or relocated without, or in violation of, the terms and conditions of a current and valid permit issued by the city of Richland.
10. Window signs containing material unrelated to the merchandise for sale or service performed by the person or business on whose premises or property the sign is located.
11. Off-premises signs.
12. Portable signs.

Prohibited signs and displays are subject to removal and abatement by the city at the expense of the persons owning or maintaining such sign or display as provided in Chapter [27.12](#) RMC.

#### D. Signs Projecting Over Public Right-of-Way.

1. Projecting signs extending over public right-of-way shall be erected with clearance and projection limitations as set forth in Chapter [27.10](#) RMC (Measurements); provided, that in no case shall any sign be permitted to extend beyond the curb line.
2. If a public need arises, any sign permitted to extend over public right-of-way shall be removed or altered within 10 days of receiving written notice from the sign code administrator.

E. Signs Near Intersections. All signs located at street or driveway/street intersections shall be placed so as not to constitute a safety hazard and shall be constructed to comply with the requirements of Chapter [12.11](#) RMC (Intersection Sight Distance). Freestanding signs located at street intersections may be placed at the property line or building line subject to the limitations above.

F. Temporary Signs Permitted. Permissible temporary signs and their applicable limitations are as follows:

1. Construction Signs. These may be erected after a building permit has been obtained and may remain displayed on the construction site for the duration of construction. Only one such sign (which may be double-faced) is permitted per construction project for each public street upon which the project fronts. Measurement limitations shall be in accordance with Table 27.10.020(D). General construction signs shall be removed upon completion of construction. Construction signs in single-family residential zones shall be removed by the date of first occupancy.

2. Grand Opening and Special Event Displays. Signs, posters, banners, strings of lights or flags, balloons and search lights are permitted for a period of 30 days only to announce the opening of a completely new enterprise or the opening of an enterprise under new management. In addition, every business is permitted to utilize these displays for one other special event each year. Such displays are not exempt from permit requirements and are permitted only in districts where the enterprise so advertised is allowed under district zoning regulations.

3. Real Estate Signs. All exterior real estate signs shall be of durable material. The permitted signs and their limits are:

a. Residential For Sale and Sold Signs. Limited to one sign per street frontage and in conformance with measurements required by Table 27.10.020(D).

b. Residential Directional Open House Signs. The number of open house signs permitted, both on-premises and off-premises, shall be a prerogative of the sign code administrator. Open house signs are permitted only during open house hours.

c. Commercial and Industrial Property for Sale or Rent Signs. One sign per street frontage shall be permitted while the building or part thereof is actually for sale or rent. Dimensioning shall conform to Table 27.10.020(D).

d. Residential Land Subdivision Sale Signs. Limited to one double-faced sign placed at right angle to the street or two signs parallel to the street dimensioned per Table 27.10.020(D). Such signs shall be removed after 12 months or when 90 percent of the houses in the subdivision are sold or occupied, whichever is shorter.

e. Subdivision Directional Signs. Limited to four signs and placed only by the developer or residents of the subdivision at locations designated by the sign code administrator. The signs shall bear only the name of the subdivision and a directional arrow. Signs shall be maintained by the developer and removed at the end of one year or when 90 percent of the subdivision is occupied, whichever first occurs.

f. Undeveloped Residential Property or Acreage for Sale Signs. For sale signs for undeveloped multiple-family zoned property or for undeveloped, unsubdivided single-family acreage, which may be legally divided into four or more single lots, shall meet the same limitations as those for undeveloped commercial and industrial property for sale signs as set forth in subsection (F)(3)(c) of this section.

4. Political Campaign Signs. Refer to RMC [27.08.040](#).

a. Off-Premises Signs. Off-premises signs shall be placed only after securing the consent of the owner or tenant of the property upon which the sign is placed. Placement locations of off-premises signs shall be approved by the sign code administrator. Off-premises signs, when located off the public right-of-way, shall observe setback requirements and shall be located to conform with sight obstruction requirements of Chapter [12.11](#) RMC. Signs identifying a group of businesses in a defined area, such as a shopping center or mall, may be located in the public right-of-way. Such signs shall include space for at least four businesses and the name of the business area. No business name shall be listed more than once on a business area sign. [Ord. 3-89].

#### **27.08.020 Standards specific to zones.**

A. Floodplain, Agricultural, Public Reserve, Single-Family, and Duplex Residential Zones. This subsection shall apply to all areas zoned floodplain (FP), agricultural (AG), public reserve (PR), suburban agriculture (SAG), and all areas zoned suburban residential (R-1) through high-density residential (R-2).

1. Residential Uses. Residential uses are permitted identification signs, indicating only the name of the occupant and/or street address of the unit.
2. Signs for Other Permitted Uses. Signs for nonresidential uses permitted in the district shall be limited to identification signs, except that home occupations shall be limited to the size limitations set forth for residential identification signs in Table 27.10.020(A).
3. Permanent Subdivision of Neighborhood Designation Signs. Signs shall be unobtrusive, in keeping with the character of the neighborhood, and constructed of quality materials, as approved in advance by the sign code administrator.
4. All signs shall be in accordance with Chapter [27.10](#) RMC, Measurements.

B. Apartments and Manufactured Home Parks. This subsection shall apply to all areas zoned multiple-family residential (R-3) and all approved manufactured home parks.

1. Sign Regulations. Apartment buildings and manufactured home parks are permitted one identification sign per street frontage. For the purpose of determining the limit on number of signs for apartments, a single apartment complex, regardless of the number of buildings, shall be considered one "building."
2. All signs shall be in accordance with Chapter [27.10](#) RMC, Measurements.

C. Neighborhood Business Districts. This subsection shall apply to all areas zoned neighborhood business (C-1).

1. Except as provided in subsection (C)(2) of this section, permitted signs and their regulation shall be the same as those zoned limited business (C-LB).
2. Where signs for permitted uses are not visible to residential uses, or are located more than 200 feet from residential uses, the size limitations of the C-2 and C-3 zoning districts shall apply.
3. All signs shall be in accordance with Chapter [27.10](#) RMC, Measurements.

D. Limited Business District. This subsection shall apply to all areas zoned limited business (C-LB) with the exception that apartment buildings in the limited business district shall be regulated by subsection (B) of this section.

1. Permitted signs are as follows: No more than one freestanding business identification sign is permitted unless the property faces on more than one street or unless the property contains multiple buildings that house multiple businesses. In such cases, each street frontage shall be permitted one freestanding business identification sign or each building shall be permitted one freestanding business identification sign, whichever is greater. One building mounted business identification sign is permitted per street frontage on each building.
2. Buildings Facing on More Than One Street. Buildings or building complexes on street corner locations are permitted a maximum of one freestanding sign per street frontage; provided, that each freestanding sign must be located on a different street and must be more than 100 feet apart, measured in straight

line between signs. Buildings or building complexes which extend through a block to face on two parallel streets are permitted one freestanding sign per street frontage.

3. All signs shall be in accordance with Chapter [27.10](#) RMC, Measurements.

E. General Business Districts. This subsection shall apply to all areas zoned commercial recreation (C-R), retail business (C-2), or general business (C-3).

1. Permitted Signs. Permitted signs and their regulations in the retail business, commercial recreation, commercial winery and general business districts shall be the same as those in the limited business district (subsection (D) of this section) with the following additions:

a. Freeway interchange signs are permitted, provided such signs are located on the freeway side of a line 350 feet from and parallel to the interchange right-of-way. The interchange right-of-way shall begin at a point along the freeway 1,500 feet from the center of the street passing over and under the freeway.

b. Freestanding signs which incorporate the features of an automatic changing sign or an electronic changing sign may, when assuring 25 percent of the message will be devoted to public service-time-temperature, exceed the maximum size allowed by 15 percent.

c. Where freeway interchange signs are permitted or where more than one freestanding sign is permitted, the total allowable surface area may be increased by a multiplier of two; provided, that no individual freestanding sign shall exceed 240 square feet in surface area.

d. All signs shall be in accordance with Chapter [27.10](#) RMC, Measurements.

F. Central Business District. This subsection shall apply to all areas zoned central business district (CBD).

1. Permitted Signs. Permitted signs and their regulations in the central business district shall be the same as those in the limited business district (subsection (D) of this section) with the following additions:

a. Freestanding signs which incorporate the features of an automatic changing sign or an electronic changing sign may, when assuring 25 percent of the message will be devoted to public service-time-temperature, exceed the maximum size allowed by 15 percent.

b. Where more than one freestanding sign is permitted, the total allowable surface area may be increased by a multiplier of two; provided, that no individual freestanding sign shall exceed 240 square feet in surface area.

c. All signs shall be in accordance with Chapter [27.10](#) RMC, Measurements.

2. Supplemental Sign Standards for the Uptown District – Purpose. These supplemental sign standards are put in place to encourage the installation and maintenance of signs that complement and enhance the Googie/Populuxe style of architecture that is prevalent in the Uptown Shopping Center. Signs located within the uptown district as defined in RMC [23.22.040](#), Plate 2, shall comply with the following standards and with all sign standards applicable in the central business district. Wherever there is conflict between general sign standards applicable to the central business district and the following specific sign standards, the following specific sign standards shall control:

- a. All signs shall be constructed of durable, weather resistant and easily maintainable materials. No exposed or painted construction grade plywood is permitted on any sign;
  - b. Whenever signs are placed on an awning or a roof, the applicant shall demonstrate that the awning or roof is able to support the imposed loads of the proposed sign, or that the design of the roof or awning supporting the sign incorporates adequate structural elements to support the sign;
  - c. Any channel letters included on any sign shall not exceed a maximum size of 16 inches in width and 24 inches in height;
  - d. Any corporate or business logo/symbol included on any sign shall not exceed a maximum size of 12 square feet and a maximum width or height of four feet;
  - e. Structural supporting elements shall be incorporated in such a fashion so that they appear to be an integral architectural and aesthetic element of the sign;
  - f. Roof signs shall meet the following criteria:
    - i. Roof signs may extend up to a maximum of five feet above the intersection of the sign and the building wall or parapet wall. Roof signs may be attached to or placed above a mansard type roof;
    - ii. Signs attached to a mansard shall be placed in a structure or box extending from the perimeter of the sign face back to the building wall or parapet or mansard roof. Said box shall be either perpendicular to the plane of the sign face or perpendicular to the main building wall.
    - iii. The base of any channel letters shall extend a minimum of 18 inches above the top of the parapet or building wall supporting the mansard.
    - iv. No backlit or internally illuminated or “can” type signs shall be permitted on the roof of any building.
  - g. When constructed in conjunction with an awning, “architectural blade” type signs mounted on a building wall may project horizontally a maximum of six feet over the public sidewalk. Where there is no awning present, “blade” type signs may project horizontally a maximum of four feet over the public sidewalk. In all cases the lowest portion of any blade sign shall be placed at least eight feet in height above the public sidewalk.
  - h. Signs may be located on the face of an awning subject to the following criteria:
    - i. If the sign is a “can” type then the sign box should be constructed to extend from the perimeter of the sign face back to the edge of the fascia a maximum distance of 12 inches.
    - ii. The sign must be installed so that the base is flush with the bottom of the awning.
    - iii. The height of the sign face shall not be more than 150 percent of the height of the awning fascia.
- G. Industrial and Manufacturing Districts. This subsection shall apply to all areas zoned limited manufacturing (I-1), medium industrial (I-M), and heavy manufacturing (M-2).
1. Permitted Signs. Permitted signs and their regulations shall be the same as those in the central business, commercial recreation, and general business districts (see subsections (E) and (F) of this section) except for permanent industrial park or subdivision designation signs. For the purpose of this



subsection, “industrial park or subdivision” shall mean a tract of land which is subdivided and developed according to a comprehensive plan and for use by a community of industries, with streets and utilities installed before sites are sold or leased to prospective occupants.

2. All signs shall be in accordance with Chapter [27.10](#) RMC, Measurements. [Ord. 3-89; Ord. 14-04; Ord. 04-09; Ord. 15-11 § 1.02].

**27.08.030 Special provisions.**

The following special provisions are provided to address situations posing unique signage requirements:

A. Signs Subject to Approval by the Planning Commission. The following signs may be approved by the planning commission, provided they meet the criteria listed, unless waived by the commission:

1. Freestanding, off-premises signs located at the entrance of a business area and identifying a group of businesses by name will be allowed if the following criteria exist:

a. When the businesses do not have adequate ability to allow their patrons to see their business location by using allowable signage in this chapter.

b. Permission to locate the sign has been given, in writing, by the property owner where the sign is to be located.

c. The sign meets the structural requirements of the Uniform Sign Code.

d. The sign may be lighted.

e. Letters in the business listing may not be greater than eight inches in height.

f. The sign must be made of a durable material.

g. The sign must not exceed 15 feet in height.

h. The sign may not exceed 45 square feet.

i. The sign must allow all businesses to be listed.

j. The sign may be double faced.

k. The sign must not be located in a residential zone.

2. Locator map signs located near entrances to the city may be allowed subject to the following criteria:

a. The map is designed to show different types of land usage in the city.

b. The map should also list location of all emergency facilities located in the city.

c. The sign must not exceed 60 square feet in total size.

d. The sign may not exceed 10 feet in total height.

e. Permission to locate the sign must be given, in writing, by the property owner.

f. A pullout area must be located by the sign to allow people to pull off the roadway to read the sign.

- g. The sign must meet the structural criteria of the Uniform Sign Code.
  - h. The sign must be of durable material.
  - i. The sign must be lighted.
  - j. The sign must not be located in a residential zone.
3. Business location directory signs may be allowed subject to the following criteria:
- a. All businesses located in the area for which the directory pertains are allowed to be listed.
  - b. The sign must conform to the structural criteria of the Uniform Sign Code.
  - c. The sign does not exceed 48 square feet.
  - d. The sign can be multifaced.
  - e. The sign does not exceed five feet in height.
  - f. The sign is not located in such a place that it will obstruct either pedestrian or automobile traffic.
  - g. The sign must be placed at least three feet to the right or left of the entrance into any building, or eight feet from the building face.
  - h. The sign must not be located in a residential zone.
4. Freestanding signs on high school or college campuses may be allowed in addition to those signs permitted under Table 27.10.020(A), subject to the following criteria:
- a. Only one sign, not exceeding 64 square feet in area, may be permitted.
  - b. The sign shall not exceed 20 feet in height.
  - c. The sign shall meet minimum building setback requirements so that it will not obstruct either pedestrian or automobile traffic.
  - d. The sign shall be oriented so that it does not directly face adjacent residential properties.
  - e. If the sign contains an electronic reader board or is otherwise illuminated, all lighting shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.
  - f. Notice of the public meeting held to review an application for a freestanding sign shall be provided through posting of the site at the proposed sign location.
- B. Signs Subject to Approval by the City Manager or His Designee. Signs may be approved by the city manager or his designee subject to the criteria set forth herein:
- 1. Business center on-premises and off-premises signs will be allowed if the following criteria are met:
    - a. Sign shall be located within 500 feet of an entrance into the business center or shall be located on a property that is included within the business center.
    - b. The sign is located within a C-2, C-3, or B-C zoning district.

c. Permission to locate the sign has been given to the sign permit applicant, in writing, from the property owner where the sign is to be located.

d. If the business center is five acres in area, or less, or contains less than 100,000 square feet of gross floor area of retail business uses the maximum sign size permitted under this section is 150 square feet and the maximum sign height is 25 feet. If the business center totals more than five acres, and contains more than 100,000 square feet of gross floor area of retail business uses, the maximum sign size is 240 square feet and the maximum sign height is 40 feet. If the business center totals 40 acres or more, and contains more than 200,000 square feet of gross floor area of retail business uses, the maximum sign size is 350 square feet and the maximum sign height is 50 feet.

e. Business center signs may double their otherwise allowable size in square feet when they are located on the freeway side of a line 350 feet from and parallel to the interchange right-of-way. The interchange right-of-way shall begin at a point along the freeway 1,500 feet from the center of the street passing over and under the freeway. Signs constructed pursuant to the provisions of this subsection may be constructed to 80 feet in height; provided, that any business center sign must be located more than 300 feet from a single-family residential zoning district (R-1 or R-2); and further provided, that any business center sign increased in size as provided by this section shall not be eligible for further sign size increases as provided for in RMC [27.08.020\(E\)\(1\)\(a\)](#).

f. Business center signs shall be nonilluminated or internally illuminated only and shall not include any electronic reader boards or flashing signs.

g. The maximum size of a business center sign shall be determined as follows:

i. Fifty square feet shall be allotted for each business represented on the sign plus 50 square feet for the business center name, but in no case shall a business center sign exceed the size limitations identified in subsection (B)(1)(d) of this section. Business center signs that may double in size by virtue of their proximity to a grade separated interchange as specified in subsection (B)(1)(e) of this section may allot 100 square feet for each business represented on the sign plus 100 square feet for the business center name.

h. No portion of a business center sign devoted to a single business shall exceed 100 square feet in area or 200 square feet in area if the sign meets the criteria contained in subsection (B)(1)(e) of this section. No portion of a business center sign devoted to a single business shall be less than 10 percent of the total sign area as determined in subsection (B)(1)(g) of this section.

i. A business center that totals less than five acres in area shall be permitted a maximum of one sign, either on- or off-premises. Business centers five acres and larger but less than 40 acres shall be permitted a maximum of two business center signs, but only one such sign shall be off-premises. Business centers 40 acres or larger shall be permitted a maximum of three business center signs, but only one such sign shall be off-premises.

j. Businesses that are named on a business center sign shall not be allowed additional freestanding business identification signs on the same street or highway frontage that the business center sign is located on.

k. Freestanding business center signs must be separated from other freestanding signs on the same frontage by a horizontal distance of at least twice the total height of the two signs.

l. All business center signs shall include the name of the business center. At least 10 percent of the total sign area shall be devoted to the name of the business center.

m. Applicants for a business center sign shall submit an application that identifies all of the properties that are to be included within a proposed business center and shall identify the size, location and number of all proposed business center signs. Additionally, an agreement signed by all property owners included within the proposed business center shall accompany said application for a proposed business center sign. The agreement shall specify that the property owners:

i. Agree to be included within the proposed business center;

ii. Agree to the boundaries of the proposed business center. Business centers shall consist of properties that are adjacent to or abutting each other. (Properties that are separated only by a public right-of-way are considered to be adjacent to each other for the purposes of this section.);

iii. Agree to the proposed name of the business center;

iv. Agree to the number and locations of all proposed business center signs;

v. Provide for an entity which shall be responsible for determining which businesses within the business center are included on the business center signs and how maintenance of the signs will be provided.

Said agreement shall be signed and recorded and shall be binding upon the current and future owners of the property within the proposed business center.

2. Freestanding off-premises directional signs for an individual business or organization will be allowed when a freestanding off-premises business area sign is not allowable and the following criteria are met:

a. Locating the entrance to the business can only be determined with the use of such sign.

b. Permission to locate such sign must be given in writing by the property owner where the sign is to be located and must be approved by the sign code administrator.

c. The sign may be lighted.

d. The sign does not exceed 20 square feet.

e. Only one sign per entrance will be allowed, with a maximum of two for each business.

f. The letters for the name of the business shall be not less than four or more than eight inches in height.

g. The sign does not carry any other type of advertising except as to the name and location of the business.

h. The height of the sign does not exceed eight feet.

i. The sign must meet the structural criteria of the Uniform Sign Code.

j. The sign may be double faced.

3. Portable signs located immediately in front of a business will be allowed when the following criteria are met:

- a. No such sign will be allowed on city right-of-way.
- b. The sign is up only during business hours.
- c. The sign is placed in such a manner that it is at least four feet from the building and two feet from the curb.
- d. The sign is placed at least three feet to the right or the left of the entrance to the building or eight feet from the building face.
- e. No portion of any portable sign shall be closer than 10 feet to another portable sign.
- f. The sign will be placed in the same location each time and anchored in such a manner as it meets the criteria set forth in the Uniform Sign Code.
- g. The sign will meet the structural criteria set forth in the Uniform Sign Code.
- h. The sign must not exceed five feet in height.
- i. The sign must not exceed 12 square feet.
- j. The sign must not be the primary sign of the business.
- k. Only one such sign will be allowed per business.
- l. The sign must be made of a durable material and be maintained according to this code.

4. Community banners over streets will be allowed when the following criteria are met:

- a. Community banners shall generally be made of nondurable material and used for a relatively short period of time.
- b. Community banners over city streets are allowed only in preselected locations approved by the city manager or his designee.
- c. Community banners must meet a general physical condition approval of the administrator.
- d. Street banners are for the announcing of public or charitable events.
- e. Duration of exhibiting a community banner is limited to one week prior to a specific event, and must be removed promptly after the event's conclusion.
- f. Community banners for long-term events may stay in place for the duration of the event so long as the event does not exceed four months and the banner remains unweathered.
- g. Any banner over a city street must be a minimum of 16 feet from the street surface.

5. Streetside community banners will be allowed when the following criteria are met:

- a. Generally pole mounted banners shall be made of nondurable material such as woven fabric or approved plastic material.

- b. Streetside banners either designate business area within the city, announce a public or charitable event, promote economic development, or are seasonal decoration.
- c. Streetside banners shall only be displayed for as long as the banners remain in good condition. Banners that are weathered beyond their intended use, as determined by the city manager or his designee, shall be removed or replaced.
- d. Special event banners will follow the same time criteria as in subsection (B)(5)(c) of this section.
- e. Any banner on a pedestrian right-of-way must be a minimum of eight feet from the sidewalk surface.
- f. These banners must meet all safety standards and codes for both pedestrian and vehicular traffic.
- g. The decision as to the appropriateness, size, location, and physical conditions of streetside banners will be that of the city manager or his designee.
- h. Streetside community banners shall be located only on the following designated street sections:
  - i. Columbia Center Boulevard from Columbia Park Trail south to city limits;
  - ii. Columbia Park Trail from east city limits to SR 240 Overpass and from Queensgate Drive to Malibu Private Road;
  - iii. Columbia Point Drive;
  - iv. Duportail Street from Queensgate Drive to Keene Road;
  - v. Fowler Street from east city limits to Georgia Avenue;
  - vi. Gage Boulevard from east city limits to Keene Road;
  - vii. George Washington Way from I-182 to McMurray Street;
  - viii. Jadwin Avenue from George Washington Way to Stevens Drive;
  - ix. Keene Road, from approximately 1,200 feet east of Queensgate Boulevard to approximately 600 feet west of Queensgate Boulevard;
  - x. Kennedy Road between Duportail Street and west city limits;
  - xi. Lee Boulevard from Howard Amon Park to Thayer Drive;
  - xii. Leslie Road from Gage Boulevard to the abandoned railroad right-of-way;
  - xiii. Queensgate Drive from Keene Road to Truman Avenue;
  - xiv. Spaulding Avenue from Columbia Park Trail to Fowler Street;
  - xv. Sprout Street;
  - xvi. Stevens Drive between Lee Boulevard and Williams Boulevard and between the bypass highway and Horn Rapids Road;
  - xvii. Swift Boulevard from George Washington Way to Long Avenue;

- xviii. Symons Street from George Washington Way to Jadwin Avenue;
- xix. Tapteal Drive from Steptoe Street to Columbia Center Boulevard;
- xx. Torbett Street from George Washington Way to Jadwin Avenue;
- xxi. Truman Avenue;
- xxii. Van Giesen Street from George Washington Way to Jadwin Avenue; and between Alder Avenue and Wright Avenue;
- xxiii. Wellsian Way from Aaron Drive to Lee Boulevard; and
- xxiv. Williams Boulevard from George Washington Way to Jadwin Avenue;
- xxv. Streetside banners may also be permitted on street sections in addition to those included in the above list, if such street section(s) is the determination of the city manager or his designee that the street section is primarily located in an area that abuts commercial land uses.

6. Sponsored banners shall be subject to the criteria set forward in subsection (B)(4) of this section and shall be subject to approval by the Richland city council or their designee.

7. Streetside signs will be allowed when the following criteria are met:

- a. Signs shall be of durable construction.
- b. Announce public or charitable event, or are seasonal decorations.
- c. The allowable duration of exhibiting will be the same time criteria as in subsection (B)(5)(c) of this section, with the exception of designation of business area signs. Business area designation signs may remain in place as long as they are accurate.
- d. Any streetside sign extending over a pedestrian right-of-way must be a minimum of eight feet from the sidewalk surface.
- e. Any sign of this nature which extends over a vehicular right-of-way must be a minimum of 16 feet above the roadway surface.
- f. All signs must meet public safety standards and codes.
- g. The decision as to the appropriateness, size, location and physical conditions of streetside signs will be that of the sign code administrator. [Ord. 3-89; Ord. 08-02; Ord. 09-02; Ord. 14-04; Ord. 22-06; Ord. 06-07; amended during 2011 recodification].

#### **27.08.040 Temporary political signs.**

A. Purpose.

- 1. The purpose of this section is to protect the city from visual pollution or litter resulting from the posting of election signs beyond election campaign periods, while at the same time protecting the citizens' right to express political ideology and support of particular candidates or public issues freely.

2. Any political sign which is erected within the city of Richland shall be the sole responsibility of the individual or group erecting such sign. Such sign or signs shall comply with all laws of the state of Washington with regard to the information that must be contained thereon, and in the event that there appears thereon no name for the group or individual sponsoring such sign, the individual or organization on whose behalf the sign is erected as determined by the message inscribed thereon shall be responsible for the sign.

3. Public Notice Unaffected. Nothing in this section shall be construed to prohibit the placement of public notices required by law.

#### B. Political Headquarters Signs.

1. Party Headquarters. On-premises political signs are permitted on the premises of political headquarters located in the business districts and in commercial and manufacturing districts, so long as the signs meet the requirements of those districts.

2. Headquarters for Candidate or Ballot Issue. On-premises political signs are permitted on the premises of the headquarters of a candidate for elective public office or on the headquarters of persons supporting or opposing a public issue decided by ballot, when such headquarters are located in the business districts and in commercial and manufacturing districts.

#### C. Placement of Temporary Political Signs.

1. It is unlawful for any person to place, paste, paint, affix, or fasten on any utility pole, or on or immediately adjacent to the sidewalk, roadway, or on any public building or structure, or in any dedicated public park, any such sign, poster, or bill, or other advertising device when such facilities are located on public property or within public easement.

2. Signs, posters, or bills promoting or publicizing candidates for public office or issues that are to be voted upon in a general or special election may be displayed on private property with the expressed permission of the owner or person entitled to possession thereof.

3. No temporary political sign placed on private property shall exceed 32 square feet in area.

4. All temporary political signs shall observe the following minimum setbacks along public streets:

a. Where sidewalks are provided, signs shall be located so that no portion thereof shall be closer than one foot from the sidewalk, on either side.

b. Where no sidewalk exists, signs shall be located a minimum of five feet from the curb, or where no curb exists, from the roadway or parking area edge.

c. At street intersections, signs exceeding 30 inches in height shall be located a minimum of 20 feet from the intersection, as measured along the street.

5. No political sign shall in any way interfere with or obstruct any traffic control device or in any other manner interfere with the control of traffic on the streets of the city of Richland.

#### D. Duty to Remove Temporary Political Signs.



1. It is the duty of a political candidate to remove those temporary political signs authorized by his/her committee within 24 hours of being notified by the sign code administrator to do so.
2. It is the duty of the responsible officer of a political committee proposing or opposing a ballot issue to remove its temporary political signs within 24 hours of being notified by the sign code administrator to do so.
3. Removal of Signs Following Election. Any such sign, poster, or bill shall be removed within 10 days following an election. It shall be the responsibility of the above campaign officer or responsible official to have the signs, posters, or bills removed.

#### E. Abatement.

1. The display of any political sign in violation of this section shall be presumed to have been done at the direction and request of the campaign officer or responsible official.
2. If any political candidate or committee fails to remove his/her/its temporary political signs within 24 hours of being informed by the sign code administrator to do so, the administrator may, with the consent of the rightful occupier of the land upon which the temporary political sign is posted, or pursuant to a lawfully issued warrant, enter upon such land and remove such sign.
3. No person, after proper demand is made pursuant to a lawful warrant, shall fail to permit the sign code administrator to enter promptly and to remove such sign. The cost of such entry and abatement shall be paid by the candidate or political committee whose sign is removed; provided, the rightful occupier of the land rather than a candidate or political committee shall be liable for such costs if the candidate or political committee is denied access to a sign to effect its removal.
4. The sign code administrator may request the assistance of the city attorney in procuring search warrants or recovering costs enforcing this section. [Ord. 3-89; Ord. 23-94].

LEAVENWORTH WA

Sign Code

Chapter 14.10

SIGNS<sup>1</sup>

Sections:

- [14.10.010 Purpose.](#)
- [14.10.020 Scope.](#)
- [14.10.030 Permit required.](#)
- [14.10.035 Sign permit – Conditions and effect.](#)
- [14.10.040 Prohibited signs.](#)
- [14.10.050 Permit not required when.](#)
- [14.10.055 Exempt signs.](#)
- [14.10.060 Permit applications.](#)
- [14.10.070 Wall signs standards.](#)
- [14.10.080 Projecting signs standards.](#)
- [14.10.090 Freestanding signs standards.](#)
- [14.10.100 Building permits, structural requirements and sign maintenance.](#)
- [14.10.110 Application fees.](#)
- [14.10.120 Existing nonconforming signs.](#)
- [14.10.130 Variance from sign code.](#)
- [14.10.140 Administrative interpretation.](#)
- [14.10.150 Severability.](#)
- [14.10.160 Compliance and enforcement.](#)
- [14.10.170 Processing – Signs in commercial zone districts.](#)
- [14.10.180 Design criteria – Signs in commercial zone districts.](#)
- [14.10.190 Processing and design criteria – All noncommercial zone districts.](#)
- [14.10.200 Designated sign areas.](#)
- [14.10.210 Definitions.](#)

**14.10.010 Purpose.** 

The purpose of this chapter is to promote the use of signs which are both functional and attractive in appearance through a sign regulation and permit system. This system is intended to permit such signs that will not, by their size, location, design, construction or manner of display, endanger the public safety of individuals, obstruct vision necessary for traffic safety, or otherwise endanger the public health, safety, general welfare, or the economy and business climate of the city of Leavenworth. Further, it is recognized that Leavenworth is located in a valley with outstanding natural scenic beauty, and that this resource has been enhanced by adoption of the Old World Bavarian Alpine theme. These two assets form the basis for Leavenworth’s thriving tourist industry, upon which the city’s economic health and general welfare so heavily depend. Signs complementing the Old World Bavarian Alpine theme, as provided for in this chapter, form a key and indispensable part of the overall visual

attractiveness of the city, and thereby contribute both to the aesthetic and economic well-being of Leavenworth. The purpose of this chapter is also based on the goals and policies in the city's adopted comprehensive plan, which is incorporated herein by this reference. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.020 Scope.** 

Except for legally nonconforming signs under LMC [14.10.120](#), and except for exempt signs, to the extent set out in this chapter, this chapter applies within Leavenworth city limits and UGA to all existing signs and all signs erected, moved, relocated, enlarged, structurally changed, painted, or altered after the date of adoption of the ordinance codified in this chapter. All such signs must comply with the requirements of this chapter. This chapter is not intended to regulate or dictate, in any manner, the content of speech or expression, or the viewpoint of the speaker, and is only intended to regulate the style through colors, fonts and manner of graphic depiction. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.030 Permit required.** 

No sign governed by the provisions of this chapter shall be erected, altered or relocated by any person, firm or corporation from and after the date of adoption of the ordinance codified in this chapter without a permit issued by the city or county (as applicable) unless such sign is expressly allowed without permit. Permits shall be processed in accordance with this chapter and LMC Title [21](#). Signs located within the UGA shall be processed in accordance with the most current version of the Chelan County Memorandum of Understanding, as well as any supplements or amendments thereto. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.035 Sign permit – Conditions and effect.** 

Sign permits issued on the basis of plans and applications approved by the design review board or administrative official (as applicable) authorize only the arrangement and design set forth in such approved plans and applications, and no other use, arrangement, design, or construction. Use, arrangement, design, or construction at variance with that authorized shall be deemed violation of this title and punishable as provided in Chapter [21.13](#) LMC. [Ord. 1476 § 1 (Att. A), 2014.]

**14.10.040 Prohibited signs.** 

Unless specifically allowed in this chapter it is unlawful to erect or maintain:

A. Except as where otherwise specifically permitted in this chapter, any sign within the commercial districts, including logo signs, which is not compliant with the design, lettering style, and colors of the Old World Bavarian Alpine theme;

B. Logos of chain or franchised businesses are prohibited, but shall be allowed if modified to incorporate graphics, colors, and Bavarian lettering styles and modified to utilize the Old World Bavarian Alpine theme as approved by the design review board;

- C. Off-site signs except for political signage, campaign signs, or other protected First Amendment signs in the public forum portion of the right-of-way or when located within designated sign areas, community bulletin boards, and signs of a public body;
- D. Signs within right-of-way, except for political signage, campaign signs or other protected First Amendment signs or temporary community service event signs in the public forum portion of the rights-of-way or when located within designated sign areas, community bulletin boards, and signs of a public body;
- E. Signs which have moving parts, appear to move, or are designed to be moved in any way excepting analog clocks and glockenspiels or as allowed for educational institutions and/or facilities freestanding reader board sign(s);
- F. Portable signs except as allowed pursuant to this chapter;
- G. Pennants on a rope, balloons, and streamers except as allowed pursuant to this chapter;
- H. Neon, neon-like, and/or neon in appearance sign(s) exterior and visible from public rights-of-way or located in the interior of a structure and visible from public rights-of-way;
- I. Interiorly illuminated sign(s) exterior and visible from public rights-of-way or located in the interior of a structure and visible from public rights-of-way except when placed more than a horizontal distance of 15 feet back from the window surface or when located at the back wall of the space, whichever provides the greatest distance from the window excepting educational institutions and/or facilities freestanding reader board sign(s);
- J. Exterior and visible from public rights-of-way or located in the interior of a structure and visible from public rights-of-way signs with flashing lights;
- K. Bench signs;
- L. Trailer signs;
- M. Vehicle signs (except license plates and license plate holders) when used in a manner which meets the definition of “sign” except when located on site of the property of the business being advertised; when mandated by state or federal rules and regulations; or when parked less than eight hours off site. Vehicle signs on contractor vehicles shall be allowed when located on site and/or within the construction staging area of any active construction site. No person shall move and repark a vehicle or trailer in order to avoid a parking time limit;
- N. Roof signs;
- O. Billboards;
- P. Dry erase boards;
- Q. Signs which are plastic in appearance (as determined by the design review board); and

R. Signs which bear or contain statements, words, or pictures which are obscene under the prevailing statutes or U.S. Supreme Court decisional law. [Ord. 1490 § 1 (Att. A), 2014; Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.050 Permit not required when.** 

The following types of exterior and visible from public rights-of-way or located in the interior of a structure and visible from public rights-of-way signs and devices do not require a permit; provided, that any standards specified in this chapter are met; and such signs are not listed as prohibited within LMC [14.10.040](#). Temporary signs installed pursuant to this section do not have vested status and cannot become permanent installations. In addition to LMC [14.10.160](#), any person or property owner violating or failing to comply with this section shall be guilty of a civil infraction. Each such person or property owner is guilty of a separate offense for each and every day during any portion of which any violation of this section is committed or continued. Any such person or property owner in violation of this chapter shall be punished by a fine of not more than \$1,000. The city administrator or his/her designee shall be responsible for determining compliance of “signs allowed without permit.” The signs must be compatible in design with the Old World Bavarian Alpine theme unless specified otherwise herein. The signs must be maintained. This chapter and this section are not intended to regulate or dictate, in any manner, the content of speech or expression, or the viewpoint of the speaker, and are only intended to regulate the style through colors, fonts and manner of graphic depiction. In determining compliance, the city administrator or his/her designee shall apply the following required provisions:

1. Compliance with size, location, and number requirements of this chapter;
2. The use of approved Old World Bavarian Alpine theme lettering;
3. The use of Baroque, Rococo, Classical, or Bavarian folk art elements (shall be shape of sign, border, or other elements as determined by the city); and
4. The use of approved Old World Bavarian Alpine theme colors as determined by the design review board by generally applicable resolution.
  - A. Exterior menu signs; provided, that:
    1. The signs are limited to two signs with a cumulative total maximum area of six square feet (except as approved for sidewalk seating);
    2. Dry erase boards are prohibited;
    3. Chalkboards may be used;
    4. Such signs shall be exempt from wall sign calculations;
    5. Such signs shall be on site;
    6. The signs must be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located in the commercial districts; and
    7. Such signs are considered temporary signs.

B. Flags and insignia of any government; constructed and displayed in a manner which is consistent with Chapter [14.17](#) LMC.

C. Signs of a public body, noncommercial in nature, including, without limitation, public transit service signs, public utility information signs, traffic control signs, parking lot signs, public warning signs, and all signs erected by a public officer in the performance of a public duty. Such signs are exempt from compliance with the Old World Bavarian Alpine theme and LMC [14.10.180](#).

D. On-site portable signs; provided, that:

1. Such signs are considered temporary signs, and shall be allowed during business hours or event hours only;
2. The area of individual signs shall not exceed four square feet;
3. Only one sign shall be allowed per parcel/lot or driveway entrance or frontage (for example: corner or through lot may have two with one sign located at each frontage);
4. Dry erase boards are prohibited. Chalkboards may be used;
5. Such signs shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located within the commercial districts;
6. Such signs shall not block required exits or other necessary egress;
7. Such signs shall be located at street grade; and
8. Such signs shall not be placed off site or within any public right-of-way, unless within a designated sign area or within a community bulletin board in compliance with the standards provided for such location.

E. Community bulletin board structure; provided, that:

1. Such structure shall be constructed compliant with the Old World Bavarian Alpine theme design (LMC [14.10.180](#)) when located in the commercial districts;
2. Such structure shall be located within public property and may be located within a DSA;
3. Individual signs may be placed within the structure. Individual signs within a DSA shall comply with LMC [14.10.200](#), and are exempt from the Old World Bavarian Alpine theme and LMC [14.10.180](#);
4. Such structure shall not exceed 12 feet in height; and
5. The area available for placement of signage shall not exceed 32 square feet per side.

F. Temporary “new” or “coming soon” business signs; provided, that:

1. Such signs are considered temporary signs, and shall not exceed four square feet in area;
2. Such signs must be securely affixed to the interior surface of a window advertising their activity or business;

3. Such signs shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located in the commercial districts; and

4. Such signs must be removed no later than 60 days after initial posting, unless otherwise extended by the administrative approval of the city.

G. Temporary “sale” and special product announcement signs; provided, that:

1. Such signs are considered temporary signs;

2. Such signs must be securely affixed to the interior surface of a window;

3. Such signs shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located in the commercial districts;

4. Such signs shall not be placed off site, unless within a designated sign area or within a community bulletin board in compliance with the standards provided for such location; and

5. Such signs shall not cover more than one-third of the total window space. This area shall include all other allowed window signs (including “community service event signs”) for a total cumulative area not to exceed one-third the window space.

H. Temporary transient business signs; provided, that:

1. Such signs are considered temporary signs, and shall be compliant with the duration limits of the transient business license;

2. Such signs shall be reviewed and approved by the city during the process required for transient business licensing;

3. Such signage shall not exceed four square feet in area;

4. No more than one sign shall be allowed; except as mandated by federal or state statute (for example: fireworks);

5. Such signs shall be allowed on any structure approved for use as a transient business; and

6. Such signs shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located in the commercial districts.

I. Incidental signs; provided, that:

1. Such signs shall not exceed a total combined area of two square feet per business;

2. All such signs shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located within the commercial districts;

3. Only “open/closed” and “business hours” signs may be made of a synthetic or plastic material; and

4. Such signs are considered temporary signs, and may be placed for the duration of the business.

J. Real estate and/or “open house” signs; provided, that:

1. Such sign(s) shall not be placed off site or within any public right-of-way, unless in a designated sign area or within community bulletin boards in compliance with the standards provided for such location;
  2. Such sign(s) may be portable;
  3. Such sign(s) shall be no greater than four square feet in area per side of sign and are limited to two sides;
  4. Only one sign shall be allowed per parcel/lot or driveway entrance or frontage (for example: corner or through lot may have two);
  5. The real estate and/or "open house" sign shall only be used for advertising to sell property and structures. The signs shall not be used to advertise for overnight accommodations;
  6. Such sign shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located within the commercial districts; and
  7. Such signs are considered temporary, and must be removed seven days from the close of sale (recording and transfer of deed).
- K. Special event sign; provided, that:
1. One such sign shall be allowed per vendor, and must be attached to the booth, tent, and/or concession area;
  2. No portable or freestanding signs shall be allowed;
  3. No internal, indirect or backlit illumination of any kind shall be allowed;
  4. Such signs are considered temporary signs;
  5. No sign shall exceed four square feet in area;
  6. Such signs shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located in the commercial districts; and
  7. The sign shall be removed at the end of the event.
- L. Residential development signs; provided, that:
1. The height of such sign does not exceed six feet;
  2. The sign is freestanding;
  3. The sign area shall not exceed 18 square feet; and
  4. Such signs shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located within the commercial districts.
- M. Temporary community service event signs; provided, that:
1. Such signs are considered temporary signs;



2. The signs are installed no more than three months prior to the start of said event except when located within right-of-way;
  3. The signs are removed no more than two days after the end of the event;
  4. The area of the sign shall not exceed 32 square feet in area when located on private property. The allowed area of this sign is in addition to any other allowed sign area, excepting window signage;
  5. Such signs may contain logos of the nonprofit organization separately or combined which shall not exceed 15 percent of the sign area;
  6. Such sign shall be immediately removed if not maintained;
  7. The sign(s) may function to direct visitors and residents to nonprofit community events and what/where services are available;
  8. Such sign may be portable and off site;
  9. Such sign shall conform to the standards of the designated sign area or community bulletin board when located within designated sign area or within a community bulletin board;
  10. Signs allowed within right-of-way shall not exceed four square feet in area. Signs allowed within right-of-way shall be located outside of sidewalks or travel way. No more than five signs shall be allowed per 100 lineal feet of right-of-way. At no time shall signs block or obstruct safe sight distance, and/or become a nuisance, hazard and/or danger to the public as determined by the public works department. Signs within right-of-way may be installed no more than two weeks prior to the start of said event;
  11. Such sign shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located in the commercial districts;
  12. Such signs shall not cover more than one-third of the total window space; and
  13. Such signs shall not advertise specific business.
- N. Private warning sign (see signs of a public body for other warning signs); provided, that:
1. The area of the sign shall not exceed four square feet;
  2. No more than one sign per hazard;
  3. Such sign shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located in the commercial districts; and
  4. When required to comply with state or federal standards and specifications, such signs are exempt from compliance with the Old World Bavarian Alpine theme, quantity and size standards.
- O. Illuminated window signs (neon signs are prohibited when visible – this chapter); provided, that such signs are placed more than 15 feet back from the interior window surface or the back wall of the space.
- P. Directional signs; provided, that:
1. Such signs shall not exceed four square feet in area;

2. Such signs are limited to one per 500 square feet of building or 700 square feet of parking lot to a maximum of five per property;
3. Directional signs may contain the name of the business separately or combined which shall not exceed 25 percent of the directional sign area; and
4. Such sign shall be compliant with the Old World Bavarian Alpine theme and LMC [14.10.180](#) when located in the commercial districts. [Ord. 1477 § 1 (Att. A), 2014; Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

#### **14.10.055 Exempt signs.**

The following types of exterior and visible from public rights-of-way or located in the interior of a structure and visible from public rights-of-way signs and devices do not require a permit, are exempt from compliance with the Old World Bavarian Alpine theme and LMC [14.10.180](#), and may be made of any material; provided, that any standards specified in this chapter are met; and such signs are not listed as prohibited within LMC [14.10.040](#). Temporary signs installed pursuant to this section do not have vested status and cannot become permanent installations. The city administrator or his/her designee shall be responsible for determining compliance of “exempt signs.” Exemptions shall be construed narrowly. Only those signs that meet the precise terms of one or more of the listed exemptions may be granted exemption. For example: if the sign includes any nonexempt element, then the sign will not meet the exemption. An exempt sign is not an exemption from compliance with any other regulatory requirements. Such signage is not limited in number, height, size or area, and is exempt from compliance with the Old World Bavarian Alpine theme and LMC [14.10.180](#). For example: neon signs; provided, that such sign is not visible from the adjacent street, alley, sidewalk and/or right-of-way (neon signage located interior to a property and not visible from right-of-way).

- A. All signs interior to a building or property when not visible from public rights-of-way. Any signage located in such a way as to not be visible from any adjacent street, alley, sidewalk, and/or right-of-way (signage located interior to a property and not visible from public rights-of-way).
- B. Nonilluminated window signs; provided, that such sign is placed more than five feet back from the interior window surface.
- C. Sale/price tags attached to the product less than one square foot in total area.
- D. License plates, license plate frames or vehicle brand.
- E. Governmental flags (see Chapter [14.17](#) LMC).
- F. Signs of a public body (government).
- G. Signs affixed to and integral to vending machines, newspaper stands, and/or other similar freestanding dispensers/machines.
- H. Signs affixed to and integral to utilities or other equipment.
- I. Signs affixed to and integral to portable and temporary services including but not limited to: portable sanitary, garbage/recycle receptacles, and other similar facilities.

J. Signs located on the property of a residence; provided, that the sign is noncommercial in nature and shall not exceed four square feet in area.

K. Garage sale signs when located within residential district and not affixed to utility poles or within rights-of-way.

L. Warning sign (public).

M. Private use signs; provided, that:

1. The signs are no more than two square feet in area;
2. The signs are located in a residential district on private property, in a designated sign area, or within community bulletin boards;
3. Signs shall not be posted on any utility post, traffic post or street light post;
4. Signs shall be removed the day the event or special condition ends; and
5. Such signs are considered temporary signs.

N. Political speech signs; provided, that:

1. Such signs are considered temporary signs;
2. The area of individual signs shall not exceed four square feet;
3. Such sign may be made of any material; and
4. Such signs are allowed within right-of-way; provided, that they shall not be located on sidewalks or other traveled ways. At no time shall signs block or obstruct safe sight distance, and/or become a nuisance, hazard and/or danger to the public as determined by the public works department.

O. Political election signs; provided, that:

1. Such signs are considered temporary signs;
2. The area of individual signs shall not exceed four square feet;
3. Such signs are allowed within right-of-way; provided, that they shall not be located on sidewalks or other traveled ways. At no time shall signs block or obstruct safe sight distance, and/or become a nuisance, hazard and/or danger to the public as determined by the public works department; and
4. Political election signs shall be removed no later than 15 days after the election.

P. Label sign; provided, that:

1. Such signs shall not exceed one square foot in area; and
2. Such signs are limited to one.

Q. Integral signs; provided, that:

1. Such signs shall not exceed three square feet in area.

R. Parking lot signs; provided, that:

1. Such signs shall not exceed four square feet in area;
2. Such signs are limited to a maximum of one per five parking stalls; and
3. Such signs shall be compliant with Chapter [46.55](#) RCW and/or state the rules for parking in the lot.

S. Construction signs; provided, that:

1. Only one such sign shall be allowed per street frontage of a building;
2. The area of each sign shall not exceed 32 square feet;
3. The signs shall be removed within 30 days of completion or occupancy of the building, whichever comes first; and
4. Such signs are considered temporary signs.

T. Commemorative plaques; provided, that:

1. Such signs shall not exceed three square feet in area. [Ord. 1477 § 1 (Att. A), 2014; Ord. 1426 § 1 (Att. B), 2012.]

#### **14.10.060 Permit applications.**

A. When required, application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or his/her authorized agent. Such application shall be made in writing on forms furnished by the city. Only fully completed applications shall be accepted by the city. If anyone other than the owner of the property is making application for a sign, the owner's signed and dated knowledge of and consent to the application must be shown on the application.

B. Permits shall be processed in accordance with this chapter and LMC Title [21](#). Signs located within the UGA shall be processed in accordance with the most current version of the Chelan County Memorandum of Understanding, as well as any supplements or amendments thereto.

C. The application for a sign permit shall be accompanied by the following plans and other information. A receipt of an application shall not preclude the city from requesting additional information if new information is required or a change in the proposed sign occurs:

1. The name, address and telephone number of the owner or person entitled to possession of the sign and of the sign contractor or erector.
2. The location by street address of the proposed sign/sign structure.
3. A drawing shall be on paper capable of being folded for storage in a nine-inch by 14-inch file, which shall become the property of the city. The drawing shall include the following:
  - a. An accurately colored drawing, to a scale appropriate for showing all detail of the sign including: all design details, lettering styles, mounting structures, location, height, width and devices. Such drawing will be an accurate "mock-up" graphic representation;

- b. An accurately scaled drawing(s) of all building faces to be signed, including: building dimensions, the scaled and dimensioned outlines of all existing and proposed signs, and current photo of the building face or location;
- c. An accurately scaled site plan showing the location of building(s), street(s) and sign(s) in the case of freestanding signs;
- d. Accurate color representation or actual color chips;
- e. Any existing and proposed sign lighting (lighting shall be compliant with Chapter [14.28](#) LMC); and
- f. The name of the proposed lettering style along with a detailed illustration of the proposed style. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

#### **14.10.070 Wall signs standards.**

- A. All wall signs shall comply with the Old World Bavarian Alpine theme and the processing requirements of LMC [14.10.170](#), Processing – Signs in commercial zone districts, and design requirements of LMC [14.10.180](#), Design criteria – Signs in commercial zone districts, when located within the commercial zone districts; and all wall signs not located in the commercial zone districts shall comply with the standards of this chapter and processing requirements of LMC [14.10.190](#), Processing and design criteria – All noncommercial zone districts, except the Old World Bavarian Alpine theme.
- B. Wall signs may be located on any building face.
- C. The maximum area for the total of all permitted wall signs shall not exceed three percent of the building face area. This shall include all window and door areas and shall be measured from the sidewalk or ground line to the building eave line. Painted building names, not exceeding 10 square feet, shall not be included in the allowable sign area.
- D. Business listing signs shall incorporate consistent lettering styles, and the individual signs comprising a business listing sign shall be uniform or consistent in size, shape and design.
- E. Signs for businesses in residential zones shall not exceed four square feet in area.
- F. One nonilluminated wall sign shall be allowed per building face for legally permitted uses in the residential zones. Any such signage shall comply with the standards of this section (LMC [14.10.070](#)).
- G. One directory sign shall be allowed per building for a building containing more than one business.
- H. Directory signs shall not exceed two square feet in area per business or a maximum of eight square feet in area. Such area shall not be included in the allowable sign area. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

#### **14.10.080 Projecting signs standards.**

- A. All projecting signs shall comply with the Old World Bavarian Alpine theme and the processing requirements of LMC [14.10.170](#), Processing – Signs in commercial zone districts, and design requirements of LMC [14.10.180](#), Design criteria – Signs in commercial zone districts, when located within the commercial zone districts; and all projecting signs not located in the commercial zone districts

shall comply with the standards of this chapter and processing requirements of LMC [14.10.190](#), Processing and design criteria – All noncommercial zone districts, except the Old World Bavarian Alpine theme.

B. One projecting sign shall be allowed per business per building and shall be located in close proximity to (for example: above or beside) the public entrance for the business. The “public entrance” is defined as that used by the general public and not for purposes such as: staff entry, sending, receiving, emergency egress, etc. In no case shall more than one projecting sign be permitted per exterior building entrance, unless connected together as part of a projecting business listing sign.

C. Projecting signs (highway location) shall not exceed 50 square feet in area. Decorative or support structures around the sign need not be included in the sign area and shall not be greater than the area of the allowed sign area. Buildings allowed a highway-sized projecting sign are limited to only one such sign. The sign shall not extend over the public right-of-way.

D. Projecting signs (nonhighway location) shall not exceed five square feet in area for an individual business. The exception to this area limitation is for projecting signs which are used in place (replacing) of freestanding signs on lots with 80 percent or less lot coverage, pursuant to this chapter. The sign shall not extend from the building exterior edge more than four feet over the public right-of-way to a maximum of eight feet into public right-of-way from the building face. At no time shall any portion of a projecting sign encroach within vehicle travel ways. For the purposes of this section, the “exterior edge” may be the building walls, balconies, porticos or similar integral components of the building. “Exterior edge” shall not include flower boxes, storm doors, or similar ancillary building components. Decorative or support structures around the sign need not be included in the projection length allowed over the public right-of-way, but shall not be allowed to project further than six feet over the public right-of-way from the exterior edge of the building, and shall not exceed 200 percent of the allowed sign area.

E. The height of the top of the projecting sign shall not exceed 80 percent of the height of the building.

F. A projecting sign shall not be attached to a railing, fence, deck support, or similar type of structure, but may be hung from or attached to a balcony.

G. Business listing signs shall incorporate consistent lettering styles, each individual sign shall not exceed the area of an allowed projecting sign, and the individual signs comprising a business listing sign shall be uniform or consistent in size, shape and design.

H. Clearance under the lowest point of any sign which projects out over a public right-of-way (if allowed) shall not be less than eight feet.

I. One nonilluminated projecting sign shall be allowed per property or parcel for uses located in the residential zones permitted by LMC Title [18](#). Any such sign shall not project over public rights-of-way, shall not obstruct internal walkways, and shall not be placed in areas where a vehicle driver’s visibility (intersections, alleys, driveways) might be obscured.

J. Signs for businesses in residential zones shall not exceed four square feet in area. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.090 Freestanding signs standards.** 

A. All freestanding signs shall comply with the Old World Bavarian Alpine theme and the processing requirements of LMC [14.10.170](#), Processing – Signs in commercial zone districts, and design requirements of LMC [14.10.180](#), Design criteria – Signs in commercial zone districts, when located within the commercial zone districts; and all freestanding signs not located in the commercial zone districts shall comply with the standards of this chapter and processing requirements of LMC [14.10.190](#), Processing and design criteria – All noncommercial zone districts, except the Old World Bavarian Alpine theme.

B. Buildings which are located more than 10 feet behind the front or side property line (in the case of through lots, rear) may have a single freestanding sign. This sign shall not project over public rights-of-way, shall not obstruct internal walkways, and shall not be placed in areas where a vehicle driver's visibility (intersections, alleys, driveways) might be obscured. Only one freestanding sign shall be allowed per business property or parcel; provided, however, that two freestanding signs shall be allowed on parcels two acres or more in size if, in addition to those requirements already noted, all the following conditions are met:

1. There shall be at least a total of 230 linear feet of frontage on two streets (alleys not included);
2. There must be a vehicle ingress or egress for each freestanding sign, per street frontage; and
3. Only one freestanding sign shall be allowed per street frontage, and such sign shall be placed in close proximity to the required vehicle ingress or egress.

C. Freestanding signs (highway location) shall not exceed 50 square feet in area; shall not exceed 15 feet in height; and shall not extend over the public right-of-way.

D. Freestanding signs (nonhighway location) shall not exceed 32 square feet in area; shall not exceed 12 feet in height; and shall not extend over the public right-of-way.

E. When a business requires a drive-through and the main floor area of the structure that the business is located in exceeds 1,000 square feet, a drive-through menu board sign may be installed. The sign shall be constructed of any material allowed by this code. However, a clear rigid cover may be installed to cover the sign to provide security and protection from the weather. Lighting of the sign must comply with the requirements of this code. A best effort shall be made to screen the menu board sign from residential and public right-of-way properties as to view, lighting, and sound. The drive-through menu board sign shall be allowed in addition to any other freestanding or projecting signs allowed pursuant to this code. The menu board sign shall not project over public rights-of-way, shall not obstruct internal walkways, and shall not be placed in areas where a vehicle driver's visibility (intersections, alleys, driveways) might be obscured.

F. Drive-through menu board signs shall not exceed 25 square feet in area. This sign area is in addition to that allowed in other sections of this chapter.

G. Drive-through menu board signs shall not exceed eight feet in height and shall not extend over the public right-of-way.

H. Buildings allowed a freestanding sign may also have projecting sign(s); provided, that the area and number of such projecting sign(s) meets the standards within LMC [14.10.080](#).

I. A freestanding sign may be a business listing sign, or have multiple businesses. Business listing signs shall incorporate consistent lettering styles, and the individual signs comprising a business listing sign shall be uniform or consistent in size, shape and design. The total area of all signs within the business listing sign structure shall be as allowed within this section.

J. One nonilluminated freestanding sign shall be allowed per property or parcel for uses located in the residential zones permitted by LMC Title [18](#). Any such sign shall not project over public rights-of-way, shall not obstruct internal walkways, and shall not be placed in areas where a vehicle driver's visibility (intersections, alleys, driveways) might be obscured.

K. Freestanding signs for businesses in residential zones shall not exceed four feet in height.

L. Signs for businesses in residential zones shall not exceed four square feet in area.

M. Educational institutions and/or facilities freestanding reader board sign shall be allowed; provided, that:

1. The freestanding reader board sign(s) is located on site with an educational institution and/or facility.
2. Freestanding reader board sign(s) shall be allowed for educational institutions and/or facilities.
3. One freestanding reader board sign is allowed per educational institution and/or facility.
4. Freestanding reader board sign(s) may be internally illuminated and/or digital; provided, that the text and/or graphics are static, rolling, or scrolling at a legible speed. At no time may the text and/or graphics flash, blink, revolve, flicker, change intensity or color, chase or any other similar movement or effect. Freestanding reader board sign(s) which are internally illuminated and/or digital shall not be visible from Highway 2.
5. Freestanding reader board sign(s) shall meet the standards and requirements of this chapter. [Ord. 1490 § 1 (Att. A), 2014; Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.100 Building permits, structural requirements and sign maintenance.** 

All signs shall conform with the following permitting, structural and maintenance requirements:

A. A separate permit(s) shall be applied for and obtained if required by the International Construction Codes, as amended by Washington State and the city of Leavenworth.

B. Permits shall comply with the applicable construction standards of the 1997 Uniform Sign Code, as amended by Washington State and the city of Leavenworth. In all cases of reference to the Uniform Building Code and International Conference of Building Officials, the International Building Code and International Code Conference shall be used. The following sections are specifically excepted and/or excluded (not adopted): Sections 201, 202, 204 through 217, 303, 402.2, 402.3(1) and (2), 402.4, 402.5, 402.7, 402.8, all of Tables 4A through 4C, second sentence of Section 403.4, Section 403.6, all of Chapters 5, 6, 8, Sections 901, 903, 1001, 1003.2, all of Chapters 11, 12, 13 and 14.

C. Plans for projecting signs with a surface area exceeding 20 square feet shall be prepared by a Washington State licensed architect or engineer.



D. Wiring for indirectly lighted signs shall be installed in accordance with the state electrical code.

E. Sign Maintenance. All signs must be kept in good repair and in a safe manner at all times. The property owner or sign owner (if different than the property owner) must repair damaged or deteriorated signs within 60 days of notification by the city. The area surrounding freestanding signs must be kept free of litter and debris at all times. Signs not repaired within the allowed 60 days shall be considered abandoned signs. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

#### **14.10.110 Application fees.**

The city council shall establish by resolution a schedule of fees, charges and expenses for permits, applications and other matters pertaining to this title related to sign permits. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken by the city on any application, appeal or request. There is no vested right to fees, charges, or expenses. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

#### **14.10.120 Existing nonconforming signs.**

Existing nonconforming signs as defined in this chapter are permitted, but shall be removed or brought into compliance with this chapter, as amended, any time the basic design, size, color or structure of the sign is altered, unless the proposed alteration renders the sign more in compliance with this chapter and the cost of the alteration of a freestanding sign or highway projecting sign is less than 50 percent of the replacement value of the sign. Signs damaged or altered, in any manner, by more than 50 percent of their replacement value shall be replaced with a sign that meets the requirements of this chapter as amended and in effect at the time of the requested replacement. Notwithstanding the foregoing, existing nonconforming signs shall be brought into compliance with this code no later than March 15, 2030. The hearing examiner shall review and make decisions on appeals alleging an error in a decision of a city official in the interpretation or the enforcement of the zoning code or any other development regulation.

The burden of establishing that any nonconformity is a legal nonconformity as defined herein shall, in all cases, be upon the owner of such alleged nonconformity and not upon the city. Determination of the nonconforming status of a sign is an administrative function of the city administrator and/or his/her designee. Property owners asserting existing nonconforming status shall submit such information as the city administrator and/or his/her designee deems necessary to substantiate or document the claim to the existing nonconformance. Documentation submitted by the property owner must ascertain the date the nonconformity was established and that it conformed to the applicable development regulations in effect at that time. Documentation may consist of such historical items. Unsubstantiated anecdotal evidence cannot be accepted for the determination of existing nonconforming status. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

#### **14.10.130 Variance from sign code.**

Any person aggrieved by the standards or requirements of this chapter may seek a variance as provided herein. In addition, the city administrator or his/her designee working in consultation with other agencies and departments with expertise has discretionary authority to rule on the applicability of LMC Title [14](#) dimensional standards, and, at his/her discretion, to require formal application to the hearing

examiner for variance of the standards. At no time shall an administrative deviation from the dimensional standards exceed 10 percent of the adopted standard. At no time shall an administrative deviation from the Old World Bavarian Alpine theme be allowed. A deviation is not a right. It is a special exception from the regulations for which a justifiable need and extraordinary circumstances must be demonstrated. It is intended to assure fair treatment of someone with special property circumstances and not to grant special privilege. Deviations may be approved provided the applicant demonstrates the following:

- A. The deviation does not conflict with the comprehensive plan.
- B. The deviation is no greater than 10 percent of the adopted standard.
- C. The deviation is solely and exclusive to a dimensional standard (for example: length, width, depth, height, and area).
- D. The authorization of the deviation shall not be materially detrimental to the purposes of this title, be injurious to property in the same district or neighborhood in which the property is located, or be otherwise detrimental to the objectives of any comprehensive plan. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]


**14.10.140 Administrative interpretation.** 

Administrative interpretations of this chapter including application of the Old World Bavarian Alpine theme requirements are available to any person. Such interpretations shall be made by the city administrator or his/her designee pursuant to Chapter [21.03](#) LMC. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.150 Severability.** 

If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be invalid or unconstitutional, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.160 Compliance and enforcement.** 

The following penalties and remedies are in addition to the enforcement provisions established in Chapter [21.13](#) LMC. Any violation of this sign code shall constitute a public nuisance per se.

A. Compliance with Other Applicable Codes. All signs erected or altered under this chapter must comply with all applicable federal, state and local regulations relating to signs, including, without limitation, the provisions of the building code. If any provision of this code is found to be in conflict with any provision of any zoning, building, fire, safety or health ordinance or code of the city, the provision which establishes the higher standard shall prevail.

B. Immediate Removal of Signs. All signs located within public rights-of-way or on public utility poles, traffic sign poles, sidewalks or other public property and private use signs located in the commercial zones except as allowed within this chapter or signs that present an immediate and serious danger to

the public shall be considered a nuisance and may be immediately removed by the city. All signs removed by the city shall be available for recovery by the owner of such sign for a period of two weeks, after which they will be destroyed. The city shall not be responsible for damages or loss during removal or storage of any signs. Exception: temporary signs printed on paper or other nondurable material may not be available for recovery by the owner.

C. All signs located within the city which do not conform to the provisions of this chapter, except “existing nonconforming signs” as defined in this chapter, are unlawful and shall be removed within 30 days of the ordinance codified in this chapter.

D. Any unlawful sign which has not been removed within 15 days after imposition of civil penalty under LMC Title [21](#) may be removed by the city and the costs charged to the person violating this chapter. If removal costs have not been paid and the sign reclaimed within 30 days of its removal by the city, the city shall be entitled to file with the county auditor a lien against the real estate on which the sign was located to secure repayment of such costs and expenses of removal by the city. The lien may be foreclosed in the manner provided by Washington law for the foreclosure of labor and material liens. The city may sell or otherwise dispose of the sign so removed and apply the proceeds toward costs of removal. Any proceeds in excess of removal costs shall be paid to the owner of the sign.

E. Abandoned signs as defined in this chapter may be removed by the city and the cost of removal shall be paid by the owner of the sign and shall be a lien on the real estate from which the abandoned sign was removed subject to the same provisions for foreclosure of the lien as provided in subsection (D) of this section.

F. By the act of construction or installation of signs allowed or permitted within public right-of-way, the recipient of such permit or approval agrees to indemnify, defend, and hold harmless the city of Leavenworth from any claim, action, liability, loss, damage or suit arising from the issuance of permit and/or allowance of signs within public right-of-way.

G. Continued Duty to Correct. Payment of a monetary penalty pursuant to city code does not relieve a person of the duty to correct the violation.

H. Attorney Fees. In any action brought by the city to enforce this chapter or in any action brought by any other person in which the city is joined as a party challenging this chapter, in the event the city is a prevailing party, then the nonprevailing party challenging the provisions of this chapter or the party against whom this chapter is enforced in such action shall pay, in addition to the city’s costs, all reasonable attorney’s fees, costs, and expenses incurred in abating the violation or securing full compliance with this chapter as well as at any hearing, trial or appeal relating to securing such compliance. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

#### **14.10.170 Processing – Signs in commercial zone districts.**

A. The city administrator or his/her designee shall be responsible for determining compliance of “signs allowed without permit.” The signs must be compatible in design with the Old World Bavarian Alpine theme unless specified herein. In determining compliance, the city administrator or his/her designee shall consider the following required provisions:

1. Compliance with size, location, and number requirements of this chapter;

2. The use of approved Old World Bavarian Alpine theme lettering;
  3. The use of Baroque, Rococo, Classical, or Bavarian folk art elements (may be shape of sign, border, or other elements as determined by the city); and
  4. The use of approved Old World Bavarian Alpine theme colors as determined by the design review board by general resolution.
- B. This chapter and this section are not intended to regulate or dictate, in any manner, the content of speech or expression, or the viewpoint of the speaker, and are only intended to regulate the style through colors, fonts and manner of graphic depiction.
- C. Each sign permit application shall be filed with the city and processed in accordance with the requirements of LMC [21.09.050](#), Quasi-judicial review of applications.
- D. Prior to transmittal to the city of Leavenworth design review board, the city administrator or his/her designee shall prepare a report which includes a compliance review, analysis and/or determination with the applicable sections of the code regarding sign location, dimension, size and other applicable technical standards and specifications outside of Old World Bavarian Alpine theme.
- E. The design review board shall be responsible for review and approval, approval with conditions, or denial of all sign permits in the commercial zone districts, except as otherwise provided in this chapter.
- F. Each sign permit application shall be filed with the city at least 10 days prior to a regular meeting of the design review board to be considered at such meeting.
- G. In the event the permit application is denied by the design review board, and the applicant alleges an error was made in the decision, the applicant may appeal to the hearing examiner as provided for in Chapter [21.11](#) LMC. Such appeal is a prerequisite to filing a lawsuit challenging the regulation or the decision of the design review board.
- H. Changes in an approved sign size or design shall not be made without first obtaining a new permit. Lettering or verbiage changes which are the same lettering style and color, and changes in location of a previously approved sign may be approved by the city administrator or his/her designee without obtaining approval of the design review board; however, application materials for an administrative permit approval shall be submitted to the city to approve, approve with conditions, or deny the change and to create a record of this administrative decision.
- I. Individual signs in an approved directory or business listing sign may be added, moved, or substituted with signs for new businesses or uses with approval by the city administrator or his/her designee without obtaining a new permit; provided, that the sign design, size, letter style and color are identical to the sign being replaced in the business listing sign and the provisions of the original permit are met. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.180 Design criteria – Signs in commercial zone districts.** 

- A. For signs requiring a permit, the design review board shall consider the proposed general design, lettering, arrangement, size, texture, materials, colors, lighting, and placement of the proposed sign in

relation to other signs and other structures on the premises and contiguous area, and in keeping with the intent of this chapter and the Old World Bavarian Alpine theme.

B. This chapter and this section are not intended to regulate or dictate, in any manner, the content of speech or expression, or the viewpoint of the speaker, and are only intended to regulate the style through colors, fonts and manner of graphic depiction.

C. All signs permitted within the commercial zoning districts of the city shall be compatible in design and color with the Old World Bavarian Alpine theme and with the buildings and uses with which they are associated. Signage shall include Baroque, Rococo, Classical, or Bavarian folk art graphics or elements (such as shape or ornamentation). Sign design and Baroque, Rococo, Classical, or Bavarian folk art graphics or elements shall conform with examples shown in the booklet of photographs entitled “Portfolio of Photographs of Old World Bavarian Architecture and Signs for the City of Leavenworth” referred to in LMC [14.08.100](#) or as approved by the design review board. This booklet is available for review at no cost at City Hall during normal business hours.

1. The styles of lettering, as illustrated in the booklet entitled “Sign Lettering Styles for the Bavarian Village of Leavenworth,” shall be required unless other Old World Bavarian Alpine theme lettering is approved by the design review board either by general resolution or as a specific motion of the board. Block lettering or all capital lettering shall approved by design review board motion. This booklet is available for review at no cost at City Hall during normal business hours.

2. Signs illuminated by spotlights or indirect lighting shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicular traffic on adjacent public rights-of-way. The lighting of the sign shall be an integral part of the design of the sign and shall be approved by the design review board in compliance with Chapter [14.08](#) LMC.

3. Signs shall only contain approved graphics, colors, and Bavarian lettering styles compliant with the Old World Bavarian Alpine theme. Logos of chain or franchised businesses are prohibited on signs, but may be allowed if modified to incorporate graphics, colors, and lettering styles compliant with the Old World Bavarian Alpine theme. Signs may contain and shall not be denied for containing phone numbers and website addresses when compliant with the Old World Bavarian Alpine theme lettering styles and colors.

4. Signs shall be constructed of materials compliant with the Old World Bavarian Alpine theme except as specifically allowed by this chapter. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.190 Processing and design criteria – All noncommercial zone districts.** 

A. The city administrator or his/her designee shall be responsible for review and approval, approval with conditions, or denial of all sign permits in the noncommercial zone districts, except as otherwise provided in this chapter.

B. Each sign permit application shall be filed with the city and processed in accordance with the requirements of LMC [21.09.030](#), Limited administrative review of applications.

C. In the event the permit application is denied and the applicant alleges an error was made in the decision, the applicant may appeal to the hearing examiner as provided for in Chapter [21.11](#) LMC. Such

appeal is a prerequisite to filing a lawsuit challenging the regulation or the decision of the city staff or any other city agent making a decision on the permit application.

D. Signs illuminated by spotlights or indirect lighting shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicular traffic on adjacent public rights-of-way in compliance with Chapter [14.28](#) LMC.

E. All signs permitted within the noncommercial zone districts of the city shall comply with the dimensions, locations, quantities, and other applicable standards of this chapter, unless otherwise provided for in this chapter.

F. Signs shall be constructed of rigid materials except as specifically allowed by this chapter. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

#### **14.10.200 Designated sign areas.**

As established by city council resolution, the designated sign areas (DSAs) allow for signs which may be off site as described within LMC [14.10.050](#). The following standards and requirements shall be required for all signs within the DSA:

A. Permits are not required prior to installation of the sign; however, the sign owner shall write the month/day/year of installation on the sign;

B. No more than one sign per event, sale, and other type of use or expression shall be allowed per designated sign area;

C. Portable signs shall be either sandwich-board (A-frame) style or hanging signs;

D. Sign area is limited to four square feet per side of the sign and each sign is limited to two sides;

E. The signs shall be made of plastic, wood, metal, or paper;

F. Such signs are exempt from compliance with the Old World Bavarian Alpine theme;

G. The top of the signs and mounting structure shall not exceed four feet in height, unless attached to a city-installed sign post or community bulletin board;

H. The signs shall be removed within 24 hours of the end of the event which they are advertising and may be installed up to 10 days in advance of the event except as allowed by LMC [14.10.050](#)(M). Political free speech signs can be posted for a total of 15 days;

I. Signs installed pursuant to this section do not have vested status and cannot become permanent installations;

J. The city shall remove signs without notice which are not compliant with this section and this chapter and also those signs for which their allowed period of posting has expired. The city will store the sign for 14 calendar days after the day the sign was removed at the City Public Works Maintenance Shop; and

K. Signs which bear or contain statements, words or pictures which are obscene under the prevailing statutes or U.S. Supreme Court decisional law are prohibited. [Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

**14.10.210 Definitions.** 

All definitions relevant to this chapter shall be included in Chapter [21.90](#) LMC. Unless specifically defined, words or phrases used shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application. [Ord. 1544 § 1 (Att. A), 2017; Ord. 1490 § 1 (Att. A), 2014; Ord. 1426 § 1 (Att. B), 2012; Ord. 1397 § 1 (Exh. A), 2011.]

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Sign Code

Chapter 20.204

SIGNS

Sections:

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- [20.204.020 Definitions.](#)
- [20.204.030 Development authorization required.](#)
- [20.204.040 Signs subject to ordinance – No permit required.](#)
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- [20.204.060 Prohibited signs.](#)
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### **20.204.010 Purpose.**

The purpose of this section is to accommodate and promote: sign placement consistent with the character and intent of the zoning district; proper sign maintenance; elimination of visual clutter; and creative and innovative sign design. To accomplish this purpose, the posting, displaying, erecting, use, and maintenance of signs shall occur in accordance with this Chapter.

### **20.204.020 Definitions.**

A. For the purposes of this chapter, certain abbreviations, terms, phrases, words and derivatives shall be construed as follows:

1. “Abandoned sign” means any sign located on property that is vacant and unoccupied for a period of six months or more; or any sign which pertains to any occupant, business or event unrelated to the present occupant or use; or any sign in ill repair for more than thirty days.
2. “Billboard” means a sign which advertises or promotes merchandise, service, goods, or entertainment which are sold, produced, manufactured or furnished at a place other than on the property on which said sign is located.
3. “Changing message center sign” means an electronically controlled sign where different automatic changing messages are shown, including animated signs containing action, motion, changing graphics (including those that flash or oscillate) or the illusion of action or motion, or color changes of all or any part of a sign facing. This definition does not include electric reader board signs.
4. “Construction sign” or “project ID sign” means any sign used to identify the architects, engineers, contractors or other individuals or firms involved with the construction of a building and to show the design of the building or the purpose for which the building or development project is intended.
5. “Co-sponsored sign” means a sign supplied by a second party, not the proprietor of the business, which advertises the product of the sign supplier.
6. Directional Sign. See subsection (A)(18) of this section, off-premises directional sign, and subsection (A)(20) of this section, on-premises directional sign.
7. “Electrical sign” means a sign or sign structure in which electrical wiring, connections, and/or fixtures are used as part of the sign proper.
8. “Electric reader board sign” means a permanent sign or part of a sign showing text only on which the letters are readily replaceable or changeable such that the copy can be changed from time to time manually, or a comparable electronic sign displaying information such as time, temperature, or a message which changes not more than once within a one-minute time period.
9. “Flashing sign” means an electric sign or a portion thereof (except changing message centers) which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern. This definition includes strobe lights.

10. "Freestanding sign" means any sign supported by one or more uprights, poles or braces in or upon the ground.
11. "Freeway sign" means an on-premises freestanding sign designed and placed to attract the attention of freeway traffic. For purposes of this chapter, "freeway" means Highway 12 and SR 125 from the Plaza Way intersection westerly to the city limits.
12. "Grand opening sign" means temporary signs, posters, banners, strings of lights, clusters of flags, balloons and searchlights used to announce the opening of a completely new enterprise or the opening of an enterprise under new management.
13. "Motorist information sign" means a supplemental sign located in the public right-of-way, for those businesses or activities that qualify for a tourist-oriented directional sign, issued by the state highway department.
14. "Multiple building complex" is a group of structures housing two or more retail, office, or commercial uses sharing the same lot, access and/or parking facilities, or a coordinated site plan. For purposes of this section, each multiple building complex shall be considered a single use.
15. "Multiple tenant building" is a single structure housing two or more retail, office or commercial uses. For purposes of this section, each multiple tenant building shall be considered a single use.
16. "Name plate" means a sign identifying the name, street address, occupation and/or profession of the occupant of the premises only.
17. Off-Premises Sign. In this code, the term "off-premises sign" is synonymous with the term "billboard."
18. "Off-premises directional sign" means an off-premises sign with only directions to a particular business.
19. "On-premises sign" means a sign incidental to a lawful use of the premises on which it is located, advertising the business transacted, services rendered, goods sold or products produced on the premises or the name of the business, or the name of the person, firm or corporation occupying the premises.
20. "On-premises directional sign" means a sign directing pedestrian or vehicular traffic to parking, entrances, exits, service areas, or other on-site locations.
21. "Political sign" means a sign advertising a candidate or candidates for public elective offices, or a political party, or a sign urging a particular vote on a public issue decided by ballot.
22. "Portable sign" means a sign made of wood, metal, plastic, or other durable material, which is not attached to the ground or a structure. This definition includes freestanding sidewalk signs, sandwich boards and portable reader boards.
23. Project ID Sign. See "Construction sign."
24. "Projecting sign" means a sign, other than a wall sign, that is attached to and projects from a structure or building face.

25. "Public sign" means an information device placed by duly constituted units or agencies of federal, state, or local government. Also included as public are signs placed by utility companies, railroads, cable TV franchises, and similar quasi-public service providers for traffic control and public safety.
26. "Real estate sign" means any sign pertaining to the sale, lease or rental of land or buildings.
27. "Sign" means any device, structure, fixture (including the supporting structure) or any other surface that identifies, advertises and/or promotes an activity, product, service, place, business, political or social point of view, or any other thing.
28. "Sign area" means that area contained within a single continuous perimeter which encloses the entire surface, but excluding any support or framing structure that does not convey a message.
29. "Sign height" means the vertical distance measured from either the grade below the sign or upper surface of the nearest street curb (whichever permits the greatest sign height) to the highest point of the sign.
30. "Sign setback" means the horizontal distance from the property line to the nearest edge of the sign cabinet.
31. "Special district sign" means a sign pertaining to a specific business area or shopping district, or tourist attraction.
32. "Street frontage" means the length in feet of a property line(s) or lot line(s) bordering a public street. For corner lots each street side property line shall be a separate street frontage. The frontage for a single use or development on two or more lots shall be the sum of the individual lot frontages.
33. "Subdivision sign" means any sign used to identify a land development which is to be or was accomplished at essentially one time.
34. "Temporary sign" means any sign, banner, pennant, valance, or advertising display constructed of cloth, paper, canvas, cardboard, or other light, nondurable materials which may or may not be attached to a building or in the ground. Types of displays included in this category are: grand opening, special sales, special event, and garage sales signs.
35. "Tourist-oriented directional sign" means a sign issued by the state highway department, meeting the requirements of Chapter [488-70 WAC](#).
36. "Unique sign" means any building, structure, fixture or other device that functions as a sign and which is unique in its material or shape. Examples include inflatable objects or signs imitating the shapes of persons, places or things. Unique signs may or may not have lettering.
37. "Wall sign" means any sign attached to or painted directly on the wall, or erected against and parallel to the wall of the building, not extending more than twelve inches from the wall.
38. "Window sign" means any sign in or on a window. (Ord. 2010-26 § 1, 2010: Ord. 2001-17 § 13, 2001).

**20.204.030 Development authorization required.** 

A. Except as allowed by Section [20.204.040](#) (Signs Subject to Ordinance – No Permit Required), no sign governed by the provisions of this Code shall be erected, structurally altered or relocated after the

adoption of this Code without first receiving a Development Authorization from the Development Services office.

1. For New Uses – All on-premises signs readable from the public right-of-way are accessory uses and shall be subject to Level I review subsequent to approval of the principal use.

2. For Changes or Replacement of an Existing Sign – Structural changes to, or replacement of, an existing sign require level I review and approval by the Building Official; except, minor repairs do not require a sign permit.

**20.204.040 Signs subject to ordinance – No permit required.** 

A. The following signs are exempt from the application, permit and fee requirements of this Code. These signs are required to meet all other applicable standards of this Code.

1. Window signs which are the temporary nature for commercial businesses for a period not exceeding 30 days. Signs in or on the window which are utilized for more than 30 days are permanent and will be considered part of the overall signing permitted for the business. Such permanent window signs shall require permits;

2. Point of purchase displays, such as product dispensers;

3. Gravestones;

4. Barber poles;

5. Historical site plaques;

6. Structures intended for a separate use such as phone booths, Goodwill containers, etc.;

7. Political signs less than 32 square feet which during a campaign, advertise a candidate or candidates, or ballot issue, provided such signs shall not be posted more than 90 days before the election to which they relate and are removed within five days following the election;

8. Construction signs not exceeding 32 square feet in sign area;

9. Canopies and awnings, except those which incorporate lettering or a design to identify, advertise or otherwise function as a sign. Canopies and awnings which function as a sign are required to meet all applicable standards of the Code;

10. Real estate signs not exceeding seven square feet;

11. Name plates not exceeding two square feet;

12. Temporary signs.

**20.204.050 Exempt signs.** 

A. This Code does not apply to any on-premises sign which is not visible to motorists or pedestrians on any public right-of-way. The Code does not apply to any public sign and does not regulate the size, lighting or spacing of public signs. In addition, the following signs are exempt from this ordinance, and do not require permits for placement or modification; these signs are permitted in any zone:

1. Traffic control signs and instruments of the State, County, or Municipality, provided for public safety, information, or assistance.
2. Signs of public utility companies or railroads which aid public safety, or which show the location of underground utilities or of public facilities.
3. Official and legal notices issued by any court, public body, person or officer in performance of a public duty or in giving any legal notice.
4. Official flags of the United States of America, states of the United States, counties, municipalities, official flags of foreign nations, and flags of internationally and nationally recognized organizations.
5. On-premises directional signs not exceeding two square feet.
6. Holiday decorations or other materials temporarily displayed on traditionally accepted civic, patriotic or religious holidays.

#### **20.204.060 Prohibited signs.**

A. The following signs are prohibited:

1. Signs on any vehicle or trailer that is parked on public or private property and visible from a public right-of-way for the purpose of circumventing the provisions of this chapter. This provision shall not prohibit signs which are painted on or magnetically attached to any vehicle operating in the normal course of business;
2. Signs which purport to be, are an imitation of, or resemble an official traffic sign or signal, could cause confusion with any official signs, or which obstruct the visibility of any traffic/street sign or signal;
3. Signs attached to utility, street light, and traffic control standard poles;
4. Signs attached to trees or rocks;
5. Swinging projecting signs;
6. Signs, together with their supports, braces, guys and anchors, which are not maintained in a neat, clean and attractive condition, free from rust, corrosion, peeling paint or other surface deterioration;
7. Abandoned signs;
8. Flashing signs;
9. Signs which are unsafe or hazardous;
10. Signs on doors, windows, or fire escapes that restrict free ingress or egress;
11. Unique signs unless specifically approved by the director or by Level II review, or Level III review when deemed necessary by the director. Permits may be approved if the effect of the proposed sign would not contribute to a cluttered, confusing or unsafe condition, or would not be in conflict with the character of the zoning district;
12. Exterior signs which advertise alcohol and tobacco products;

13. Signs on public property without prior approval;
14. Searchlights or beacons;
15. Changing message center signs;
16. Billboards and other off-premises signs, except off-premises directional signs and special district signs;
17. Any other sign not meeting the provisions of this chapter. (Ord. 2010-26 § 2, 2010: Ord. 2000-6 § 2(part), 2000: Ord. 95-5 § 1(part), 1995).

**20.204.070 Sign standards.** 

A. The provisions of this Chapter regulate the “Type and Number of Signs Permitted,” the “Maximum Sign Area” and the “Sign Height and Setbacks” for all signs in each zoning district. All permitted signs are subject to the review procedures of this Code and the standards of this section. Signs for Level I, II, III and IV approved principal uses shall be permitted as a Level I use, subject to the specific limitations of approval of the principal use, if any.

**20.204.080 General provisions.** 

A. All signs shall comply with the following provisions:

1. Construction shall satisfy the requirements of the Uniform Building Code;
2. Installation shall conform to the State Electrical Code where applicable. An electrical permit must be obtained prior to issuance of a permit to erect a sign which has electrical components;
3. All signs shall comply with the setback requirements of the applicable district; except, when the side or rear yard is a street frontage, then the front setback shall apply;
4. Lighting directed on or internal to any sign shall be shaded, screened or directed in so that the light’s intensity or brightness shall not adversely affect neighboring property or motor vehicle safety;
5. All signs together with their supports, braces, and guys shall be maintained in a safe and secure manner;
6. A clearview triangle as established in Chapter [20.114](#) shall be maintained at all street intersections, alleys, driveways, and curb cuts for vision safety purposes. No signs may be placed in the clearview triangle, except freestanding signs with a base of not more than ten inches in diameter throughout the height of the clearview area;
7. Whenever two provisions of this code overlap or conflict with regard to the size, number or placement of a sign, the more restrictive shall apply;
8. Maximum brightness levels for electric signs shall not exceed eight thousand nits when measured from the sign’s face at its maximum brightness, during daylight hours, and five hundred nits when measured from the sign’s face at its maximum brightness between dusk and dawn. (A nit is a unit of measurement of brightness (luminance) equal to one foot candle per square meter.) (Ord. 2010-26 § 3, 2010).

**20.204.090 Projecting signs.** 

A. Projecting and freestanding signs shall comply with the following provisions:

1. No more than one-third of the height of any projecting sign shall exceed the height of the building to which it is attached;
2. All signs projecting over the public right-of-way other than alleys shall conform to the following standards:

Clearance Above Grade	Maximum Projection
Less than 8 feet	Not Permitted
8 feet to 9 feet	1 foot
9 feet to 10 feet	2 feet

Clearance Above Grade	Maximum Projection
Over 10 feet	2/3 the distance from building to curb line or a maximum of 7 feet

No sign shall be closer than two feet from the curb line.

3. All signs projecting over alley rights-of-way shall conform to the following standards:

Clearance Above Grade	Maximum Projection
Less than 14 feet	Not Permitted
14 feet to 16 feet	1 foot
More than 16 feet	3 feet

**20.204.100 Freestanding signs.** 

A. All freestanding signs shall comply with the following provisions:

1. Freestanding signs shall comply with all the provisions of Section [20.204.090](#), Projecting Signs.
2. Freestanding signs shall include, as part of the design, landscaping about the base or other approved means to prevent vehicles from hitting the sign and to improve the overall appearance of installation.
3. Maximum height shall comply with the sign height requirements of the zoning district in which is located.

#### **20.204.110 Roof signs.**

A. All roof signs shall comply with the following provisions:

1. Roof signs shall be erected so as to appear from all sides as a wall sign applied to an existing penthouse which appears to be a part of the building itself;
2. The aggregate height of a building and its roof sign must not exceed the maximum allowable height of a structure in that district in which is located.
3. All roof signs shall be installed or erected in such a manner that there is no visual support structure.

#### **20.204.120 Wall signs.**

A. All wall signs shall conform to the following provisions:

1. Wall signs may be painted upon, attached flat to, or pinned away from the wall, but shall not project more than 12 inches from the wall;
2. Wall signs shall not extend above the height of the wall to which attached.

#### **20.204.130 Temporary signs.**

A. All temporary signs shall conform to the following:

1. No temporary sign shall be displayed for more than 30 days at any one time nor more than 90 days during a calendar year;
2. There is no limit on the number of temporary signs;
3. No temporary sign shall be placed in a required parking space or driveway, in the public right-of-way or an easement, or in a required clearview triangle;
4. Temporary signs placed on the ground shall be separated from parking and driveway areas by a curb or other barrier.

#### **20.204.140 Portable signs.**

A. Location Requirements.

1. Central Commercial District. Portable signs may be placed on the sidewalk in front of a business in the Central Commercial District zone as described by the City of Walla Walla Zone Code Map. The sign shall be located within the area bounded by the curb and the extended lines of the building face, and shall be placed so that reasonable pedestrian flow is maintained. Signs shall not interfere with access to fire hydrants, street benches, trash receptacles or other street furniture.

Both the property owner and the business owner must execute a Hold Harmless Agreement, and any other surety deemed necessary by the City, before a portable sign may be placed on the sidewalk or on any other public right-of-way.



2. Other Zones When Permitted by Sections [20.204.230](#) Through 20.204.300. All portable signs located in districts other than the Central Commercial District must be displayed entirely on private property and meet all other applicable standards of this Code.

B. Number of Signs. No business or other approved use shall display more than one portable sign.

C. Hours of Placement. Sidewalk signs shall be displayed only during operating hours of the business or other approved use.

D. Materials and Design Standards.

1. Portable signs shall be made of plywood, dimension lumber, plastic, Masonite or similar weather resistant material. They shall be constructed so that they do not present sharp edges or protrusions which would present a hazard to pedestrians. Sidewalk signs shall not be electrified and shall not have any mechanical or moving parts.

2. Any portable sign shall have a maximum display surface of eight (8) square feet per side and shall in no case exceed a total of sixteen (16) square feet, all sides. (Ord. 2003-2 § 3 (part), 2003).

**20.204.150 On-premises directional signs.** 

A. On-premises directional signs readable from the public right-of-way may contain both directions and the business name or logo provided the business name or logo shall not exceed 50 percent of the sign area. All on-premises directional signs shall meet the general provisions of this section, and shall not exceed 10 square feet per sign face.

B. On-premises directional signs are not included in calculation to determine the number of signs and the allowable sign area per parcel.

**20.204.160 Off-premises directional signs.** 

A. Off-premises directional signs are permitted where indicated in Section [20.204.250](#) through [20.204.300](#); provided, that:

1. Each approved use is permitted one off-premises directional sign;
2. The off-premises directional sign contains only directional information and does not exceed 15 square feet in area nor 15 feet in height;
3. The off-premises directional signs are permanently installed on private property;
4. Only one off-premises directional sign is permitted on a parcel.
5. Off-premises signs will be included in calculations to determine the number of signs and the allowable sign area on the parcel upon which the sign is located.

B. The Walla Walla City Manager may permit placement of a motorist information sign in a public right-of-way of the City of Walla Walla where indicated in Section [20.204.250](#) through [20.204.300](#) as follows:

1. An application must file a Development Authorization request with the City of Walla Walla.

2. An activity for which a motorist information sign is requested must be eligible as provided in WAC [468-70-050](#)(1).
3. The motorist information sign must comply with the signing detail requirements of WAC [468-70-060](#) and the signing detail requirements of this Chapter to the extent that it does not conflict with WAC [468-70-060](#).
4. A motorist information sign must be located at least three hundred feet, and not further than one mile, away from the activity to which it gives direction.
5. Where there is insufficient spacing for both official traffic control signs and motorist information sign panels, the official traffic control signs only shall be installed.
6. Where there is insufficient space available to install all of the motorist information signs requested by applicants, priority shall be given to existing authorized signs, then, to the earliest complete application filed. (Ord. 2001-17 § 14, 2001; Ord. 2000-6 § 2(part), 2000; Ord. 99-22 § 1, 1999).

**20.204.170 Billboards.** 

Billboards are not permitted in any district.

**20.204.180 Co-sponsored signs.** 

A. Co-sponsored signs advertising a product or service which is not the primary product or service of the subject business, shall conform to the following:

1. The second party sponsor's name or logo shall occupy no more than ten (10) percent of the total sign face area.
2. The name, logo, or other information about the primary business of the site or building shall occupy no less than ninety (90) percent of the total sign face area.

**20.204.190 Multiple building complexes and multiple tenant building signs.** 

A. The following provisions shall apply to signs for multiple building complexes and multiple tenant buildings:

1. Number of Freestanding Signs – Each multiple building complex shall be allowed one freestanding sign on each street frontage provided that, when the street frontage is longer than 400 feet, two freestanding signs or a single larger freestanding sign can be erected in accordance with the provisions of the district in which it is located.
2. No freestanding sign shall be placed closer than 200 feet to any other freestanding sign on the same property.
3. When a multiple tenant building is included in a multiple building complex, the multiple tenant building is considered a single tenant of the complex.
4. The allowable freestanding sign(s) may be used to advertise one or more of the uses in the multiple building complex or multiple tenant building.

### 20.204.200 Special district signs.

A. In addition to all other applicable standards of this Chapter, all Special District Signs shall comply with the following:

1. Special District Signs shall have a maximum area of 32 square feet.
2. Special District Signs shall advertise or promote a definite business area or tourist attraction.
3. A Special District shall be permitted no more than three Special District Signs.
4. Special District Signs will be included in calculations to determine the number of signs and the allowable sign area per parcel.

### 20.204.210 Freeway signs.

A. Hotels/motels, restaurants, service stations, and fruit stands, abutting the freeway are allowed a larger on-premises sign to inform freeway travelers of their service, provided there is a topographical circumstance which renders the sign standards of the applicable zone ineffective to freeway visibility. Freeway signs are subject to the following standards:

1. Number of Freeway Signs – Only one freeway sign is permitted on each parcel.
2. Uses with Only One Frontage – Uses with only one street frontage may install a freeway sign in addition to the permitted freestanding sign.
3. Uses with More Than One Street Frontage – A use with more than one street frontage may substitute a freeway sign for one of its allowable freestanding signs.
4. Sign Area – The maximum sign area for freeway signs is 80 square feet.
5. Sign Height – The maximum height for freeway signs is 70 feet. In any case the height of any particular freeway sign shall not exceed that which is necessary to provide visibility from the freeway which is unobstructed by topographical features.

B. Signs visible from a State highway are subject to the applicable state regulations regulating such signage, administered by the Department of Transportation.

### 20.204.220 Sign faces and measurements.

A. Single Face Sign. A single face sign is one with advertising on only one (1) surface of the sign.

B. Double Face Sign. A double face sign is one with advertising on two (2) surfaces back-to-back.

C. Multi-Face Sign. A multi-face sign is one with more than one sign unit.

D. Size.

1. The size of a sign shall be the entire area within any type of parameter or border which encloses the outer limits of any writing, representation, emblem, figure, or character. The area of the sign having no such parameter or border shall be computed by enclosing the entire area within a parallelogram or a

triangle of the smallest size sufficient to cover the entire area of the sign in computing the area of the parallelogram or triangle.

2. With respect to two-sided, multi-sided, or three-dimensional signs, the sign surface area shall be computed by including the total of all sides designed to attract attention or communicate information that can be seen at any one time by a person from one vantage point. In addition to the general statement above, the following specific standards also apply:

a. The sign surface area of a double faced, back-to-back sign shall be calculated by using the area of only one side of such sign, so long as the distance between the backs of said signs do not exceed three feet;

b. This sign surface area of a doubled faced sign constructed in the form of a “V” shall be calculated by using the area of only one side of such sign (the larger side if there is a size difference), so long as the angle of the “V” does not exceed 30 degrees and at no point does the distance between the backs of such sides exceed 5 feet.

**20.204.230 Signs allowed in the R-96, R-72 and R-60 (Single-Family Residential) zones.** 

A. The following regulations apply to signs in R-96, R-72, and R-60 zones:

1. Permitted as an accessory use to an approved principal use.

a. Name Plate: Signs for home occupation are restricted to name plates.

2. Permitted as an accessory use to an approved Level II or III, subject to specific limitations of the Level II or III approval.

a. Free-standing signs.

b. Projecting signs.

c. Portable signs (excluding sidewalk signs).

d. Subdivision/Project ID signs.

3. Not permitted in Single-Family Residential zones:

a. Roof signs.

b. Off-premises signs (including Special District and off-premises direction).

c. Internally lit signs.

d. Portable sidewalk signs.

e. All signs prohibited by Section [20.204.060](#).

4. Number signs permitted in a Single-Family Residential zone:

a. Name plate – One (1) per permitted use.

b. Subdivision/Project ID Sign – One (1) per permitted use.

- c. Free-standing, projecting or portable signs – One (1) per permitted use.
  - d. Wall sign – One (1) per permitted use.
5. Maximum area per sign in a Single-Family Residential zone, provided no combination of sign areas shall exceed twenty-four (24) square feet (excluding subdivision and project ID signs):
- a. Name plate – up to two (2) square feet.
  - b. Subdivision/Project ID Sign – up to thirty-two (32) square feet.
  - c. Free-standing, projecting or portable sign – up to twelve (12) square feet.
  - d. Wall sign – up to twelve (12) square feet.
6. Setbacks from property line in a Single-Family Residential zone (See Section 20.114):
- a. Name plate – none.
  - b. All other permitted signs:
    - Fifteen (15) feet front yard.
    - Fifteen (15) feet side yard.
    - Fifteen (15) feet back yard.
7. Minimum height above grade (to bottom of sign) in a Single-family Residential zone: Not applicable.
8. Maximum height above grade (to top of sign) in a Single-family Residential zone: 10 feet
9. Maximum projection beyond property line in a Single-family Residential zone: Not permitted (Ord. 2000-6 § 2(part), 2000: Ord. 95-5 § 2(part), 1995).

**20.204.240 Signs allowed in the RM zones.** 

- A. The following regulations apply to signs in an RM zone:
- 1. Permitted as an accessory use to an approved principal use.
    - a. Name Plate: Signs for home occupations are restricted to name plates.
  - 2. Permitted as an accessory use to an approved Level II, Level III, or a Level IV use, subject to specific limitations of the Level II, III, or IV approval.
    - a. Freestanding signs.
    - b. Projecting signs.
    - c. Portable signs/excluding sidewalk signs.
    - d. Wall signs.
    - e. Multi-building complexes and multiple tenant building signs as per Section [20.204.190](#).
    - f. Subdivision/Project ID Sign.

3. Not permitted in an RM zone:

- a. Roof signs.
- b. Off-premises signs (including Special District and off-premises directional).
- c. Portable sidewalk signs.
- d. Internally lit signs.
- e. All signs prohibited by Section [20.204.060](#).

4. Number signs permitted in a RM zone:

- a. Name plate – One (1) per dwelling/unit.
- b. Subdivision/Project ID Sign – One (1) on each street frontage.
- c. Free-standing, projecting, or portable signs – One (1) per permitted use.
- d. Wall sign – One (1) per permitted use.
- e. Multi-building complexes and multiple tenant building signs (See subsection (A)(5)(e) of this section).

5. Maximum area per sign in an RM zone, provided no combination of sign areas shall exceed thirty-two (32) square feet:

- a. Name plate – up to two (2) square feet.
- b. Subdivision/Project ID Sign – up to thirty-two (32) square feet.
- c. Free-standing, projecting, or portable sign – up to sixteen (16) square feet.
- d. Wall sign – up to sixteen (16) square feet.
- e. Multi-building complexes and multiple tenant building signs – up to thirty-two (32) square feet.

Street frontages in excess of four hundred (400) feet may have two (2) multi-building complex/multiple tenant building signs.

6. Setbacks from property line in a RM zone (See Chapter 20.114):

- a. Name plate – none.
- b. All other permitted signs:

Fifteen (15) feet front yard.

Fifteen (15) feet side yard.

Fifteen (15) feet back yard.

7. Minimum height above grade (to bottom of sign) in a RM zone: Not applicable.

8. Maximum height above grade (to top of sign) in a RM zone: 10 feet.

9. Maximum projection beyond property line in a RM zone: Not permitted. (Ord. 2000-6 § 2(part), 2000: Ord. 95-5 § 1(part), 1995).

**20.204.250 Signs allowed in the CC zones.** 

A. The following regulations apply to signs in a CC zone:

1. Permitted as an accessory use to an approved principal use.

a. Name plate.

b. Project ID signs.

c. Roof signs.

d. Wall signs.

e. Freestanding signs/projecting signs.

f. Portable signs (including sidewalk).

g. Off-premises directional.

h. Multi-building complexes and multiple tenant building signs as per Section [20.204.190](#).

i. Special District signs pertaining to the CC district.

2. Permitted as an accessory use to an approved Level II, Level III or Level IV use, subject to the specific limitations of the Level II, III or IV approval.

a. Permitted sign types are the same as for level I permitted uses listed in Section subsection (A)(1) of this section.

3. Not permitted in a CC zone:

a. Billboards or off-premises signs, except off-premises directional signs and Special District signs as per subsection (A)(1)(i) of this section.

b. All signs prohibited by Section [20.204.060](#).

4. Number of signs permitted in a CC zone:

a. Name Plate – 1 per business/occupants.

b. Project ID signs – 1 per business/occupant.

c. Roof signs – one per parcel.

d. Wall – number not limited; coverage limited to 25 percent.

e. Freestanding/projecting – one per each street frontage.

f. Portable signs (including sidewalk signs) – one per each street frontage.

g. Off-premises directional – one per parcel.

- h. Multi-building complexes and multiple tenant building signs (see subsection (A)(5)(g) of this section).
- i. Special District signs – to signs pertaining to the CC zone.

5. Maximum area per sign, provided no combination of sign areas shall exceed 150 square feet per street frontage, excluding multiple building complexes and multiple tenant buildings:

- a. Name Plate – up to 2 square feet.
- b. Project ID signs – up to 32 square feet.
- c. Roof/Projecting/Freestanding signs – 1 square foot of sign area per lineal feet of frontage, up to 150 square feet.
- d. Wall signs – up to 25 percent of wall area.
- e. Portable signs – up to 16 square feet.
- f. Off-premises directional signs – up to 15 square feet.
- g. Multi-building complexes and multiple tenant building signs – up to 32 square feet.

Street frontages in excess of 400 feet may have two multi-building complex/multiple tenant building signs or one signs no greater than 200 square feet.

- h. Special District signs – up to 32 square feet.

6. Setbacks from property line in a CC zone – none (See Chapter 20.114).

7. Minimum height above grade (to bottom of sign) in a CC zone: Not applicable.

8. Maximum height above grade (to top of sign) in a CC zone: Thirty (30) feet; fifteen (15) feet for off-premises directional signs. (See Section 20.204.160(A)(2).)

9. Maximum projection beyond property line in a CC zone: See Section [20.204.090](#), Projecting signs. (Ord. 2000-6 § 2(part), 2000: Ord. 95-5 § 1(part), 1995).

**20.204.260 Signs allowed in the CH zones.** 

A. The following regulations apply to signs in a CH zone:

1. Permitted as an accessory use to an approved principal use, subject to the same review and procedural requirements as the principal use in a CH zone.

- a. Name plate.
- b. Project ID signs.
- c. Roof signs.
- d. Wall signs.
- e. Freestanding signs/projecting signs.
- f. Portable signs (including portable sidewalk signs).



- g. Off-premises directional signs.
  - h. Freeway signs. (See Section 20.204.210.)
  - i. Multi-building complexes and multiple tenant building signs. (See Section 20.204.190.)
  - j. Special district signs.
  - k. Electric reader board signs as defined by Section [20.204.020](#)(A)(8).
2. Permitted as an accessory use to an approved Level II, Level III or Level IV use, subject to the specific limitations of the Level II, III or IV approval.
- a. Permitted sign types are the same as for Level I permitted uses listed in subsection (A)(1) of this section.
3. Not permitted in a CH zone:
- a. Billboards and off-premises signs other than off-premises directional signs, and special district signs.
  - b. Portable sidewalk signs.
  - c. All signs prohibited by Section [20.204.060](#).
4. Number of signs permitted in CH zone:
- a. Name plate – One per business/occupant.
  - b. Project ID signs – One per parcel.
  - c. Roof signs – One per parcel. (See Section 20.204.110.)
  - d. Wall signs – Number not limited; coverage limited to twenty-five percent.
  - e. Freestanding/projecting sign – One per each street frontage.
  - f. Portable sign – One per each street frontage.
  - g. Off-premises directional sign – One per parcel.
  - h. Multi-building complexes and multiple tenant building signs. (See subsection (A)(5)(g) of this section.)
  - i. Electric reader board sign – One per parcel.
5. Maximum area per sign, provided no combination of sign areas shall exceed two hundred square feet per street frontage, excluding multiple building complexes and multiple tenant buildings.
- a. Name plate – Up to two square feet.
  - b. Project ID sign – Up to thirty-two square feet.
  - c. Wall signs – Up to twenty-five percent of wall area.
  - d. Roof/projecting/freestanding signs – One and one-half square feet of sign area per lineal feet of frontage, up to two hundred square feet.

- e. Portable sign – Up to sixteen square feet.
  - f. Off-premises directional sign – Up to fifteen square feet.
  - g. Multi-building complexes and multiple tenant building signs – Up to two hundred square feet.
- Street frontages in excess of four hundred feet may have one sign no greater than three hundred square feet.
- h. Freeway signs. (See Section 20.204.210.)
  - i. Special district signs – Up to thirty-two square feet.
  - j. Electric reader board signs – One-half square foot of sign area per lineal feet of frontage, up to eighty square feet.
6. Setbacks from property line in a CH zone (See Chapter 20.114):
- a. Zero feet but may not overhang property line.
  - b. Fifteen feet side yard.
  - c. Fifteen feet rear yard.
7. Minimum height above grade (to bottom of sign) in a CH zone – Not applicable.
8. Maximum height above grade (to top of sign) in a CH zone – Thirty-five feet; fifteen feet for off-premises directional signs.
9. Maximum projection beyond property line in a CH zone – Not permitted. (Ord. 2010-26 § 4, 2010: Ord. 2000-6 § 2 (part), 2000: Ord. 95-5 § 1(part), 1995).

**20.204.270 Signs allowed in the IL/C (Light Industrial/Commercial) zones.** 

- A. The following regulations apply to signs in an IL/C zone:
- 1. Permitted as an accessory use to an approved principal use:
    - a. Name plate.
    - b. Project ID signs.
    - c. Roof signs.
    - d. Wall signs.
    - e. Freestanding signs.
    - f. Projecting signs.
    - g. Portable signs (excluding portable sidewalk signs).
    - h. Off-premises directional signs.
    - i. Multi-building complexes and multiple tenant building signs. (See Section 20.204.190.)

- j. Special district signs.
  - k. Electric reader board signs as defined by Section [20.204.020\(A\)\(8\)](#).
2. Permitted as an accessory use to an approved Level II, Level III, or Level IV use, subject to specific limitations of the Level II, III or IV approval.
- a. Permitted sign types are the same as for Level I permitted uses listed in subsection (A)(1) of this section.
3. Not permitted in IL/C zone:
- a. Billboards and off-premises signs other than off-premises directional signs and special district signs.
  - b. Portable sidewalk signs.
  - c. All signs prohibited by Section [20.204.060](#).
4. Number of signs permitted in IL/C zone:
- a. Name plate – One per business/occupant.
  - b. Project ID signs – One per parcel.
  - c. Roof signs – One per parcel. (See Section 20.204.110.)
  - d. Wall signs – Number not limited; coverage limited to twenty-five percent.
  - e. Freestanding/projecting sign – One per each street frontage.
  - f. Portable sign – One per each street frontage.
  - g. Off-premises directional sign – One per parcel.
  - h. Multi-building complexes and multiple tenant building signs. (See Section 20.204.260(A)(5)(g).)
  - i. Special district signs – Each duly recognized business area is allowed three off-premises signs.
  - j. Electric reader board sign – One per parcel.
5. Maximum area per sign, provided no combination of sign areas shall exceed two hundred square feet per street frontage, excluding multiple building complex and multiple tenant building signs:
- a. Name plate – up to two square feet.
  - b. Project ID signs – up to thirty-two square feet.
  - c. Wall signs – up to twenty-five percent of wall area.
  - d. Roof/projecting/freestanding signs – One and one-half square feet of sign area per lineal feet of frontage, up to two hundred square feet.
  - e. Portable signs – Up to sixteen square feet.
  - f. Off-premises directional signs – Up to fifteen square feet.

g. Multi-building complexes and multiple tenant buildings – Up to two hundred square feet.

Street frontages in excess in excess of four hundred feet may have one sign no greater than three hundred square feet.

h. Freeway signs. (See Section 20.204.210.)

i. Special district signs – Up to thirty-two square feet.

j. Electric reader board signs – One-half square foot of sign area per lineal feet of frontage, up to eighty square feet.

6. Setbacks from property line in an IL/C zone (see Chapter 20.114) – Not applicable.

7. Minimum height above grade (to bottom of sign) in an IL/C zone – Not applicable.

8. Maximum height above grade (to top of sign) in an IL/C zone – Thirty-five feet; fifteen feet for off-premises directional signs. (See Section 20.204.160(A)(2).)

9. Maximum projection beyond property line in an IL/C zone – Not permitted. (See Section 20.204.160(A)(2).) (Ord. 2010-26 § 5, 2010: Ord. 2000-6 § 2(part), 2000: Ord. 95-5 § 1(part), 1995).

**20.204.280 Signs allowed in the IH zones.** 

Regulations for the Heavy Industrial zone are the same as for Light Industrial/Commercial zone listed in Section [20.204.270](#). (Ord. 2000-6 § 2(part), 2000: Ord. 95-5 § 1(part), 1995).

**20.204.290 Signs allowed in the PR zones.** 

A. The following regulations apply to signs in a PR zone:

1. Permitted as an accessory use to an approved principal use.

a. Name plate.

b. Project ID signs.

c. Wall signs.

d. Projecting signs.

e. Freestanding signs.

f. Portable signs (excluding portable sidewalk signs).

g. Multi-building complexes and multiple tenant building signs. (See Section 20.204.190.)

h. Electric reader board signs as defined by Section [20.204.020](#)(A)(8).

2. Permitted as an accessory use to an approved Level II, Level III, or Level IV use, subject to specific limitations of the Level II, III or IV approval.

a. Permitted sign types are the same as for the permitted Level I uses listed in subsection (A)(1) of this section.

3. Not permitted in PR zone:

- a. Billboards and off-premises signs (including special district signs and off-premises directional signs except as provided in Section 20.204.160(B)).
- b. Roof signs.
- c. All signs prohibited by Section [20.204.060](#).

4. Number of signs permitted in PR zone:

- a. Name plate – One per business/occupant.
- b. Wall signs – number not limited; coverage limited to twenty-five percent.
- c. Freestanding/projecting signs – One per each street frontage.
- d. Portable signs – One per each street frontage.
- e. Multi-building complexes and multiple tenant buildings. (See subsection (A)(5)(g) of this section.)
- f. Electric reader board sign – One per parcel.

5. Maximum area per sign, provided no combination of sign areas shall exceed thirty-two square feet per street frontage, excluding multiple building complex and multiple tenant building signs:

- a. Name plate – Up to two square feet.
- b. Project ID signs – Up to thirty-two square feet.
- c. Wall signs – Up to twenty-five percent of wall area.
- d. Projecting/freestanding signs – Up to thirty-two square feet.
- e. Portable signs – Up to sixteen square feet.
- f. Freeway signs. (See Section 20.204.210.)
- g. Multi-building complexes and multiple tenant buildings – up to thirty-two square feet.

Street frontages in excess of four hundred feet may have two multi-building complex/multiple tenant building signs.

- h. Electric reader board signs – One-half square foot of sign area per lineal feet of frontage, up to thirty-two square feet.

6. Setbacks from property line in a PR zone:

- a. Fifteen feet front yard.
- b. Fifteen feet side yard.
- c. Fifteen feet rear yard.

7. Minimum height above grade (to bottom of sign) in a PR zone – Not applicable.

8. Maximum height above grade (to top of sign) in a PR zone – Ten feet.

9. Maximum projection beyond property line in a PR zone – Not permitted. (Ord. 2010-26 § 6, 2010: Ord. 2000-6 § 2(part), 2000: Ord. 95-5 § 1(part), 1995).


**20.204.300 Signs allowed in the AD zones.** 

Regulations for signs in the Airport Development District are the same as for the Light Industrial/Commercial zone listed in Section [20.204.070](#); subject to the airport operation standards as discussed in Chapter 20.98.

**20.204.310 Legal nonconforming signs.** 

A. Any sign lawfully existing under all codes and ordinances in effect at the time this Chapter is enacted or amended may continue to be maintained and operated as a legal nonconforming sign so long as it remains otherwise lawful, provided that:

1. No sign shall be changed in any manner that increases its noncompliance with the provisions of this Code; and
2. If the sign is structurally altered or moved, its legal nonconforming status shall be voided, and the sign will be required to conform to the provisions of this Code.
3. The sign is not a hazardous or abandoned sign.

**20.204.320 Minor variance of sign standards.** 

Subject to the provisions of this Section and Section [20.220.020](#), Minor Variance, the Director may authorize a Minor Variance of up to ten percent (10%) of a dimensional requirement of this Chapter. The Director may attach conditions to the approval to accomplish the purpose and intent of this Chapter.

A design plan is provided in 20.204.330 is required as part of the application for a Minor Variance to a sign standard.

**20.204.330 Design plan.** 

A. A design plan is required whenever a Minor Variance from sign standards is proposed, or when required as part of a detailed site plan (Section [20.46.050](#), Detailed Site Plan Form and Contents). The Design Plan shall include a narrative and graphic representation, including, but not limited to, the following:

1. The physical components of the sign including sign size, height, shape, color, location and associated landscaping; and,
2. A description of how the sign relates to the immediate surroundings, including existing and proposed structures, other signs, power lines or traffic signals, neighboring land uses and the character of the zoning district; and,
3. For multiple tenant buildings and multiple building complexes a description of how the available sign area will be allocated between tenants or leasable spaces.

**20.204.340 Variances.** 

Except as allowed by Section [20.204.320](#) no reduction of the standards in this Chapter is allowed except pursuant to Chapter [20.220](#), Variances. Variance requests are reviewed by the Board of Adjustment.

**20.204.350 Abatement required.** 

Abatement shall be as set forth in Walla Walla Municipal Code Chapter [8.07](#), Nuisance Procedures (Ord. 2000-2, 2000).