

ORDINANCE NO. 691

AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO REGULATION OF COMMERCIAL AND NON-COMMERCIAL SIGNS; MAKING REVISIONS TO TITLE 17.80 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the City Council finds and declares that outdoor advertising is a legitimate, commercial use of private property adjacent to City street, roads and highways; and

WHEREAS, outdoor advertising is an integral part of the business and marketing function, and an established segment of the City's economy which serves to promote and protect private investments in commerce and industry; and

WHEREAS, the City has adopted sign regulations in order to safeguard the general welfare of the property owner, to preserve the beauty of the community and to balance this with growth, development and commercial pursuits; and

WHEREAS, emerging trends in signage and business advertisement such as (but not limited to) the use of letter sizes far in excess of normal legibility requirements, the outlining of a building's architectural features with neon tubing, the use of large corporate or business colored panels (often illuminated) and the continuing trend of using large backlit awnings for signage are considered forms of "attention getting" signage which the City's current sign code does not adequately regulate; and

WHEREAS, business owners in the City have ~~the City has witnessed an increased use of recently constructed~~ large "attention getting" signs which have been permitted under the existing sign code regulations; and

WHEREAS, signage has become an increasingly visual component in the commercial areas of the City and also along State Route 16, thereby adversely affecting Gig Harbor's traditional visual character; and

WHEREAS, as a result of the proliferation of these new signs and the City's mandate to adopt new development regulations under the Growth Management Act, the City Council determined that a review of the City's existing sign regulations was necessary; and

WHEREAS, the Planning Commission held two public hearings on the ~~proposed~~ sign code ~~amendments~~ on February 2, 1995 and March 16, 1995 to accept public testimony on the proposed amendments, and four worksessions during February and March of 1995 to consider the public testimony and make adjustments to the sign code as deemed necessary and appropriate; and

WHEREAS, the Planning Commission also in its deliberation reviewed research pertaining to sign legibility which indicated that it takes one inch of letter height for every 50 feet of distance it is read from and that speeds of up to 55 mph on a six lane highway requires a letter height of 16 inches (visible from a distance of 800 feet) to allow a motorist adequate time to respond to the sign; and,

WHEREAS, the Planning Commission recognized that the Growth Management Act requires that any amendments to the City's sign code must be consistent with the Comprehensive Plan; and

WHEREAS, the Planning Commission therefore reviewed the following provisions of the Gig Harbor Comprehensive Plan:

On page 30, the Plan includes the stated the City's intent to allow for effective signage ~~to~~ for the identification of businesses, while also providing a positive contribution to the City's visual quality and that "attention getter" signs are neither necessary nor desirable in Gig Harbor's small town setting.

On pages 31-33, the Comprehensive Plan states several goals and policies relating to maintaining signage as a subordinate element in building design including, but not limited to (a) minimizing sign area in facade design, (b) avoidance of signage as a dominant architectural feature, including corporate or logo panels into signage area calculations, (c) avoidance of covering architectural details, and (d) encouragement of sign designs which reflect the building style or period by encouraging sandblasted-type signs.

On page 32-33, the Comprehensive Plan has the stated goal to avoid flamboyancy in signage by keeping internally illuminated signs subdued through restrictions on sign face illumination.

On page 33, the Comprehensive Plan has the stated goal to coordinate sign designs on multi-tenant buildings through the use of master sign plans designed to allocate signage among tenants and to unify the site design.

On page 34, the Comprehensive Plan has the stated goal to restrict use of off-premise signage and to avoid signage design for distant viewing.

On page 21 and 22, the Comprehensive Plan identifies SR-16 as an enhancement corridor which should require an extensive level of design review.

WHEREAS, the Planning Commission integrated the above Comprehensive Plan policies into its review process, and developed amendments to the sign code, which was forwarded

to the City Council; and

WHEREAS, the City Council held a public hearing on the draft sign ordinance, and accepted public testimony on April 24, 1995, and May 8, 1995, but continued its deliberations until May 22, 1995; and

WHEREAS, the City Council conducted a worksession with the City Planning Commission on May 15, 1995; and,

WHEREAS, on May 22, 1995, the City Council considered the draft sign ordinance during its regularly scheduled public meeting; and

WHEREAS, at that meeting, the City Council made the following findings with regard to the proposed sign code amendments:

1. A multiplicity of signs is distracting to motorists and a hazard to vehicular and pedestrian traffic.
2. A proliferation of "attention getter" signs is not only distracting and unattractive, but also obscures the legitimate effort of local business establishments to reasonably identify the location and nature of their business.
3. Limitations on signs must be established by the City in order to address these objectives, or to limit distraction to motorists, reduce the danger to pedestrians and motorists, control and abate the unsightly use of buildings and land, enhance the appearance of the landscape, and to preserve the beauty of the landscape and residential and commercial architecture.
4. Restricting letter heights to up to eighteen and twenty-four inches for upper

and lower case letters is reasonable in that it would allow for signs that would be more than adequate in size to be read from all of Gig Harbor's streets without unduly limiting creativity in sign design.

5. Signs in excess of 18 and 24 inches are larger than necessary for reasonable legibility and creativity and therefore constitute "attention getting" signs; and,
6. The proposed amendments will (a) further the goals and policies outlined in the City's Comprehensive Plan (b) protect the public health/safety/welfare by avoiding excessive light and glare of illuminated signage , and (c) and preserve the visual quality which has attracted tourists and new residents to the Gig Harbor area thereby preserving property values and promoting economic development in the Gig Harbor area.

WHEREAS, as a result of the above, the City Council hereby declares all existing signs not in conformance with this ordinance on the date of its adoption to be public nuisances, subject to abatement within the time periods and under the procedures set forth herein;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1 . ~~Section~~ Chapter 17.80 of the Gig Harbor Municipal Code is hereby amended as follows:

~~Section~~ Chapter 17.80
CITY OF GIG HARBOR
SIGN CODE

Sections:

17.80.010 Purpose and scope.

17.80.020 Definitions.

17.80.030 Permits required.

17.80.033 Sign Standards for Areas 1 & 2

17.80.035 Sign Standards for Area 3

17.80.040 Temporary signs.

17.80.050 Permits not required.

17.80.060 Prohibited signs.

17.80.070 Administration and enforcement.

17.80.080 Liability.

17.80.010 PURPOSE AND SCOPE.

A. Purpose. ~~A. Purpose.~~ It is the purpose of this chapter to promote a quality visual environment by establishing reasonable standards for the size, placement, height and maintenance of outdoor signs, graphics and advertising. It is further intended to encourage quality design and material composition which create an attractive community and business climate. Special emphasis should be placed on achieving harmony with building design, settings and the character of the surrounding areas.

B. Scope. This chapter shall not regulate traffic and directional signs installed by a governmental entity; signs not readable from nor intended to be viewed from a public right-of-way or waterway; merchandise displays; points-of-purchase advertising displays ~~such as product dispensers;~~ on product dispenser machines; national flags; flags of a political subdivision; symbolic flags of an institution; legal notices required by law; barber poles; historic site plaques; gravestones; structures intended for a separate use, such as phone booths, Goodwill containers and recycling containers; or lettering or symbols painted directly onto or flush-mounted magnetically onto a motor vehicle operating in the normal course of business.

17.80.05015 PERMITS NOT REQUIRED.

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

~~A. A.~~ The changing of the advertising copy or message on a lawfully erected, ~~– painted or printed sign or the changing of the advertising copy thereof~~ readerboard or similar sign specifically designed for the use of replaceable copy;

~~B. B.~~ ~~Painting, repainting~~ Repainting or cleaning of a lawfully erected sign ~~or the changing of the advertising copy thereof~~ and other normal maintenance which does not involve a change of sign color or design unless a structural or electrical change is made.

~~C. C.~~ Temporary decorations customary for special holidays erected entirely on private property;

~~D. D.~~ On-premises directional signs not exceeding ~~16~~ 4 square feet and distance from the ground level at the base of the sign to the top of the sign shall not exceed ~~eight~~ 4 feet unless it is attached to a wall, in which case the sign must have a maximum clearance of 27 inches or a minimum clearance as defined in subdivision 17.80.035(E)2 of this code;

~~E. E.~~ ~~Incidental signs;~~ Poster signs, per Section 17.80.040(B);

~~F. F.~~ Campaign and political signs, per city ordinance Section 17.80.040 (f) and (G);

~~G. One nonelectric on-premises bulletin board not exceeding 12 square feet in area for each charitable or religious organization;~~

~~H. G.~~ One temporary construction sign ~~per street frontage~~ of up to 32 square feet or one project identification sign, per Section 17.80.040 (D)(1);

~~I. Institutional identification signs not exceeding 18 square feet on all faces. The top of the sign shall not be higher than six feet from the ground level;~~

~~J. H.~~ One wall or projecting gas station price sign ~~or one portable gas station price sign~~ per station limited to maximum of 30 square feet total area on all sides. and In addition to one wall or projecting gas price sign and in lieu of a portable gas station price sign, one gas price sign may be incorporated into an approved free-standing ground

sign, subject to maximum size and height allowances for free-standing signs. Portable gas price signs shall have a maximum height from the ground of five feet; Illumination of portable gas price signs shall be limited to an external source or to an opaque face with illuminated letters only.

~~K. One emblem of organization sign per city entrance and the total area of the sign on all of its faces shall not exceed 24 square feet;~~

~~L. I. One lot identification sign per single family dwelling in the R-1 district with the total area not to exceed (a) two square feet; per residential dwelling unit, not to exceed a maximum of 18 square feet for multi-family projects, and (b) 18 square feet for nonresidential uses;~~

~~M. J. One neighborhood identification sign not exceeding a total of 12 square feet on all its faces and the height from the base of the sign to the top shall not exceed six feet;~~

~~N. One temporary sign not exceeding 32 square feet and displayed for 31 days per calendar year;~~

~~O. K. One nonelectric portable sign not exceeding four square feet located on premises.~~

17.80.020 DEFINITIONS.

The following definitions shall apply for the purpose of this code:

1. Abandoned sign - ~~"Abandoned sign"~~ means a sign that no longer correctly identifies, exhorts or advertises any person, business, lessor, owner, product or activity conducted or available on the premises where such sign is located.

2. Advertising copy - includes ~~"Advertising copy"~~ means any letters, figures, symbols, logos or trademarks which identify or promote the sign user or any product or service; or which provides information about the sign user, the building or the products or services available.

3. Building - ~~"Building"~~ means a roofed and walled structure built for permanent use.

4. Bulletin board - ~~"Bulletin board"~~ means a board or small sign on which notices, community events or hours of operation are posted.

~~5. Change~~ in reference to a sign, a Change. ~~A change to a sign change consists of relocating the sign, replacing 50 percent or more of the structural material in the sign area or any s. Normal maintenance and a change of name are not changes which of a sign does not require a permit.~~

~~65. Code Administrator~~ - ~~Code Administrator.~~ The code administrator shall be the city's planning director or designee, who shall be authorized to enforce all of the provisions of the sign code.

~~76. District, Sign.~~ Districts, Sign Overlay.

a. Area 1. Those properties situated 300 feet back from the beginning and ending of the Olympic Drive freeway interchange, including those properties located with the Olympic Village and interchange area.

b. Area 2. The Westside business district outside the defined interchange area, the commercial zones on Pioneer Way and Kimball Drive, and the commercial zones on the west side of Soundview Drive outside the Olympic Village interchange. ~~, and the commercial area at the Burnham Drive/Harborview Drive interchange.~~

c. Area 3. The RB-1 zoning district along Soundview Drive, and all other commercial districts and residential areas.

~~87. Double-faced sign~~ - ~~"Double-faced sign"~~ means a sign that has advertising copy on opposites sides of a single display surface or sign structure.

~~98. Electric sign~~ - ~~"Electrical sign"~~ means a sign or sign structure in which electrical wiring, connections and/or fixtures are used as part of the sign proper.

~~109. Facade~~ - ~~"Facade"~~ means the entire building front or street wall face of a building extending from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.

~~110. Flashing sign~~ - ~~"Flashing sign"~~ means a sign or a portion thereof which changes light intensity or switches on and off in a constant pattern or contains motion or the optical illusion of motion by use of electrical energy. Changing message centers shall not be considered flashing signs.

~~1211. Freestanding sign - "Freestanding sign" means a sign attached to the ground by a sign structure and supported by uprights placed on or in the ground. a sign supported by a pole(s) or mounted on a sign base and is not connected to or supported by any other structure.~~

~~1312. Freeway Interchange Area - Freeway Interchange Area.~~ The freeway interchange of State Route 16 (SR 16) shall be the area between where the present or designed future on and off ramps to the highway area situated measured between the intersection of the fog line of the exit and on-ramps that are near SR-16. This designation applies to those properties situated 300 feet back from the freeway interchange.

~~1413. Gas station price sign - "Gas station price sign" means a sign advertising the price of motor fuel and contains no other business advertising.~~

~~1514. Grade - "Grade" means the elevation as measured at the relative ground level in the immediate vicinity of the sign.~~

~~16. "Ground sign means a sign of limited height (maximum of 12 feet) constructed and affixed on a foundation upon or in the ground.~~

~~17 15. Incidental sign - "Incidental sign" means a small nonelectric information sign four square feet or less in area which pertains to goods, products, services or facilities which are available on the premises where the sign occurs and is intended primarily for the convenience of the public while on the premises.~~

~~18 16. Institutional sign - "Institutional sign" means a sign to identify educational, civic and religious institutions.~~

~~19-17. Landscaping - "Landscaping" means the planned used of trees, shrubs and other living plant materials used in conjunction with a sign and other decorative features.~~

~~20 18. Lot identification sign - "Lot identification sign" means a sign to identify the occupants of the premises.~~

~~21 19. Mansard roof - "mansard roof" means a sloped roof or roof-like facade architecturally able to be treated as a building wall.~~

~~22 20. Marquee - "marquee" means a permanent structure attached to, supported by and projecting from a building and providing protection from the weather~~

elements, but does not include a projecting roof. For purposes of this chapter, a freestanding permanent roof-like structure providing protection from the elements, such as a service station gas pump island, will also be considered a marquee. This also includes canopies.

~~23~~ 21. Neighborhood identification sign - ~~"neighborhood identification sign"~~ means a sign to identify a particular residential area or development four acres or greater in size.

~~24~~ 22. Neon sign - ~~use of illuminated neon tubing used to~~ ~~"Neon sign"~~ means a symbol, logo, or message comprised of illuminated neon tubing used to attract attention for advertising purposes draw attention to a business or building in any manner, including (but not limited to) neon text, symbols, logos or outlining of a building's architectural features. Neon signs shall not flash, oscillate or revolve.

~~25~~ 23. Off-premises directional sign - ~~"Off-premises directional sign"~~ means a permanently installed sign which provided directional information to a ~~business or service parcel~~ located in the Gig Harbor area, but not located on the same ~~property parcel~~ as the sign in question.

~~26~~ 24. Off-premises sign - ~~"Off-premises sign"~~ means a sign relating, through its message and content to a business activity, use, product or service not available on the premises on which the sign is erected.

~~27~~ 25. On-premises directional sign - ~~"On-premises directional sign"~~ means a permanent sign that directs the public to a specific place such as an entrance, exit, or parking or service area, or a particular aspect of a business establishment.

~~28~~ 26. On-premises sign - ~~"On-premises sign"~~ means a sign which carries only advertisements and messages strictly applicable to a lawful use of the premises on which it is located.

~~29~~ 27. Portable sign - ~~"Portable sign"~~ means a sign made of any material, which by its design is readily movable and is not permanently affixed to the ground, structures or buildings.

~~30~~ 28. Projecting sign - ~~"Projecting sign"~~ means a sign which is attached to and projects more than one foot from a structure, building face or marquee.

~~31~~ 29. Readerboard - "~~Readerboard~~" means a sign face ~~consisting of tracks to~~ designed to hold readily changeable letters allowing frequent changes of copy.

~~32~~ 30. Revolving sign - "~~Revolving sign~~" means a sign which rotates or turns in a circular pattern.

~~33~~ 31. Roof sign - "~~Roof sign~~" means a sign supported by and erected on and above a roof ~~or~~ parapet, or fascia of a building or structure (shall not include a sign erected on the face of a mansard roof).

~~34~~ 32. Sandwich board/Sidewalk sign - ~~Sandwich Board/Sidewalk Sign. Such sign shall have a maximum height of three feet and width of two feet located in front of the business.~~ a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing.

~~35~~ 33. Sign - "~~Sign~~" means any visual communication device, structure, or fixture which is visible from any right-of-way or waterway and is intended to aid the establishment in question in promoting the sale of products, goods, services, events or to identify a building, using graphics, letters, figures, symbols, trademarks or written copy. Steel, plastic or similar panels displaying corporate colors, logos or trademarks and as are common on corporate signature buildings to give identity to the business shall be considered signage. Corporate colors which conform to design guidelines as may be adopted by the City shall be excluded from this definition. Inflatable displays, figures, or product representations shall also be considered signage.

~~36~~ 34. Sign area - "~~Sign area~~" means the entire area of a sign on which copy, logos, trademarks, and business or corporate colors are ~~is~~ to be placed. Sign structures and associated architectural embellishments, framework and decorative features which contain no written or advertising copy, which are not illuminated and which contain no logos or trademarks shall not be included. Sign area shall be calculated by measuring the area of the smallest rectangle circle, triangle or parallelogram that can be drawn around all parts of the sign from the viewpoint exposing the largest sign surface area, excluding simple support structures. Sign supporting structures which are part of the sign display shall be included in the area of calculation.

~~37~~ 35. Temporary construction sign - "~~Temporary construction sign~~" means a

sign jointly erected and maintained on premises undergoing construction, by an architect, contractor, subcontractor and/or materialman, upon which property such person is furnishing labor or material.

~~38~~ 36. Temporary sign - ~~"Temporary sign"~~ means any sign or advertising display constructed of cloth, canvas, light fabric, paper, cardboard or other light materials, with or without frames intended to be displayed for a limited time only and not permanently attached to a building or site.

~~39~~ 37. Wall graphics - ~~Wall Graphics.~~ A wall graphic is a wall sign of which color and form are part of an overall design on the building.

38. Wall plane - includes that portion of a facade which is contained on one general plane. If there is a shift in the facade, forward or back, a new plane is created. A single wall plane may contain windows and doors but it is generally a solid surface; notwithstanding the fact that projecting porches or colonnades may be considered part of the wall plane the porch or colonnade projects from the facade for calculating signage area.

~~40~~39. Wall sign - ~~"Wall sign"~~ means a sign attached or erected parallel to and extending not more than one foot from the facade or face of any building to which it is attached and supported throughout its entire length, with the exposed face of the sign parallel to the plane of said wall or facade. Signs incorporated into mansard roofs, marquees or canopies shall be treated as a wall sign.

17.80.030-Permits required PERMIT PROCEDURES.

The following regulations shall apply to all signs.

A. Permit Requirements. ~~A. A special sign overlay district is adopted and portrayed on Map 1. The standards of this chapter shall be applied as defined in the specific overlay areas.~~

~~B.~~ Signs located on public right-of-way are exempt from the permit requirements of this section and shall be processed and administered as per section 12.02. No sign shall be installed, constructed, painted, structurally altered, posted or applied without first obtaining a sign permit from the code administrator, unless exempted by this chapter. A separate

permit shall be required for each group of signs installed simultaneously on a single supporting structure ~~installed simultaneously~~. Thereafter, each additional sign erected on the structure must have a separate permit.

B. Permit Application Procedures. ~~C. Permit Requirements.~~ Applications for signs shall be accompanied by:

1. ~~a.~~ Two site plans showing the location of the affected lot, building(s) and sign(s), showing both existing and proposed signs;

2. ~~b.~~ Two copies of a scaled drawing of the proposed sign or sign revision, including size, height, copy, structural footing details, material specifications, method of attachment, illumination, front and end views of marquees, calculation for dead load and wind pressure, photograph of site and building marked to show where sign or marquee is proposed, and any other information required to ensure compliance with appropriate laws;

3. ~~c.~~ Written consent of the owner of the building, structure, or property where the sign is to be erected;

4. ~~d.~~ A permit fee is as adopted by resolution of the city council;

5. ~~e.~~ Exemptions. The code administrator may waive submission of plans and specifications when the structural aspect is of minor importance.

C. Administrative Requirements. ~~2. Administrative Requirements.~~ The code administrator shall ascertain that the sign installer has a valid Washington State contractors license when a sign requires a building permit, unless the sign is being installed by the owner of the sign.

D. Variances. ~~3. Variances.~~ Any person may apply to the hearing examiner for a variance from the requirements of this chapter. Variances shall be processed by the code administrator. The hearing examiner ~~may grant a variance from the provisions and/or the requirements of the chapter~~ shall review a sign variance application in accordance with the applicable procedures established in Chapter 17.10. In the Examiner's determination whether a sign variance should be granted, the examiner will follow the applicable criteria in lieu of the criteria set forth in Section 17.66.030 (B)(1), (2), (3), (4) and (5):

1. ~~a.~~ The granting of the variance would not be materially detrimental to the property owners in the vicinity and the variance sought is of minimum sign size, height, and scope to meet the conditions and needs of the applicant; and

2. ~~b.~~ The granting of the variance would not be contrary to the objectives of this chapter; and

3. ~~c.~~ The signage of the property in question cannot be adequately met under the literal interpretation and strict application of the chapter; and

4. ~~d.~~ The granting of the variance is necessary because of special circumstances relating to property location, topography, shape and size; site distance and limited view to property. ~~and/or dependency of business to visual access of freeway traffic in the freeway interchange area (Area 1).~~

~~E. Administrative Waiver - Off-premises Signs~~ 4. ~~Administrative Waiver - Off-premises Signs.~~ Off-premises commercial signs are prohibited by the City, unless a waiver is granted by the code administrator for an off-premises directional sign. ~~Waivers shall only be granted upon a clear demonstration that the applicant's business or property is not visible from any streets or roads or on-premises signing cannot adequately convey the location and identity of the business to consumers who would normally use the business.~~

1. ~~a.~~ Such signs shall be directional only (no advertising other than name and location).

2. ~~b.~~ No more than two such signs for each business shall be approved.

3. ~~c.~~ The total area of the sign shall not exceed 24 square feet, such sign(s) must be permanently installed on private property, and the application must be accompanied by written permission of the owner of the property where the sign is to be located. ~~Portable direction signs are not permitted, except real estate directional signs.~~

4. ~~d.~~ Such sign shall meet all other applicable provisions of this chapter.

5. ~~e.~~ If more than one business in an immediate area has need for an off-premises directional sign, all must be identified on the same sign.

E. Administrative Waiver - Design Restrictions. Restrictions pertaining to the location of a sign within architectural features of a building or to color of illumination as

required in sections 17.80.033(B)2 & 17.80.035(A) & (C)2 shall be observed unless a waiver is granted by the code administrator. Waivers may be granted by the code administrator upon a clear demonstration that the following conditions apply:

1. The proposed sign design is consistent with design guidelines in place at the time the waiver is requested.
2. The building for which the waiver is requested lacks useable wall and/or facia space common to newer buildings.
3. The waiver shall not be granted for the purposes of increasing advertising effectiveness.
4. If colored illumination is desired in Area 3, the sign is not visible to any residents within 200 feet of the parcel the sign is located on.
5. All reasonable alternative locations for signage have been explored by the applicant.

17.80.031 GENERAL REGULATIONS. D. ~~Sign Standards and Conditions.~~

1. ~~General Regulations.~~

A. Sign district.. ~~A special sign overlay district is adopted and portrayed on~~
Three sign districts are created as designated on Map 1. The standards requirements of
this chapter shall be applied to signs in all districts except for the special requirements to
be imposed on signs located in each if the three districts as defined in the specific overlay
areas.

B. Motion signs prohibited. ~~a.~~ No sign or any part of a sign shall be designed or constructed to be moving by any means, and shall not contain items such as banners, ribbons, streamers and spinners. These devices, when not part of any sign, are also prohibited. Limited use of thematic flags, banners and pennants which are complementary to a specific location or structure may be permitted upon approval of the code administrator. This waiver is not intended to permit the use of numerous types of devices which as a result of wind pressure may move to a point of attracting attention of vehicular

and pedestrian traffic.

C. Exposed sign supports. ~~b.~~ Exposed braces and angle irons are prohibited unless they are a decorative element in the sign structure (e.g., wrought iron "S" curve braces) or unless there are no other practical means of supporting the sign.

D. Flashing signs. ~~e.~~ No sign shall have blinking, flashing, fluttering or moving lights or other illuminating device which has a changing light intensity or color; provided, however, temperature and/or time signs that conform in all other respects to this chapter are allowed.

~~d. No window signs above the first floor shall be illuminated.~~

E. Uniform Building Code compliance. ~~e.~~ The structure and installation of all signs shall comply with the latest adopted edition of the ~~Uniform~~ City's Building Code. ~~f.~~ Such sign shall meet all other applicable provisions of this chapter.

F. Off-premise directional signs. ~~g.~~ Off-premise directional signs may only be allowed if a variance is granted pursuant to Section 17.80.030(D). If more than one business in an immediate area has need for an off-premises directional sign, all must be identified on the same sign.

G. Maintenance required. ~~g.~~ All signs, together with all of their supports, braces, guys and anchors, shall be maintained in good repair and in a safe, neat, clean and attractive condition.

H. Illumination restrictions. ~~h.~~ The light directed on, or internal to, any sign shall be so shaded, shielded and/or directed so that the intensity or brightness shall not adversely affect safe vision of operators of vehicles moving on private or public property or pedestrians on a public right-of-way. Electric signs shall not use incandescent bulbs for internal illumination. Lights on externally illuminated signs shall be so shielded as to contain the light to the sign surface only. Internally illuminated signs shall be limited to individual pan-channel letters or to cabinet or awning signs with individual letters cut out of an opaque sign or awning face. Internally illuminated letters shall be limited to a letter height of 24 inches for the first letter of each word with the remaining letters limited to an 18 inch height maximum. Sign or awning materials must black out all light. Only the text may be translucent. Lighted signs visible from nearby residences shall have low or soft

illumination or be shielded in a manner to not adversely affect such residents.

I. Portable signs. i- Portable signs shall not exceed 12 square feet in sign area and not more than one such sign plus one portable sandwich board sign may be displayed per business. Portable signs must be located on the premises to which they relate, except real estate directional signs.

J. Abandoned signs. j- Abandoned signs shall be removed by the owner or lessee of the premises upon which the sign is located after the business or service advertised is no longer conducted on the premises.

K. Master sign plan. All commercial buildings shall provide a master sign plan for the entire structure or project. The plan shall indicate the amount and location of signage allocated to each tenant space. The signage plan must be designed so that it establishes a common theme or design, uses similar construction methods, has compatible colors, lettering, lettering style, symbols, scale and size of signs and/or identical background. Sign plans are intended to unify the design of a project. Sign plans shall be approved through the site plan review process except that existing buildings may have sign plans approved administratively. All existing multi-tenant projects or buildings shall submit a master sign plan prior to issuance of any new sign permits for said buildings.

L. Color restrictions. . "Day-glo", fluorescent, or reflective colored materials that give the appearance of changing color or brilliant luminescent colors shall not be permitted. Additional color restrictions are defined for Area 3.

M. Sign orientation. Signage shall not be oriented for distant viewing. At least 70 percent of the allowed signage for a building shall be oriented to the road or main parking lot the project has direct driveway access to. The remaining signage may be oriented to the building side or rear, provided that the building has road frontage along that side or rear and provided that the signage is not oriented to the freeway or freeway interchange areas.

2. Freestanding Ground Signs:

~~a. Sign height is the vertical distance from the highest point of the sign to the finished grade at the base of the supports.~~

~~b. Freestanding signs shall not be permitted in any area of the city.~~

~~c. Height standards:~~

~~Areas 1 and 2 ————— Ground signs shall not exceed 12 feet in height.~~

~~Area 3 ————— Ground signs shall not exceed six feet in height.~~

~~d. Sign surface standards:~~

~~Areas 1 and 2 ————— 50 square feet for a single side or 100 square feet total both sides.~~

~~Area 3 ————— 24 square feet for a single side or 48 square feet total both sides.~~

~~e. Location. Ground signs may not be located on public property.~~

~~Sites on a corner of two public streets may have one sign on the corner instead of a sign for each frontage. Placements in these locations are subject to approval by the public works director. The placement of ground signs shall be in such a fashion and location as to not obstruct the view of signs of adjacent property owners.~~

~~f. Number.~~

~~i. One ground sign shall be permitted on each street frontage of property on which the business is located.~~

~~ii. If a projecting sign is used, no freestanding sign shall be permitted on the property.~~

~~g. Landscaping.~~

~~i. Each sign shall have a landscaped area twice the size of the sign area at the base of the sign. The landscaping and sign base shall be protected from vehicles by substantial curbing.~~

~~ii. Permits for signs shall not be granted until required landscaping is installed or a bond or assigned funds in the amount of 125 percent of the estimated cost of the landscaping is provided.~~

~~iii. These requirements may be waived if the sign is located in an area that is part of an approved overall site landscape plan.~~

~~3. Wall Mounted Signs.~~

~~a. Total Area. Painted or attached signs on any wall shall not exceed the following ratios:~~

~~Area 1 Two square feet of sign area to one lineal foot of building front; provided however, 50 square feet of sign area is guaranteed each business frontage. Those businesses with both a building front and one side wall exposure to vehicular and pedestrian traffic may, as an option for purposes of calculating total wall sign area, add the lineal footage of the building front and side wall then divide by two.~~

~~Area 2 One and one-half square feet of sign area to one lineal foot of building front. Those businesses with both a building front and one side wall exposure to vehicular and pedestrian traffic may, as an option for purposes of calculating total wall sign area, add the lineal footage of the building front and side wall then divide by two.~~

~~Area 3 One square foot of sign area for every lineal foot of wall upon which it is mounted or 50 square feet, whichever is less.~~

~~b. Wall signs shall not project above roof lines.~~

~~4. Window Signs.~~

~~a. Where a window sign is utilized in place of a wall sign, the area standards contained in paragraph a of subdivision 3 of this subsection shall apply.~~

~~b. In addition to the area requirements of paragraph a of this subdivision, businesses are allowed one painted window sign identifying the business. The maximum area of these signs is six square feet.~~

~~c. Signs above the first floor are not included in the maximum sign area of a site, and are allowed to businesses located above the first floor with a maximum area of one square foot of sign area for each lineal foot of window frontage.~~

~~5. Projecting Signs.~~

~~a. Surface area:~~

~~Areas 1 and 2 _____ 32 square feet total both sides.~~

~~Area 3 _____ 32 square feet total both sides and shall be engraved or painted wood or painted metal.~~

~~b. All projecting signs must be at least eight feet above sidewalks and walkways and 15 feet above vehicular ways.~~

~~c. Sign shall not project more than three feet or one-third the width of the sidewalk or walkway.~~

~~d. Businesses choosing to use projecting signs shall reduce the amount of allowable wall mounted or window sign area by the proportionate amount of sign area allowed under subparagraph a of subdivision 3 and paragraph a of subdivision 4 of this subsection respectively.~~

~~6 Shopping Center Identification Sign(s). Each shopping center as qualified below may be permitted a shopping center identification sign(s). The shopping center identification sign shall be limited to one sign per street frontage, and subject to the height and size requirements of the areas in which the center is located. Such sign(s) shall be permitted for shopping centers which contain no less than 10 separate tenants, and restricted to only the identification of the shopping center. The shopping center identification sign shall be located in a planter of appropriate dimension. Individual tenants/businesses within a planned shopping center shall only be allowed to use wall signs.~~

~~7. Office Building Identification Sign. IN addition to those signs permitted by this chapter, each office building as qualified below may be permitted a building identification sign. The sign shall be in architectural harmony with the design of the buildings to be identified. The office building identification sign shall be limited to one sign per street frontage, and subject to the height and size requirements of the areas in which the building is located. One such sign(s) shall be permitted for office buildings which contain no less than four tenants or any institutional use, and the copy shall include only the name of the office building or institutional use. A directory or other exclusively informational listing of tenant's names may be attached, provided the area does not exceed 12 square feet.~~

~~8. Sidewalk/Sandwich Board. One sidewalk or sandwich board sign per business shall be permitted subject to the following:~~

~~a. Signs shall be located next to the curb edge of a sidewalk on premises in such a manner so as not to interfere with the opening of can doors, bus stops, loading zones or pedestrian traffic.~~

~~b. Signs shall be located directly in front of the sponsoring business, within 12 feet of the main entrance to the business and during business hours only.~~

~~c. Owners of such signs shall assume liability for damage resulting from their use and shall provide the city with an appropriate legal document holding the city harmless for such resulting loss.~~

~~d. No sign shall be located so as to create a traffic safety hazard by interfering with the vision of drivers entering or leaving the premises.~~

~~e. Maximum allowable sign area shall be 12 square feet.~~

~~9. Wall Graphics. There are not restrictions on wall graphics provided that they do not constitute advertising of a business or product normally subject to the provisions for painted signs.~~

17.80.033 SIGN STANDARDS FOR AREA 1 & 2

In addition to other applicable requirements of this chapter, signs located in Areas 1 and 2 shall conform to the following:

A. Freestanding Signs.

1. Height measurement: Freestanding signs shall be measured from the highest point of the sign to the finished grade at the base of the sign support. Finished grade shall be the final grade approved through the site plan review process and shall not be increased for purposes of increasing overall sign height.

2. Height standards: Freestanding ground signs shall not exceed 8 feet in height.

3. Clearance standards: Freestanding signs which abut the edge of a sidewalk shall have a maximum clearance of 27 inches.

4. Maximum sign area: 50 square feet for a single side or 100 square feet total both sides, or one square foot of sign area for every three feet of frontage the sign is located on, which ever is less.

5. Location: Freestanding signs may not be located on public property. The placement of freestanding signs shall be in such a fashion and location as to not obstruct the view of signs of adjacent property owners.

6. Density: One freestanding sign shall be permitted on each street frontage of property on which the business is located. Sites on a corner of two public streets may have one sign on the corner instead of a sign for each frontage, subject to approval by the public works director. Commercial properties with more than 1000 feet of continuous street frontage and with more than one entrance may install a free-standing sign at each entrance, provided that no single sign exceeds the maximum sign area described under section 17.80.033(A)(4). Where there is frontage on more than one street, each frontage is treated independently.

7. Landscaping: Freestanding signs must landscaped around the base of the sign.

a. Each sign shall have a landscaped area twice the size of the sign area. The landscaping and sign base shall be protected from vehicles by a six-inch high curb (or equivalent) at least three feet from the sign base.

b. Landscaping shall be installed in the planting season closest to the date of the sign permit issuance. Signs installed after the planting season shall be landscaped by no later than the following planting season.

c.. These requirements may be waived by the administrator if the sign is located in an area that is part of an approved overall site landscape plan.

B. Wall Mounted Signs.

1. Total Area. Painted or attached signs on any wall shall not exceed the following ratios:

Area 1 Two square feet of sign area to one lineal foot of commercial building front or 50 square feet of sign area, which ever is greater, is allowed each business provided that signage does not exceed 10 percent of the wall plane it is mounted to.

Area 2 One and one-half square feet of sign area to one lineal foot of commercial building front , provided that signage does not exceed 10 percent of the wall plane it is mounted to.

2. Architectural details. Signs may not cover or obscure important

architectural details of a building such as stair railings, turnings, windows, doors, decorative louvers, or similar elements intended to be decorative features of a building design. Signs must appear to be a secondary and complementary feature of the building facade. Wall signs must be located within architectural signs bands or other blank spaces which visually frame the sign. Blank wall sections above or between windows and doors, for example may provide an effective location for signage. Signs hanging between pillars and archways may also be an effective design solution. However, to avoid a "maxed out" appearance, signs shall be no larger than 70 percent of the width or height of the blank wall space or fascia the sign is mounted to so as to leave reveal on all sides of the sign and to maintain an appropriate balance between the sign and wall. For example, a pillar between a door and window which is 30 inches wide may have a sign which is 21 inches wide.

3. Height restriction. Wall signs shall not project above roof lines or fascia boards.

C. Window Signs.

1. Allowed size. Where a window signs is utilized in place of a wall sign, the area standards contained in section 17.80.033(B)(1) shall apply.

2. Extra sign allowed. In addition to the area requirements of section 17.80.033(B)(1), businesses are allowed one painted window sign identifying the business. The maximum area of these signs is six square feet.

3. Second-story signs. Window signs above the first floor are not included in the maximum sign area of a site, and are allowed to businesses located above the first floor with a maximum area of one square foot of sign area for each lineal foot of window frontage.

D. Projecting Signs.

1. Surface area: Projecting signs are limited to 32 square feet total both sides. Projecting sign area shall be deducted from the allowable wall signage determined under section 17.80.033(B)(1).

2. Clearance requirements: All projecting signs must be at least eight feet above sidewalks and walkways and 15 feet above vehicular ways.

3. Maximum projection: Projecting signs shall have a maximum width of 3 feet with a maximum clearance of 6 inches from the building wall.

4. Design Restriction: Projecting signs may not be cabinet-type signs and may not be internally illuminated.

E. Sidewalk/Sandwich Board. One sidewalk or sandwich board sign per business building entrance (not to exceed one sign per business) may be permitted subject to the following:

1. Location. If allowed in public right-of-way such as a sidewalk, sandwich board signs shall be located next to the sidewalk curb edge in such a manner so as not to interfere with the opening of car doors, bus stops, loading zones, car or pedestrian traffic, as approved by the Public Works Director. No sign may be located so as to create a traffic safety hazard by interfering with the vision of drivers entering or leaving the premises.

2. Hours of display. Signs shall be located directly in front of the sponsoring business, within 12 feet of the building entrance and during business hours only.

3. Owner liability. Owners of such signs shall assume liability for damage resulting from their use and shall provide the city with an appropriate legal document holding the city harmless for such resulting loss.

4. Allowed size.. Maximum allowable sign area shall be 12 square feet total both sides. Such signs shall have a maximum height of three feet and width of two feet located in front of the business.

5. Signs in Public Right-of-Way. In order to place a sandwich board or portable sign in the public right-of-way, the sign owner must comply with the requirements of this chapter as well as the requirements of Chapter 12.02, Right-of-Way permits.

F. Wall Graphics. There are no restrictions on wall graphics provided that they do not constitute advertising of a business or product normally subject to the provisions for painted signs.

17.80.035 SIGN STANDARDS FOR AREA 3

The following sign standards shall apply:

A. Illumination. When illumination is desired in Area 3 , the City encourages use of external light sources subject to the provisions of section 17.80.031(H). Internally illuminated signs are permitted subject to the provisions of section 17.80.031(H), except that illuminated text must be a light color contrasted against a dark background.

B. Freestanding Signs.

1. Height measurement: Freestanding signs shall be measured from the highest point of the sign to the finished grade at the base of the sign support. Finished grade shall be the final grade approved through the site plan review process and shall not be increased for purposes of increasing overall sign height.

2. Height standards: Freestanding ground signs shall not exceed 6 feet in height.

3. Clearance standards: Freestanding signs which abut the edge of a sidewalk shall have a maximum clearance of 27 inches.

4. Maximum sign area: 24 square feet for a single side or 48 square feet for both sides. If a carved or sandblasted wooden sign is used, freestanding signs may be 30 square feet for a single side or 60 square feet total both sides.

5. Location: Freestanding signs may not be located on public property. The placement of freestanding signs shall be in such a fashion and location as to not obstruct the view of signs of adjacent property owners.

6. Density: One freestanding sign shall be permitted on each street frontage of property on which the business is located. Sites on a corner of two public streets may have one sign on the corner instead of a sign for each frontage, subject to approval by the public works director. Commercial properties with more than 1000 feet of continuous street frontage and with more than one entrance may install a free-standing sign at each entrance, provided that no single sign exceeds the maximum sign area described under section 17.80.035(B)(4). Where there is frontage on more than one street, each frontage is treated independently.

7. Landscaping: Freestanding signs must be landscaped around the base

of the sign.

a. Each sign shall have a landscaped area twice the size of the sign area. If a carved or sandblasted wooden sign is used, landscaping may be reduced by 50 percent for all grade level landscaping, or by 75 percent if landscaping is contained in a raised planter around the base of the sign. Raised planters must be at least 18 inches high. Planter and organic materials shall be installed within 30 days of sign installation. The landscaping, sign base or planter shall be protected from vehicles by a six inch high curb stop or sidewalk edge at least three feet from the planter base.

b. Landscaping shall be installed in the planting season closest to the date of the sign permit issuance. Signs installed after the planting season shall be landscaped by no later than the following planting season.

c. These requirements may be waived if the sign is located in an area that is part of an approved overall site landscape plan.

C. Wall Mounted Signs.

1. Total Sign Area. Painted or attached wall signs must meet each of the following size criteria:

a. Allowed signage per facade. The combined area of wall signs on a given facade shall not exceed one square foot of sign for every lineal foot of commercial wall upon which it is mounted.

b. Individual sign size: No single wall sign shall exceed 50 square feet.

c. Allowed signage per wall plane: Wall signage may not exceed 10 percent of the wall plane or surface it is mounted to (see definition of wall plane).

d. Increased size option: If a carved or sandblasted wooden sign is used, the sign size may be increased by 20% of its allowable sign area.

e. Size restriction: Wall signs must meet the 70% space coverage allowances described under the surface coverage requirements in section 17.80.035 (C)(2).

2. Architectural details: Signs may not cover or obscure important architectural details of a building; they should appear to be a secondary and

complementary feature of the building facade. Wall signs must be located within architectural signs bands or other blank spaces which visually frame the sign. Blank wall sections above or between windows and doors, for example may provide an effective location for signage. However, to avoid a "maxed out" appearance, signs shall be no larger than 70 percent of the width or height of the blank wall space or fascia the sign is mounted to so as to leave reveal on all sides of the sign and to maintain an appropriate balance between the sign and wall. For example, a pillar between a door and window which is 30 inches wide may have a sign which is 21 inches wide.

3. Height restriction: Wall signs shall not project above roof lines or fascia boards.

D. Window Signs.

1. Allowed size: Where a window sign is utilized in place of a wall sign, the area standards contained in section 17.80.035(C)(1) shall apply.

2. Extra sign allowed: In addition to the area requirements of section 17.80.035(C)(1), businesses are allowed one painted window sign identifying the business. The maximum area of these signs is six square feet.

3. Second-story signs: Signs above the first floor are not included in the maximum sign area of a site, and are allowed to businesses located above the first floor with a maximum area of one square foot of sign area for each lineal foot of window frontage.

E. Projecting Signs.

1. Surface area: Projecting signs in Area 3 are limited to 32 square feet total for both sides. Projecting sign area shall be deducted from the allowable wall signage determined under sections 17.80.035(C)(1) and 17.80.035(D)(1) respectively.

2. Clearance requirements: All projecting signs must be at least eight feet above sidewalks and walkways and 15 feet above vehicular ways.

3. Maximum projection: Projecting signs shall have a maximum width of 3 feet with a maximum clearance of 6 inches from the building wall.

4. Design Restriction: Projecting signs may not be cabinet-type signs and may not be internally illuminated.

F. Sidewalk/Sandwich Board. One sidewalk or sandwich board sign per customer building entrance (not to exceed one sign per tenant) shall be permitted subject to the following:

1. Location: Signs shall be located directly in front of the sponsoring business at a point on the sidewalk which is closest to the building entrance. Signs shall be located in such a manner so as not to interfere with the opening of car doors, bus stops, loading zones, or pedestrian traffic. No sign shall be located so as to create a traffic safety hazard by interfering with the vision of drivers entering or leaving the premises.

2. Hours of display. Signs may be displayed during business hours only.

3. Owner liability. Owners of such signs shall assume liability for damage resulting from their use and shall provide the city with an appropriate legal document holding the city harmless for such resulting loss.

4. Allowed size. Maximum allowable sign area shall be 12 square feet total, both sides.

G. Wall Graphics. There are no restrictions on wall graphics provided that they do not constitute advertising of a business or product normally subject to the provisions for painted signs.

17.80.040 Temporary signs.

Except for business signs described under subsection 17.80.040(A) below, no permit is required for temporary signs. Temporary signs are ~~for promotional purposes and~~ are not allowed to continually advertise goods, services, political messages or events on a site; permanent signs shall be used for that purpose. Temporary signs located within public right-of-way shall be subject to the requirements of Section 12.02 of this Title.

A. Business Signs. ~~Business Opening Signs. Maximum duration shall be one month. Maximum area, per site, shall be 20 square feet.~~ Such signs include grand opening signs, sale signs, promotional signs, quitting business signs, and other non-permanent exterior signs used by businesses. Business signs shall be limited to 20 square feet in size. No more than one business sign may be displayed at any one time

for any one business or tenant. Business signs may be displayed for no more than 60 cumulative days per calendar year. A permit is required for each business sign.

B. Poster Signs - Notwithstanding the business sign restrictions in subsection A, each business may continually display temporary poster-type signs. Poster signs are allowed on the inside of windows only.

~~B. Sale Signs. Maximum duration shall be one month.~~

~~C. Quitting Business, Fire Sale, and Similar Signs. Maximum duration shall be not more than two months.~~

C. Real Estate (On-Premises and Off-Premises Signs).

1. Residential "For Sale", "For Rent" and "Sold" Signs. Such signs shall be limited to one sign per street frontage not to exceed six square feet in sign area per side, placed wholly on the property for sale, and not to exceed a height of six feet. Off-premises signs shall not exceed six square feet and are restricted to one per street. One off-premise "For Sale" sign no larger than two square feet and no further from the subject house than the nearest arterial street intersection is permitted. No more than one "For Sale" or "For Rent" sign may be used at any street intersection for any one developer, broker, seller or owner. No off-premises "sold" signs are allowed. All real estate signs shall be removed within five days of the final sale or rental.

If a development or subdivision with more than 8 parcels or units has more than 50% of the parcels or units for sale at any one time by a single or joint developer, agent, or seller, signage shall be limited to one project identification sign, no larger than 32 square feet, at the subdivision or project entrance with a map showing available lots or units by number. Each lot or unit may have a corresponding number sign not exceeding 1 square foot.

2. Residential Directional "Open House" Signs. Such signs shall be limited to one sign per street frontage on the premises for sale and three off-premises signs. However, if a broker/agent has more than one house open for inspection in a single development or subdivision, he is limited to four off-premises "open house" signs in the entire development or subdivision, and one off-premise sign which is no further from the

open house than the nearest arterial street intersection. No more than one open house sign may be used at any street intersection for any one developer, broker or seller. Such signs are permitted only during daylight hours and when the broker/agent or seller ~~or an agent~~ is in attendance at the property for sale. No such sign shall exceed five square feet in sign area per side. The sign may be placed along the periphery of a public right-of-way, provided it does not interfere with traffic safety, but it may not be attached to a utility pole or traffic safety device.

3. Undeveloped Commercial and Industrial Property "For Sale or Rent" Signs. One sign per street frontage advertising undeveloped commercial property for sale or for rent is permitted while the building property is actually for rent or sale. The sign shall not exceed 32 square feet in sign area per side and six feet in height.

~~E.~~ D. Construction Signs. Sign copy shall be limited to information about a building under construction or being remodeled. Maximum duration shall be until construction is completed or one year, whichever is shorter. Maximum area shall be 32 square feet.

F. E. Campaign/Political Signs. ~~Sign copy shall be limited to information about a candidate, political party or public issue involved in a current election campaign. Campaign/political signs may be posted on private property or on the planting strip between the sidewalk and the street, which plating strip is immediately adjacent to the sign owner's, provided that is does not present a safety hazard property are permissible on the edge of public rights-of-way provided they are not hazardous to pedestrian or vehicular traffic. These signs may be posted for a period not to exceed 30 90 days prior to and/or five days after the applicable election. If related to an event or election, such signs shall be removed within 7 days after the event or election. It shall be the responsibility of the property owner , tenant or candidate to have his/her campaign/political signs removed within five days after the election or the city will remove such signs at the candidate's expense. Campaign/ political signs may not otherwise be placed on public property and rights-of-way remove such signs as required by this section. Maximum sign area shall be 12 square feet. Maximum height shall be 3 feet.~~

G. F. Seasonal Decoration Signs and Signs Advertising a Public Event. Maximum

duration shall be from one month before the event to five days after the event. Signs shall be removed by the promoters of the event, or the city will remove such signs at the promoter's expense.

17.80.060050 PROHIBITED SIGNS.

The following signs are prohibited:

~~A.~~ A. Signs which by coloring, shape, wording or location resemble or conflict with traffic control signs or devices;

~~B.~~ B. Signs which the director of public works determines to be a safety hazard for pedestrian or vehicular traffic. Such signs ~~shall~~ may be removed if they already exist;

~~C.~~ C. Flashing signs or lights;

~~D.~~ D. Signs or parts of signs which revolve;

~~E.~~ E. Portable signs exceeding six square feet each side;

~~F.~~ F. Signs attached to or placed on a vehicle or trailer parked on public or private property; provided, however, this provision shall not be construed as prohibiting the identification of a firm or its products on a vehicle operating during the normal course of business. Franchised buses and taxis are exempt from this provision;

~~G.~~ G. Off-premises signs, except ~~real estate directional signs, political signs, public service civic event signs, garage sale signs~~ as specifically allowed in this chapter;

~~H.~~ H. Any sign affixed to or painted on trees, rocks or other natural features or utility poles;

~~I.~~ I. Roof signs;

~~J.~~ J. All readerboard signs, including portable readerboard signs except such signs used for theaters or public schools. ~~Portable readerboard signs may be allowed for special events for a period not to exceed three days.~~

K. Signs that display the symbol, slogan or trademark of national brands of soft drinks or other products that do not form the bulk of the business transacted on the premises.

L. Signs not meeting the requirements of this chapter.

17.80.070060 ADMINISTRATION AND ENFORCEMENT.

The code administrator shall be responsible for enforcing the provisions of this code.

A. **Removal of Signs.** The code administrator or the public works director may order the removal of any sign erected, installed or maintained in violation of this chapter. ~~He/she shall give written notice specifying the violation to the holder to the sign permit, or the owner of the property where the sign is erected, to correct said violation or remove the sign within 30 days~~ Where there is no immediate threat to public safety or welfare, written notice shall be first given to the sign owner, the sign permittee or the owner of the property where the sign is placed, pursuant to Chapter 15.18 GHMC. ~~In the event the violation is not corrected within 30 days, a citation shall be issued to the owner of the sign or the owner of the property where the sign is located. If, in the opinion of the code administrator, the condition of the sign presents an immediate threat to the safety of the public, the enforcing officer may cause immediate removal of the sign at cost to the owner of the premises. A sidewalk/sandwich board sign placed in noncompliance of this code shall be subject to removal by order of the city's code enforcement officer after providing a two-day written notice. Any temporary sign or sandwich board sign located in the city's right-of-way not in compliance with this code~~ which violates this chapter or chapter 12.02 is shall be subject to immediate removal by the city. Temporary or sandwich board signs removed by the city may be reclaimed by the owner after paying the city's administrative costs associated with storage. ~~Failure to remove any noncomplying sidewalk/sandwich board sign(s) located within the city's right-of-way after order and notice from the code enforcement officer shall subject such noncomplying sign(s) to immediate removal by the city in addition to civil penalties as provided under the code. Such confiscated signs may be reclaimed by the owner from the city after paying a \$50.00 fee. Signs not reclaimed after 5 working days shall be deemed refuse and may be discarded by the city.~~

B. **Cumulative Civil Penalty.** In addition to any other remedy available to the City, a person violating or failing to comply with any of the provisions of this chapter shall be subject to the procedures for violation, hearing and penalties as set forth in Chapter 15.18 GHMC.

C. **Nonconforming Signs.** ~~Nonconforming signs which are permanently installed and were legally installed prior to the adoption of this chapter shall be allowed to continue in use as long as such signs are continuously maintained, are not relocated, are not~~

~~structurally altered or made more nonconforming in any way. A nonconforming~~

1. Nonconforming sign(s) shall be required to be brought into compliance with this chapter upon the earlier occurrence of any of the following events:

- a) abandonment of the sign or premises,
- b) destruction of the sign beyond 50 percent of its value,
- c) a change in the use of the property where the sign(s) is located requiring additional permits or approvals from the City;
or
- d) on June 1, 2002; provided that such time limitation may be extended for periods not to exceed two (2) years at a time by the Administrator upon the granting of a hardship variance as set forth in subsection (2) below.

2. Hardship variances may be granted by the Administrator to extend the time period for compliance with subsection (1)(d) above, if the Administrator finds that all of the following are true:

- a) strict compliance with the provisions of subsection (1)(d) above may impose an undue hardship upon the sign owner. This showing of "undue hardship" may be met, for example, by the sign owner's demonstration that the sign has not fully depreciated for federal income tax purposes. A sign owner's expenditures toward improvement or repair of any nonconforming sign shall not be considered by the Administrator in the showing of hardship.
- b) granting of the variance from the provisions of this chapter will not:

- i) depreciate or damage neighboring property;
 - ii) create a safety hazard; or
 - iii) be contrary to the purposes of this chapter.
- c) the nonconforming sign has been and will be properly maintained.

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

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST/AUTHENTICATED:

Mark E. Hoppen, City Administrator

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK: April 20, 1995
PASSED BY THE CITY COUNCIL: May 22, 1995

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO: **691**

May 31, 1995
June 5, 1995

SUMMARY OF ORDINANCE NO. 691

of the City of Gig Harbor, Washington

On the 22nd day of May, 1995, the City Council of the City of Gig Harbor, passed Ordinance No. 691. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO REGULATION OF SIGNS, CHANGING THE SIGN CODE'S EXEMPTIONS, ADDING NEW DEFINITIONS, ELIMINATING ADMINISTRATIVE WAIVER SECTION AND REQUIRING SIGN VARIANCES TO BE OBTAINED UNDER THE APPLICABLE ZONING CODE PROVISIONS, CLARIFYING THE PROCEDURES FOR APPLICATION AND PERMITTING OF SIGNS ON THE CITY RIGHT-OF-WAY, ADDING AN ADMINISTRATIVE DESIGN VARIANCE PROCEDURE, ADDING NEW RESTRICTIONS AND STANDARDS FOR SIGN ILLUMINATION, COLOR AND ORIENTATION, REQUIRING THAT COMMERCIAL BUILDINGS PROVIDE A MASTER SIGN PLAN, ADDING NEW SIGN STANDARDS FOR THE CITY'S THREE SIGN DISTRICTS WHICH RELATE TO SIGN HEIGHT, CLEARANCE, SIGN AREA, LOCATION, DENSITY, LANDSCAPING, RELATIONSHIP TO ARCHITECTURAL DETAILS AND IMPOSING CERTAIN STANDARDS ON FREESTANDING, WALL MOUNTED, WINDOW, PROJECTING AND SANDWICH BOARDS SIGNS, EXEMPTING CERTAIN TEMPORARY SIGNS FROM PERMITTING REQUIREMENTS, IMPOSING ADDITIONAL REQUIREMENTS ON REAL ESTATE SIGNS AND POLITICAL SIGNS, CHANGING THE ENFORCEMENT PROVISIONS TO BE CONSISTENT WITH CHAPTER 15.18 GHMC, CHANGING THE PROVISIONS FOR NONCONFORMING SIGNS BY REQUIRING THAT ALL NONCONFORMING SIGNS BE REMOVED OR BROUGHT INTO CONFORMANCE WITH THE SIGN CODE BY JUNE 1, 2002, AND ALLOWING A HARDSHIP VARIANCE FOR TIME EXTENSIONS OF SUCH NONCONFORMING SIGNS TO REMAIN FOR UP TO AN ADDITIONAL TWO YEARS, AMENDING SECTIONS 17.80.010, 17.80.020, 17.80.030, 17.80.040, 17.80.050, 17.80.060, 17.80.070 AND ADDING NEW SECTIONS 17.80.031, 17.80.033 AND 17.80.035 TO THE GIG HARBOR MUNICIPAL CODE.

Section 1. Revised sign code.

Section 2. Severability clause.

Section 3. Establishing an effective date of June 5, 1995,

The full text of this Ordinance will be mailed upon request.

DATED this 23rd day of May, 1995.

CITY ADMINISTRATOR, MARK HOPPEN