

See the Everett Riverfront District Zoning Standards 36.030
for additional sign regulations.

Chapter 36

SIGNS

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36.010 User guide.

Chapters 5 through 28 of this title contain the zone regulation tables and assign a sign category to each use in each zone. This category is A, B, C, D or E. This chapter contains the specific requirements of each sign category as well as general provisions for all signs and regulations pertaining to special signs. To determine which sign category applies to a specific use and property, one should consult the development standards table. Section 36.170 contains specific information regarding the various requirements for signs in each sign category. (Ord. 2657-02 § 35, 2002; Ord. 1671-89 (part), 1989.)

36.020 Purpose.

The purpose of this section is to promote and protect the public health, safety, welfare and aesthetics by establishing regulations for the design, placement, size and maintenance of all signs in the city. It is also the purpose of this chapter to provide a healthy business environment in the city by providing standards that encourage signs which are clear and effective in communicating to the public a particular business location, product or service.

The continual growth of the Everett business community has resulted in a proliferation in the number and size of signs related to individual businesses. This proliferation of signs has resulted in a reduced effectiveness of individual signs. As the number, size and intensity of signs has increased without regard to quality and placement, the impact of the individual sign is diminished. Improperly designed or placed signs create potential conflicts with traffic control and public safety. Haphazard placement of signs can result in reduced property values of both residential and business areas of the city.

It is felt that the rights of businesses to identify themselves can be balanced with the rights of the public to have uncluttered, safe and attractive public rights-of-way and that the responsible regulation of signs can improve business opportunities as a result of the increased attractiveness of the city. (Ord. 1671-89 (part), 1989.)

36.030 Prohibited signs.

The following signs are prohibited:

- A. Signs or sign structures which by coloring, shape, working or location resemble or conflict with traffic control signs or devices;
- B. Signs that create a safety hazard for pedestrian or vehicular traffic, as determined by the traffic engineer or building official;
- C. Revolving signs, signs with flashing, rotating, or blinking lights that contain no copy, logo or written text but are used to attract attention to a person, institution, business, event, product, goods or services;
- D. Signs that move by force of wind, electrical power, or mechanical means;
- E. Portable signs that do not comply with Section 36.140;
- F. Signs attached to trees, utility poles, street lights, or any public property without permission of the government agency owning the same;
- G. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign. See RCW 46.90.436. (This does not apply to signs or lettering on buses, taxis or vehicles operating during the normal course of business, or vehicles which are advertising themselves for sale.)
- H. Displays of banners, clusters of flags, posters, pennants, ribbons, streamers, strings of lights, spinners, twirlers or propellers, flashing, rotating or blinking lights, strobe lights, flares, balloons or inflated signs over twenty-four inches in diameter, and similar devices of a carnival nature; except those signs that are permitted in accordance with Section 36.150;
- I. Searchlights and beacons;
- J. Roof signs;
- K. Signs located in or on public right-of-way; provided, that awning signs and projecting signs may extend over public right-of-way if they otherwise conform with

this chapter, except as provided by Section 36.130; and provided further, that certain real estate signs are allowed on the periphery of public right-of-way pursuant to Section 36.120(B).

L. Roof-mounted statues, figures or objects such as antennas used to attract attention to a particular business;

M. Combination signs. (Ord. 2990-07 § 2, 2007; Ord. 2076-95 § 2, 1995; Ord. 1671-89 (part), 1989.)

36.040 Signs exempt from this chapter.

The following signs or displays are exempt from regulation under this chapter:

A. Regulatory, identification or directional signs installed by, or at the direction of, a government entity;

B. Signs required by law;

C. Official public notices or official court notices;

D. Barber poles not exceeding six feet in length or a height of eight feet above grade;

E. Signs or displays not visible from streets, rights-of-way, sidewalks or parking areas open to the public;

F. The flag of government or noncommercial institutions such as school;

G. Point-of-purchase advertising displays, such as product dispensers;

H. "No trespassing," "no dumping," "no parking," "private" and other informational warning signs which do not exceed six square feet in surface area;

I. Structures intended for separate use such as phone booths and recycling containers; provided, that no advertising oriented to the public right-of-way is attached to such structures;

J. Reasonable seasonal decorations within the appropriate public holiday season, or civic festival season. Such displays shall be removed promptly at the end of the season;

K. Sculptures, fountains, mosaics, murals and design features which do not incorporate advertising or identification;

L. Postal signs;

M. Historic site markers or plaques, gravestones and address numbers mounted flush on the wall of a building;

N. Lettering or symbols painted directly onto or flush-mounted magnetically onto a licensed and operable motor vehicle operating in the normal course of business;

O. Billboards and outdoor advertising structures shall be regulated by Ordinance No. 1258-86 or subsequent amendments thereto. (Ord. 2657-02 § 36, 2002; Ord. 1671-89 (part), 1989.)

36.050 Permit requirements.

Except as exempted in subsection A of this section, no sign shall be erected, re-erected, attached, structurally altered, or relocated by any person, firm or corporation from and after the effective date of the ordinance codified in this title without a sign permit issued by the city. In the

case of electric signs, compliance with the National Electrical Code shall be included as a requirement of the sign permit. The building official shall issue all sign permits, but only after planning department approval. No permit is required for repair, cleaning, repainting or other normal maintenance, nor for changing the message on a sign designed for changeable copy, as long as the sign structure is not modified in any way.

A. Signs Not Requiring Permits. The following types of signs are exempted from obtaining a sign permit, but must be in conformance with all other requirements of this chapter and other applicable city ordinances:

1. Real estate signs meeting the requirements of Section 36.120;

2. Political signs meeting the requirements of Section 36.130;

3. Portable signs meeting the requirements of Section 36.140;

4. Temporary and special event signs meeting the requirements of Section 36.150;

5. Nonelectric signs not exceeding two square feet in area limited in content to the name of the occupant and address of the premises in single-family residential zones;

6. Incidental signs;

7. On-premises directional signs not exceeding six square feet in area, the sole purpose of which is to provide for pedestrian and vehicular traffic direction;

8. One on-premises bulletin board not more than sixteen square feet in area, per face, for each charitable or religious institution.

B. Application For Permits. Applications for sign permits shall be made to the building official upon forms provided by the city. Such applications shall require:

1. Name and address of the owner of the sign;

2. Street address or location of the property on which the sign is to be located, together with the name and address of the property owner;

3. The type of sign or sign structure as defined in this chapter;

4. A site plan drawn to scale showing the proposed location of the sign together with the locations and square footage areas of all existing signs on the same premises for the specific business, and if a freestanding sign is proposed, the location of any other freestanding sign on the same lot;

5. Specifications and scale drawings showing the materials, design, dimensions, structure supports and electrical components of the proposed sign.

C. Permit Fees. All applications for permits shall be accompanied by payment of fees based upon the fee schedule in effect at the time of the application. The fee schedule shall be kept on file in the office of the building official.

D. Issuance of Permits—Inspection. Following approval by the planning department, the building official

shall issue a permit for erection, alteration or relocation of a sign upon receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. (Ord. 2657-02 § 37, 2002; Ord. 1671-89 (part), 1989.)

36.060 Maintenance.

All signs and components thereof must be maintained in good repair and in a safe, neat, clean and attractive condition. The premises surrounding a freestanding sign shall be free and clear of rubbish and shall meet the requirements of Section 36.090. The owner of the lot upon which the sign is located shall be responsible for sign maintenance. (Ord. 1671-89 (part), 1989.)

36.070 Abandoned signs, hazardous signs.

A. Abandoned signs shall be removed by the owner or lessee of the premises upon which the sign is located within six months after the business or service advertised by the sign is no longer on the premises. If the owner or lessee fails to remove it, the code compliance officer shall give the owner ten working days written notice to remove it. Upon failure to comply with this notice, the city may remove the sign at cost to the owner of the premises. The foundations and posts of a sign, with all advertising copy removed, may remain on the premises for up to three years with the owner's written consent, on the condition that the same must be continuously maintained pursuant to Section 36.060. However, at such time that the premises are reoccupied, all signs shall comply with the requirements of this chapter.

B. Signs which constitute a safety hazard to the public shall be removed or made safe immediately. The building official and code compliance officer shall have the authority to determine whether a sign constitutes a safety hazard. The city shall have the authority to order the owner of a hazardous sign to have the sign removed or made safe, to do such work as is necessary using city personnel, or to contract to have the hazardous sign removed or made safe. The sign owner and/or property owner shall be responsible for any costs incurred by the city in removing or repairing a hazardous sign, and the costs for doing such work may be attached to the subject property as a lien. (Ord. 1671-89 (part), 1989.)

36.080 Illumination of signs.

The light directed upon, or internal to, any sign shall be shaded, shielded or directed so that the light intensity or glare shall not adversely affect vision of operator of vehicles moving on public or private roads, highways or parking areas, or adversely affect safe vision of pedestrians on a public right-of-way. Glare and intense lighting of signs shall not shine on, or directly reflect into, residential structures. Except as otherwise permitted by this chapter,

no signs shall have blinking, flashing or fluttering lights, or other illumination devices which have a changing light intensity or brightness, or which are so constructed and operated as to create an appearance or illusion of motion or animation, except for electronic changing message signs, which meet the definition found in Section 4.020, and the requirements of this chapter. (Ord. 2616-02 § 3, 2002; Ord. 1671-89 (part), 1989.)

36.090 Protective islands.

At the time of installation, all freestanding signs shall include protective islands to prevent vehicles from hitting the sign structure and to improve the overall visual appearance of the structure. Protective islands shall be designed and constructed so as to provide protection at least three feet in all directions from the sign structure and shall be planted with shrubs and groundcovers which meet the standards of Section 35.110 and shall be maintained in accordance with the standards of Section 35.130. (Ord. 1671-89 (part), 1989.)

36.100 Construction specifications.

A. The Uniform Sign Code, as adopted by the International Conference of Building Officials, is adopted by reference. Said code specifies design criteria, construction standards, requirements for materials, and limitations on the projection and clearance of signs. All electrically illuminated signs shall comply with the requirements of the currently adopted National Electric Code.

B. All freestanding signs shall have self-supporting structures erected upon or attached to a permanent in-ground foundation approved by the building official.

C. All signs abutting or projecting into the public right-of-way shall be subject to review by the traffic engineer to determine that there will be no hazards created for motorists or pedestrians. (Ord. 1671-89 (part), 1989.)

36.110 On-premises requirement.

A. Except as provided by subsection B of this section, all signs regulated by this chapter shall be located on the premises of the business being advertised, except real estate, political and directional signs meeting the requirements of this chapter. Setbacks shall be governed by Section 36.170.

B. Off-premises directional signs for a business, institution, organization or other entity may be approved using the comprehensive design plan permit described in Section 36.210. (Ord. 1671-89 (part), 1989.)

36.115 On-premises directory and on-premises directional signs.

In use zones where office and business complexes are permitted, on-premises directory and on-premises directional signs shall be allowed within a business or office complex provided:

A. It shall be oriented to persons who are already upon the premises; and

B. It shall not be legible from the abutting street right-of-way; and

C. It shall not exceed thirty-two square feet in area; and

D. It shall not exceed six feet in height; and

E. It shall not be internally illuminated unless other signs for the use of the property are permitted to be internally illuminated by the sign category for that particular use; and

F. It shall be located a minimum of ten feet from any street right-of-way; and

G. It shall be permitted only on lots or within complexes with more than one business or office entity; and

H. A sign permit shall be required if the sign is illuminated or if it exceeds six square feet in area. (Ord. 1729-90 § 22, 1990; Ord. 1671-89 (part), 1989.)

36.120 Real estate signs.

All exterior real estate signs must be of a durable material. Only the following real estate signs are permitted:

A. Residential "For Sale or Rent" Signs. Signs advertising residential property for sale or rent shall be limited to one single-faced or double-faced sign per street frontage. Such signs shall not exceed eight square feet per face, and must be placed wholly on the subject property. Such signs may remain until the property is sold or rented. A "sold" sign may remain up for ten days after the occupancy of residential property.

B. Residential Directional Signs. Signs advertising "open house" and the direction to a residence for sale or rent shall be limited to three single-faced or double-faced off-premises signs. Such signs may not exceed four square feet per face. Such signs are permitted only when a real estate agent, seller or property manager is in attendance at the property for sale, and not overnight. Such signs may be placed along the periphery of public right-of-way provided the abutting property does not object, but shall not be placed on a sidewalk or in any location where they would cause a public hazard as determined by the traffic engineer.

C. Commercial or Industrial "For Sale or Lease" Signs. Signs advertising commercial or industrial property for sale or lease shall be limited to one single-faced or double-faced sign per street frontage. Signs may be displayed while the property is actually for sale or rent. The signs shall not exceed thirty-two square feet per face. If freestanding, the signs shall not exceed twelve square feet in height and shall be located at least fifteen feet from any abutting interior property line and wholly on the property for sale or lease.

D. Subdivision Signs. Signs advertising subdivisions shall be limited to one single-faced or double-faced sign per street frontage. Such signs shall not exceed thirty-two

square feet per face and shall not exceed twelve feet in height. They shall be set back at least ten feet from any abutting interior property line and shall be wholly on the property being subdivided and sold. (Ord. 2076-95 § 5, 1995; Ord. 1671-89 (part), 1989.)

36.130 Political signs.

Political signs shall be displayed in accordance with the following restrictions:

A. Responsibility for Compliance. It shall be presumed that any violation of this subsection was done at the direction and request of the political candidate and/or campaign director.

B. Prohibited Political Signs. The following political signs are prohibited:

1. Signs that create a sight distance problem, obstruction, or hazard for vehicles or pedestrians as determined by the city traffic engineer;

2. Signs placed on any utility pole, public building, public structure, or public property other than a public right-of-way;

3. Signs placed in the right-of-way within an improved planting strip as defined in Section 46.28.020 without the permission of the abutting property owner;

4. Signs not removed within fifteen days after the election for which the signs are intended;

5. Signs which have sign faces that exceed four square feet; provided, that where a nonpolitical sign larger than four square feet is allowed, political signs which exceed four square feet are permitted provided they are located on private property and comply with the size and construction requirements for the signs permitted in the zone in which the property is located; or

6. Signs advertising campaign headquarters which do not comply with the size and construction requirements for the zone in which the property is located. (Ord. 2076-95 § 3, 1995; Ord. 1671-89 (part), 1989.)

36.140 Portable signs.

The following regulations shall apply to all portable signs except in cases where such signs are also included in more specific categories of this chapter:

A. Portable signs shall not exceed eight square feet per side or forty-two inches in height.

B. No more than one portable sign may be displayed per business.

C. In all commercial zones except the B-3 zone, the minimum spacing between portable signs shall be fifty feet.

D. All portable signs shall be located on the premises which they are advertising, except in the B-3 zones where the following regulations shall apply:

1. Signs shall be located next to the curb edge of a sidewalk in such a manner so as not to interfere with the

opening of car doors, bus stops, loading zones or pedestrian traffic.

2. Signs shall be located directly in front of the sponsoring business during business hours only.

3. Signs shall be located so as not to create a traffic safety hazard by obstructing the vision of motorists on private property or public right-of-way.

4. Owners of such signs shall assume liability for damage or injury resulting from their use and shall provide the city with an appropriate legal document satisfactory to the city attorney holding the city harmless and indemnifying the city for such resulting loss and/or injury.

E. Portable signs shall be nonilluminated.

F. Portable signs shall be displayed only during business hours. (Ord. 2990-07 § 3, 2007; Ord. 2657-02 § 38, 2002; Ord. 1671-89 (part), 1989.)

36.150 Temporary and special event signs.

A. **Construction Signs.** Construction signs identify the architects, engineers, contractors or other individuals or firms involved with the construction of a building and announce the character of the building or the purpose for which the building is intended. Such signs may be displayed only during the period of construction on the construction site. Only one such sign is permitted per street frontage. No construction sign shall exceed thirty-two square feet per face or twelve feet in height, nor shall it be located closer than ten feet from an interior property line. Construction signs shall be removed by the date of first occupancy of the premises, or upon expiration of the building permit, whichever first occurs.

B. **Sales or Special Events.** Temporary signs, posters, and banners are permitted to announce sales or special events. Signs mounted on vehicles, use of blinking lights, searchlights, beacons, balloons, strings of lights, spinners, or other animated or moving devices used to call attention to a business shall be prohibited. Any portable sign used shall comply with Section 36.140. Such special sales or event signs shall:

1. Be limited to not more than one sign per one hundred feet of street frontage per business;

2. Be limited to thirty-two square feet in area;

3. Not be displayed for a period to exceed a total of thirty days within any consecutive three-hundred-sixty-five-day period; and

4. Be removed immediately upon conclusion of sale/event. (Ord. 2990-07 § 4, 2007; Ord. 1671-89 (part), 1989.)

36.155 Electronic changing message sign requirements.

For any sign which meets the definition of electronic changing message sign, as defined in Section 4.020, the following provisions shall apply:

A. The sign category for the zone in which the sign is proposed must allow for internal illumination of signs (Sign Categories A, B, and C).

B. The maximum sign area for a changing electronic message center, which is freestanding or wall mounted, shall be no greater than seventy-five percent of the maximum total allowable sign area designated by the sign category for the underlying zone, or one hundred square feet, whichever is less.

C. Only those changing electronic message signs utilizing monochrome colors such as white, red or amber, shall be permitted. No RGB (Red-Green-Blue) technologies or other multi-colored display shall be permitted in an electronic message center sign in a manner that would create a video board as defined by Section 4.020. This section does not prohibit the use of color in a sign that is not a video board.

D. Changing electronic message signs shall maintain a 2-1-2 transition frequency. "2-1-2" means a message display time of a minimum of two seconds, a transition time between messages of a maximum of one second, followed by a message display time of a minimum of two seconds with all segments of the total message to be displayed within ten seconds. Displays which scroll onto the signboard must hold for a minimum of two seconds including scrolling.

E. All messages displayed on a changing electronic message sign shall be directly related to the business for which the sign was constructed. No off-premises signage is permitted.

F. All changing message signs shall be constructed as an integral part of a permanent sign constructed on site. Integral shall be considered to be incorporated into the framework and architectural design of the permanent sign.

G. Video boards shall be prohibited. (Ord. 2616-02 § 4, 2002.)

36.160 Special sign regulations in specific zoning district.

Repealed by Ord. 2657-02. (Ord. 1671-89 (part), 1989.)

36.170 Sign category requirements.

Table 6.1 specifies a sign category for each zone. The specific regulations pertaining to each sign category are contained in this section. Where there is a conflict between the general and specific regulations, the more specific regulations shall control.

A. Sign Category A.

1. All signs may be illuminated.

2. Freestanding Signs.

a. One freestanding sign is permitted per lot for each three hundred feet of street frontage or fraction thereof, provided that no more than four freestanding signs shall be permitted.

b. The maximum sign area shall be seventy-five square feet, plus an additional twenty-five square feet for each additional business on a lot having more than one business, up to a maximum area of one hundred fifty square feet.

c. The maximum height for a freestanding sign shall be five feet plus two feet for each one foot the sign is set back from the property line which abuts the street right-of-way, up to a maximum height of twenty-five feet.

d. On lots where more than one freestanding sign is permitted, the sign area permitted for each sign may be combined if installed on one sign structure, provided that the maximum sign area permitted shall not exceed three hundred square feet.

3. Wall Signs. Each facade of each business shall be allowed the larger of:

a. Forty-eight square feet; or

b. Fifteen percent of the area of the facade upon which the sign or signs are to be located, up to a maximum of two hundred square feet;

c. Awning signs shall be considered to be wall signs for the purpose of determining allowable sign area.

4. Projecting Signs. See subsection 36.190(G).

5. See Section 36.190 for additional regulations.

6. Shopping centers or office complexes which are designated as sign category A, which have more than three hundred feet of street frontage on one street may have one freestanding sign for each three hundred feet of frontage or portion thereof. Such signs shall be separated from one another by at least one hundred fifty feet.

B. Sign Category B.

1. All signs may be illuminated.

2. Freestanding Signs.

a. One freestanding sign is permitted per lot for each street frontage.

b. The maximum sign area shall be sixty square feet, plus an additional twenty square feet for each additional business on a lot having more than one business, up to a maximum area of one hundred square feet.

c. The maximum height for a freestanding sign shall be five feet plus two feet for each one foot the sign is set back from the property line which abuts the street right-of-way up to a maximum height of twenty feet.

d. On lots where more than one freestanding sign is permitted, the sign area permitted for each sign may be combined if installed on one sign structure.

3. Wall Signs. Each facade of each business shall be allowed the larger of:

a. Forty square feet; or

b. Fifteen percent of the area of the facade upon which the sign or signs are to be located, up to a maximum of one hundred square feet;

c. Awning signs shall be considered to be wall signs for the purpose of determining allowable sign area.

4. Projecting Signs. See subsection 36.190(G).

5. See Section 36.190 for additional regulations.

C. Sign Category C.

1. All signs may be illuminated.

2. Freestanding Signs.

a. One freestanding sign is permitted per lot for each frontage.

b. The maximum sign area shall be forty square feet.

c. The maximum height for a freestanding sign shall be one foot for each one foot the sign is set back from the property line which abuts the street right-of-way, up to a maximum height of fifteen feet. The minimum setback from the front property line shall be five feet.

d. On lots where more than one freestanding sign is permitted, the sign area permitted for each sign may be combined if installed on one sign structure.

3. Wall Signs. Each facade of each business shall be allowed the larger of:

a. Thirty-two square feet; or

b. Fifteen percent of the area of the facade upon which the sign or signs are to be located, up to a maximum of sixty square feet;

c. Awning signs shall be considered to be wall signs for the purpose of determining allowable sign area.

4. Projecting Signs. See subsection 36.190(G).

5. See Section 36.190 for additional regulations.

D. Sign Category D.

1. Signs shall not be internally illuminated.

2. Freestanding Signs.

a. One freestanding sign is permitted per lot for each frontage.

b. The maximum sign area shall be thirty-two square feet.

c. The maximum height for a freestanding sign shall be one foot for each one foot the sign is set back from the property line which abuts the street right-of-way, up to a maximum height of ten feet. The minimum setback from the front property line shall be five feet.

3. Wall Signs. Each facade of each business shall be allowed the larger of:

a. Twenty-four square feet; or

b. Fifteen percent of the area of the facade upon which the sign or signs are to be located, up to a maximum of forty square feet;

c. Awning signs shall be considered to be wall signs for the purpose of determining allowable sign area.

4. Projecting Signs. Projecting signs shall not be permitted.

5. See Section 36.180 for additional regulations.

E. Sign Category E.

1. Signs shall not be internally illuminated.

2. Signs shall identify the name of the owner or tenants only.

3. Freestanding signs:

a. Shall not exceed two square feet in area.;

b. Shall not exceed four feet in height.

4. Wall signs shall not exceed two square feet in area.

F. Exemptions From Overall Permitted Sign Area Requirements. The following types of signs shall not be computed in the overall sign area requirements of subsections A through D of this section:

1. Incidental signs;

2. Directional signs;

3. Directory signs in multiple-occupancy complexes, provided such signs are not legible from public right-of-way;

4. Temporary or special event signs meeting the requirements of Section 36.150;

5. Gasoline price signs meeting the requirements of subsection 36.190B;

6. Temporary window displays and painted window signs;

7. Under marquee signs;

8. Street numbering of buildings. (Ord. 2657-02 §§ 40 — 43, 2002; Ord. 1849-92 §§ 37, 38, 1992; Ord. 1671-89 (part), 1989.)

36.180 Residential zones.

A. No sign shall be located closer than ten feet to an internal property line.

B. Each entrance to a subdivision or mobile home park may have a freestanding or fence-mounted identification sign up to sixteen square feet in area, located outside the public right-of-way so as not to create a visual

obstruction for motorists or pedestrians. The height of such signs shall not exceed five feet.

C. Signs for home occupations are not permitted.

D. Temporary sale signs (garage sales, etc.) may be displayed not more than three days prior to the event and shall be removed within twenty-four hours after the event is completed. There shall be no more than two such events advertised for any residence per year.

E. Each structure shall display a street address number which is visible from the street, in accordance with the requirements of the Uniform Fire Code, as adopted by the city.

F. Only one sign shall be permitted per lot for uses falling into Sign Category E. (Ord. 1671-89 (part), 1989.)

36.190 Commercial and industrial zones.

A. The total surface area of all permanent window signs shall be included in determining the overall permitted wall sign area allowed for a business.

B. Gasoline price signs shall not be located in, nor project over the public right-of-way, and shall not be portable. Such signs may be freestanding or attached to canopy columns. The sign area shall not exceed twenty square feet and not more than one such sign shall be permitted per street frontage. This section shall not limit the size of gasoline price signs if such signs are integrated as part of the permitted freestanding sign area as specified in Section 36.170.

C. Each business shall display a street address number identification sign which is visible from the street, in accordance with the requirements of the Uniform Fire Code, as adopted by the city.

D. Under marquee signs shall have a minimum vertical clearance of eight feet above the sidewalk, and shall not exceed six square feet in area.

E. A single commercial use on a corner lot with a street frontage of less than one hundred feet on both streets shall be permitted only one freestanding sign.

F. Freestanding signs shall be located a minimum of ten feet from an interior property line.

G. In Sign Categories A, B and C, a projecting sign may be used in lieu of wall signs; provided, that:

1. It shall have a minimum clearance above grade of eight feet.
2. It shall project not more than six feet from a building facade.
3. It shall not be larger than twenty-four square feet in area.
4. It shall be supported only with ornamental structural supports. Guy wires and angle iron are prohibited. (Ord. 1671-89 (part), 1989.)

36.200 Removal of nonconforming signs.

A. All existing signs within the city which are not in compliance with the requirements of this chapter upon the effective date of the ordinance codified in this title are considered to be nonconforming signs. Nonconforming signs shall be made to conform with the requirements of this section under the following circumstances:

1. When any new sign for which a sign permit is required by this section is proposed to be installed on a premises upon which is located a nonconforming sign or signs, one nonconforming sign shall be removed or brought into conformance with this section for each new sign installed for a particular business.
2. Portable signs which do not conform with the requirements of this section shall be removed within six months of the effective date of this title or, if located within an area being annexed to the city, within six months of the effective date of annexation, whichever is later.

3. Whenever a building, or portion thereof, upon which is located a nonconforming roof sign, is proposed to be expanded or remodeled, all nonconforming roof signs located on that portion of the building being remodeled or expanded shall be removed or brought into compliance with this chapter if such expansion or remodel adds to the building the lesser of:

- a. Ten percent or more of the gross floor area of the existing building;
- b. One thousand square feet gross floor area;
- c. A value for the new construction or remodeling greater than or equal to ten percent of the assessed value of the existing building.

5. Whenever any modification is to be made to the structure, frame or support of any nonconforming sign, such nonconforming sign shall be removed or brought into conformance with this title. Adding a new sign face to a nonconforming sign which does not modify the shape, size or any structural element of a nonconforming sign shall be permitted.

6. Whenever the facade of a building upon which is located a nonconforming wall sign or nonconforming projecting sign is remodeled or renovated, all nonconforming wall signs located on the portion of the facade being renovated shall be brought into conformance with this chapter.

7. Whenever a lot upon which is located a nonconforming sign is the subject of an application which requires Review Process III, IV or V as set forth in EMC Title 15, Local Project Review Procedures, the review authority may require removal of any nonconforming sign as a condition of approval.

B. Any sign which as been designated historic pursuant to Chapter 33 of this title shall not be required to be removed by this section. (Ord. 2538-01 § 42, 2001; Ord. 1671-89 (part), 1989.)

36.210 Comprehensive design plan permits.

A. Application may be made to the planning director for special consideration whereby deviations from the requirements and restrictions of this section may be permitted when an applicant is using a comprehensive design plan to integrate signs into the framework of the building or buildings, landscaping, and other design features of the property, utilizing an overall design theme. This process may be used to allow flashing, rotating, revolving, swinging and projecting signs or other similar signs creating the illusion of movement; to allow off-premises directional signs; to allow roof signs; or to allow the height of freestanding signs to exceed the standards of this section. Comprehensive design may be used on an existing building where the facade is being altered, when there is new construction, or in freestanding signs. These permits are not to be confused with the procedures for obtaining variances for hardship or unusual circumstances. Rather, these

permits are based upon the applicant satisfying the planning director that an exceptional effort has been made toward creating harmony between the sign, the building and the site where it is located through use of a consistent design theme which complements and enhances the surrounding environment. The comprehensive design plan shall be presented to the planning director with a narrative describing the proposed plan. The planning director, using the review process described in EMC Title 15, Local Project Review Procedures, shall assess the applicant's information using the following criteria:

1. Whether the proposal manifests exceptional visual harmony between the sign, buildings and other components of the subject property through the use of a consistent design theme;
2. Whether the sign or signs promote the planned land use in the area of the subject property and enhance the aesthetics of the surrounding area;
3. Whether the sign and its placement obstructs or interferes with any other signs or property in the area or obstructs natural scenic views; and
4. Whether the proposed plan is aesthetically superior to what could be installed under existing criteria in this section.

B. The decision of the planning director shall be subject to the appeals provisions of Section 41.180 of this title. (Ord. 2538-01 § 43, 2001; Ord. 1849-92 § 40, 1992; Ord. 1671-89 (part), 1989.)

36.220 Sign enforcement.

For any sign that violates any provision of this chapter, in lieu of the enforcement provisions set forth in Chapter 1.20 EMC, the city shall utilize the following enforcement provisions which include removal of the sign and/or imposition of a penalty:

- A. Removal.
 1. Signs located on public or private property that create an immediate threat to the safety of the public may be summarily removed by the city's code compliance officer or his/her designee; or
 2. Unauthorized signs that are placed on any utility pole, public property, public building or public structure, or on any traffic sign may be summarily removed by the city's code compliance officer or his/her designee; or
 3. Signs placed in the right-of-way which are not authorized by this chapter of the zoning code to be located in the right-of-way may be summarily removed by the city's code compliance officer or his/her designee; or
 4. Signs placed in the right-of-way within an improved planting strip as defined in EMC 46.28.020 without the permission of the abutting property owner may be summarily removed by the abutting property owner; or
 5. Signs on private property that violate a provision of this chapter. Except as provided in subsection A.1, the

planning director or his/her designee shall give written notice by first class mail to the owner of the sign, business, building structure, or premises on which the sign is located:

- a. Notice shall advise the owner of the sign, business, building, structure, or premises to bring the sign into compliance or to remove it by a specified date;
- b. The planning director or his/her designee shall have discretionary power to set a time limit for compliance not to exceed thirty days from the date of mailing the written notice;
- c. The written notice shall describe the violation, the appeal process, and the enforcement provisions including penalties that may be assessed;
- d. Upon the owner's failure to comply with the provisions of this chapter or failure to remove the sign, the planning director or his/her designee may remove the sign at the owner's expense;
- e. The owner may appeal the determination of the planning director or his/her designee that the sign is in violation of this chapter to the city's land use hearing examiner within ten working days of mailing of the planning director's notification. Such determination constitutes an administrative determination per EMC 2.23.120.A.1.b. On appeal the hearing examiner shall determine if the planning director or his/her designee has properly applied the provisions of this chapter.

6. The planning director or his/her designee will attempt to contact the owner after removal of signs. The owner may contact the planning director or his/her designee to retrieve any signs removed. Failure to retrieve within thirty days from date of removal will result in disposal by the city.

B. Penalty. Any person found in violation of any provision of this chapter shall be guilty of a misdemeanor punishable by a fine of not more than two hundred fifty dollars for each day that each violation continues. (Ord. 2076-95 § 4, 1995.)