



## CITY OF PORT ORCHARD

### Planning Commission

216 Prospect Street, Port Orchard, WA 98366

planning@cityofportorchard.us

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#### PLANNING COMMISSION MEETING AGENDA

Tuesday, October 4, 2022 – 6:00 pm

**\*\*\* Attendees and Planning Commissioners may attend in person at City Hall or via Zoom\*\*\***

**Join Zoom Meeting, Public Link:** <https://us02web.zoom.us/j/88585029741>

**Dial-in (phone audio) only:** + 1 253 215 8782

**Webinar ID:** 885 8502 9741

Planning Commissioners please use individual webinar links.

**1. Call to Order: 6:00 p.m.**

Pledge of allegiance.

**2. Welcome and Introduction.**

Planning Commission and City Staff Introductions.

**3. Audience Comments:** Topics not listed for public hearing on tonight’s agenda.

Please limit comments to **3 minutes**.

**4. Approval of Minutes from September 7, 2022. (Attachment)**

*(ACTION)*

**5. Business Items:**

**a) DISCUSSION: POMC 20.132 Temporary Signage (Attachment)**

DCD staff has prepared examples of temporary sign code language from other Washington cities. DCD staff asks that the Planning Commission review the examples and discuss which examples could be appropriate for a future ordinance amending POMC 20.132.

**b) DISCUSSION: POMC 20.132 Subdivision Entrance Signs (Attachment)**

DCD staff has prepared a draft ordinance outlining proposed changes to POMC 20.132 to include standards for Subdivision Entry Signs. The proposed changes to POMC 20.132 have been prepared for the Planning Commission’s review.

**c) DISCUSSION: Title 20 Annual Housekeeping Ordinance (Attachment)**

DCD staff continually tracks errors, inconsistencies, outdated references, and omissions in Title 20 POMC (Unified Land Use and Development Code) and gathers these into one corrections ordinance each year – generally known as the annual Title 20 “housekeeping ordinance”. These proposed corrections to Title 20 for 2022 have been prepared for the Planning Commission’s review.

**6. Adjourn**

**Next Planning Commission Meeting – November 1, 2022**



**Planning Commission Meeting Minutes**  
**September 7<sup>th</sup>, 2022**  
**Hybrid Zoom Teleconference**

**COMMISSIONERS:**

Present: Annette Stewart, Joe Morrison, Tyler McKlosky, and Dave Bernstein.

Absent: Bek Ashby, Stephanie Bailey, and Phil King.

**STAFF:**

Senior Planner Jim Fisk, and Assistant Planner Josie Rademacher.

- 1. CALL TO ORDER:** Chair Stewart called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.
- 2. WELCOME AND INTRODUCTION:** Chair Stewart introduced the present Planning Commissioners, Commissioner Morrison, Commissioner Mcklosky, Commissioner Bernstein, and present City staff members, Senior Planner Jim Fisk, and Assistant Planner Josie Rademacher.
- 3. PUBLIC COMMENTS:** There were no comments from the public regarding issues not on the agenda.
- 4. APPROVAL OF MINUTES FROM AUGUST 2<sup>ND</sup>, 2022:** Commissioner McKlosky made a motion to approve the minutes as presented from the August 2<sup>nd</sup> meeting. Commissioner Bernstein seconded the motion. The motion passed unanimously.

**5. BUSINESS ITEMS:**

**A. DISCUSSION: POMC 20.132 TEMPORARY SIGNAGE AND SUBDIVISION ENTRANCE SIGNS.**

Senior Planner Jim Fisk shared an exhibit that showed examples of temporary signage in the right-of-way across the City. Senior Planner Fisk stated that POMC 20.132 as currently written, does not have a way to regulate the pick-up and removal of temporary signage. Fisk offered Planning Commissioners to have a discussion on the topic and receive guidance on how Staff should proceed.

Senior Planner Jim Fisk shared that POMC 20.132 does not have regulations for subdivision signage, although it has been something that developers have expressed interest in creating subdivision signage for their projects. Fisk offered Planning Commissioners to have a discussion on the topic and receive guidance on how Staff should proceed.

Staff was directed by the Planning Commission to look into other examples from other Cities and compile examples of both temporary signage and subdivision entry signs for the Commission to review to determine next steps. The Planning Commissioners expressed interest in using examples from other cities to draft an ordinance amending POMC 20.132 to include regulations for

subdivision entry signage and additional regulations for temporary signage for City Council to review for adoption.

**B. DISCUSSION: POMC 20.32 BUILDING TYPES**

Senior Planner Jim Fisk shared that the City has considered the adoption of an ordinance amending the building type section to incorporate design standards required in POMC 20.127 and 20.139 into the applicable building type. Fisk stated that the intent of the amendment is to eliminate inconsistencies between sections of code and locate applicable design requirements in specific building types.

Fisk offered Planning Commissioners to have a discussion on the topic and receive guidance on how Staff should proceed.

Staff was directed by the Planning Commission to draft an ordinance for the Commission to review.

**C. DISCUSSION: POMC TITLE 20 “HOUSEKEEPING” AMENDMENTS**

Senior Planner Jim Fisk shared that DCD staff continually tracks errors, inconsistencies, outdated references, and omissions in Title 20 POMC (Unified Land Use and Development Code) and gathers these into one corrections ordinance each year – generally known as the annual Title 20 “housekeeping ordinance”. Fisk shared the proposed corrections to Title 20 for 2022 have been prepared for the Planning Commission’s review.

The public hearing is scheduled for November 1<sup>st</sup>’s meeting.

**D. DISCUSSION: POMC 15.30 AND POMC 20.150.270 STORMWATER MANAGEMENT**

Senior Planner Jim Fisk shared that the City is considering the adoption of an ordinance relating to Stormwater Management; amending POMC 15.30, and POMC 20.150.270 for certain amendments which are necessary to ensure that the City is in compliance with the provisions of the National Pollution Discharge Elimination System permit governing inspection and enforcement implemented by the City.

Due to the late submittal of the draft ordinance to the Department of Community Development (DCD), the DCD was unable to schedule a hearing in time for the September Planning Commission meeting. The public hearing is scheduled with City Council on September 26<sup>th</sup>.

**ADJOURN:** Chair Stewart adjourned the meeting at 7:00 pm.

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Annette Stewart, Chair

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Nick Bond, Community Development Director



**CITY OF PORT ORCHARD**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**

216 Prospect Street, Port Orchard, WA 98366  
Ph.: (360) 874-5533 • FAX: (360) 876-4980

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**PLANNING COMMISSION STAFF REPORT**

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|-----------------------------------|--------------------------------------|
| <b>Agenda Item No:</b> 5(a)       | <b>Meeting Date:</b> October 4, 2022 |
| Revisions to POMC 20.132 –        | Nick Bond, Development               |
| <b>Subject:</b> Temporary Signage | <b>Prepared by:</b> Director         |

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**Issue:** On June 27, 2017, the City of Port Orchard adopted a sign code which is consistent with the Reed v. Town of Gilbert Decision issued by the Supreme Court of the United States (SCOTUS) in 2015. Port Orchard’s current content-neutral sign regulations address signage type, size, placement, and design.

The current regulations allow temporary signage as defined in [Port Orchard Municipal Code \(POMC\) 20.132.290](#) to be placed within public right-of-way outside of the roadway provided the temporary signage placement is consistent with the regulations of [POMC 20.132.270](#). Currently, regulations are not in place to allow City staff to remove temporary signage unless the placement, size or material is inconsistent with the minimum code requirements. City staff cannot remove dilapidated signage as POMC 20.132.270 indicates the person responsible for placement of the sign is also responsible for its removal.

Recently, staff has been made aware of a significant amount of temporary signage in public right-of-way. POMC 20.132 does not regulate or have measures to enforce temporary signage removal, such as the signage shown in the attached exhibit. Temporary signage that meets the standards outlined in POMC 20.132.270 does not require a permit.

At the September 6th Planning Commission meeting, DCD staff asked for guidance on how they would like staff to proceed. The Planning Commission concluded that revisions should be made to POMC 20.132, and that Planning Commissioners would like staff to gather examples from other jurisdictions to review the manner temporary signage is regulated in other communities.

The examples from other jurisdictions have been compiled and are presented for the Planning Commission’s review. The Planning Commission is requested to review the materials and provide direction to staff on possible code amendments regarding temporary signage. Staff would introduce the potential amendments to the Planning Commission at the November Planning Commission and aim at reaching potential hearing at the December 6<sup>th</sup> Planning Commission meeting.

**Recommendation:** The Planning Commission should review the compiled code examples from other jurisdictions and provide guidance to staff on which examples are applicable for the draft of a future ordinance amending POMC 20.132

**Attachments:** Temporary signage examples from other jurisdictions, Photos of temporary signage examples across Port Orchard

# POMC 20.132 Temporary Signage Examples

## 1. Gig Harbor

### [CMC 17.80.110 Temporary Signs.](#)

#### A. *Temporary Signs in Public Right-of-Way.*

1. [Location.](#) Temporary signs are prohibited from being placed within: roundabouts; medians; shoulders; travel lanes; and areas of the public right-of-way that are not accessible by a sidewalk or pedestrian walking path. Signs shall be no further away than 100 feet from the intersection. Placement of temporary signs shall only be permitted in areas identified on the director's official map for temporary signs in the right-of-way as updated and maintained by the director. Temporary signs shall not be located in rights-of-way adjacent to city facilities or parks, or any other government-owned facilities and properties.

a. In addition to the standards above, temporary signs in the area on Harborview Drive from Soundview Drive to Rosedale Street, and on North Harborview Drive from Finholm Market to Peacock Hill Drive, are authorized to exceed the 100 feet from the intersection requirement, and these temporary signs shall obtain an encroachment permit in addition to the permit required in subsection [\(A\)\(3\)](#) of this section.

2. [Safety.](#) All temporary signs shall be placed in a manner that is safe for all users of the public right-of-way. Temporary signs shall not block access to structures, parked cars, block vehicular sight distance views at corners, intersections, or block pedestrian walking paths. No temporary sign shall mimic, or be attached to, official roadway signage (stop signs, yield, etc.).

3. [Permitting.](#) All temporary signs shall have an approved city permit attached to the sign face. Permits can be acquired online at the city of Gig Harbor website, or in person at the Civic Center at no cost. Permits are valid for 30 days at a time. All signs with expired permits or no permit attached will be removed.

4. Temporary signs in a residential temporary sign area are limited in size to four square feet per side, no more than eight square feet total and shall not exceed three feet in height from the ground when displayed.

5. Temporary signs in a nonresidential temporary sign area are limited in size to six square feet per side, no more than 12 square feet total and shall not exceed three feet in height from the ground when displayed.

6. [No sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, bench, or any type of street furniture, or otherwise create a hazard, including a tripping hazard.](#)

7. [Temporary signs shall only be placed in the right-of-way if the sign owner has permission from the underlying property owner. Owners may remove signs without notice.](#)

8. [All signs placed or erected that do not meet the regulations will be removed without notice.](#)

#### B. *Temporary Signs on Private Property.*

1. All signs placed on private property shall have owner's consent. Owners may remove signs without notice.
2. Temporary signs on private property do not require a permit.
3. Temporary signs in a residential temporary sign area shall not exceed six feet in height from the ground when displayed and shall be limited as follows:
  - a. For nonresidential uses, no more than one sign visible from the public right-of-way per tenant space is allowed. The sign is limited in size to six square feet per side, no more than 12 square feet in total.
  - b. For residential uses, no more than four signs visible from the public right-of-way per lot are allowed. The total size of all signs combined is limited to six square feet; in the case of double-sided signs, 12 square feet is allowed.
4. Temporary signs in a nonresidential temporary sign area shall not exceed three feet in height from the ground when displayed and shall be limited as follows:
  - a. For nonresidential uses, no more than one sign visible from the public right-of-way per tenant space is allowed. The sign is limited in size to six square feet per side, no more than 12 square feet in total. One temporary banner attached to the exterior of the business for which it applies is additionally allowed and shall be limited to 20 square feet in size. The banner may be displayed for a total of no more than 60 cumulative days per calendar year.
  - b. For residential uses, no more than four signs visible from the public right-of-way per lot are allowed. The total size of all signs combined is limited to six square feet; in the case of double-sided signs, 12 square feet is allowed.
5. Signs over the size or height standards are considered a permanent sign and shall be permitted under GHMC [17.80.090](#) or [17.80.100](#).
6. No sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, bench, or any type of street furniture, or otherwise create a hazard, including a tripping hazard. (Ord. 1427 § 3, 2019).

## 2. Covington

### [CMC 18.55.190 Temporary Signs – ROW and Public Spaces.](#)

(1) Right-of-Way. Except as prohibited pursuant to CMC [18.55.050](#), temporary signs may be placed in the right-of-way if they meet all the following standards:

(a) Noncommercial Copy. All temporary noncommercial copy signs in public right-of-way shall abide by subsections [\(1\)\(c\)](#) through [\(1\)\(i\)](#) of this section, and shall not be limited in quantity or duration;

(b) Commercial Copy. All temporary commercial copy signs in public right-of-way shall abide by subsections [\(1\)\(c\)](#) through [\(1\)\(i\)](#) of this section, and shall:



- (i) Be limited in quantity to no more than six signs per open house, business, or event at any time;
  - (ii) Be limited for display from sunrise to sunset and only when an owner, agent, or employee is on site and the open house, business, or event location is open to the public;
  - (iii) Be allowed to be displayed up to seven days per week;
  - (iv) Require a temporary sign permit. The temporary sign permit for temporary commercial signs displayed in public ROW shall be valid for 365 days from the date of sign issuance;
- (c) Only temporary lawn and portable signs are allowed;
- (d) The sign shall not be placed in medians, traffic islands, roundabouts, or other areas within the roadway;
- (e) The sign shall not be placed on a sidewalk or obstruct pedestrian or wheelchair access to the sidewalk;
- (f) The sign shall not be placed in parking spaces or identified pedestrian or bicycle routes;
- (g) The sign shall be placed entirely outside of the sight-distance-triangle of a right-of-way corner, curb-cut, or drive entrance pursuant to the City's Design and Construction Standards adopted under Chapter [12.60](#) CMC. Where no curb exists, the sign must be placed outside the roadway at least five feet from the edge of the roadway;
- (h) The sign shall be no larger than 12 square feet in size, with no single sign face larger than six square feet in size, and no portion of the sign shall exceed three feet in height; and
- (i) The sign shall remain portable and may not be attached or anchored in any way to trees or to public property including, but not limited to, utility or light poles, utility boxes, street signs, parking meters, fences, or pavement.

(2) *Street Pole Banners and String Lights.* Temporary banner signs and string lights may be placed on public right-of-way if they meet all the following standards:

(a) *Banners across Public Right-of-Way.* All temporary banner signs located over public right-of-way shall:

(i) Only be allowed across SE 272nd Street on permanent sign poles designed specifically to display banners;

(ii) Display noncommercial copy only;

(b) *Banners Placed on Street Light Poles.* All temporary banner signs displayed on street light poles in public right-of-way shall:

(i) Only be allowed in the (TC) town center, (MC) mixed commercial, (GC) general commercial, (MHO) mixed housing/office, and RCMU (regional commercial mixed use) zoning districts;

(ii) Only be attached to street light poles with brackets designed for the display of signs;

- (iii) Display noncommercial copy only;
  - (iv) Require a temporary sign permit;
  - (v) Be limited in duration to 365 days per permit;
  - (vi) Be limited in quantity to 75 banners per applicant;
  - (vii) Only be installed and maintained by City staff or the street light pole owner, with all installation, maintenance, and removal costs paid by the applicant;
- (c) *String Lights on Street Trees.* All temporary string lights placed in public right-of-way shall:
- (i) Only be placed on street trees that have an electrical outlet at the base of the tree. Electrical cords or string lights shall not cross any roadway, sidewalk, planter strip, or undeveloped right-of-way, and shall not be strung from tree to tree or from a tree to any structure or private property;
  - (ii) Shall not flash or blink;
  - (iii) Shall be outdoor rated string lights only;
  - (iv) Shall only be allowed with the approval of the adjacent property owner;
  - (v) Shall require a right-of-way use permit if placement or removal of the string lights will affect street traffic.
- (3) *Public Spaces.* Temporary signs shall not be placed in any public park, trail, open space, or other public space, except for those signs placed by the City, which signs shall only display noncommercial copy. (Ord. 08-18 § 2 (Exh. A))

### **3. Monroe**

#### **Temporary Signage Permit Application (saved in folder)**

#### **Temporary Signage ([Monroe City Website](#))**

All temporary signage is required to have a permitted sticker affixed to the face of the sign. This sticker will also show an expiration date. Signs displayed without a sticker or signs with an expired sticker may be removed. If your sign has been removed, please contact the City of Monroe within 10 days to retrieve your sign. A fee of \$25 will apply. Please contact [Amy Bright](#), Planner, for Sign Code related questions. Permit applications for temporary signs are located [here](#), and may be submitted to [Land Use Permitting](#).

More information on temporary signage can be found in [Chapter 22.50 MMC, Signs](#).

#### **Temporary Commercial Signs**

A no-fee permit must be obtained by the City of Monroe marking a permit expiration date. The permit, a 2"x2" sticker, must be affixed to each temporary commercial sign.

**MMC 22.50030 Temporary Commercial Signs.**

Temporary commercial signs provide information concerning advertisement of a commercial nature subject to the provisions listed in Table 22.50.030: Temporary Commercial Signs – All Zones.

A. Duration. Except as provided in the following table, no temporary commercial sign shall be erected, re-erected, or maintained for more than thirty consecutive days in a year. For the purpose of this regulation, any sign of similar content erected subsequent to the original temporary sign shall be considered as the original sign for the time limitation contained herein.

B. Location. Signs shall be located on site, except as provided in the following table. Temporary commercial signs cannot be affixed or located on utility poles, street signs, fences, trees, stop signs, or other similar structures within the ROW without underlying property owner permission.

C. Illumination. Not permitted.

| Purpose     | Type of sign   | Number of signs | Area maximum per sign in sq ft  | Height in ft | Setback in ft | Comments  |
|-------------|----------------|-----------------|---------------------------------|--------------|---------------|---|
| Advertising | A-Frame        | 1               | 8                               | 4            | N/A           | Per business, 2 ft x 4 ft outside of pedestrian walkway. Maximum 60 days per year. Must comply with MMC 22.50.100. May be Purpose Type of sign Number of signs Area maximum per sign in sq ft Height in ft Setback in ft Comments displayed during business hours only. |
| N/A         | Banners (b)    | 1               | 1.5 sf/1.0 lf of primary facade | N/A          | N/A           | Maximum of 60 days per year. Increments of 60, 30, 15, or 10 days; upon removal, a banner may not be re-erected for a duration equal to the time it was displayed. Shall not be located within the ROW.   |
| N/A         | Inflatable (a) | 1               | N/A                             | N/A          | N/A           | Maximum 30 days per year. Shall not be located off site or within round-a-bouts or  |

| Purpose | Type of sign             | Number of signs | Area maximum per sign in sq ft | Height in ft | Setback in ft | Comments   |
|---------|--------------------------|-----------------|--------------------------------|--------------|---------------|--|
|         |                          |                 |                                |              |               | medians nor block vehicular sight-distance.  |
| N/A     | Stake Signs              | N/A             | 6                              | N/A          | N/A           | Maximum 120 days per year. Shall not be located within round-a-bouts or medians nor block vehicular sight-distance. A maximum of two signs are allowed off site. |
| N/A     | Freestanding             | 1               | 20                             | 10           | 2             | Per street frontage.   |
| N/A     | Window/Poster            | N/A             | 20% of window area             | N/A          | N/A           | Per window, per building.  |
| N/A     | Freestanding Directional | 5               | 4                              | 3            | 2             | 1 sign on site, 4 off-premises signs allowed.  |

a) Inflatable objects or signs, air-supported structures, kites, and searchlights shall be located on the premises for which they are advertising, in the location specified under the approved permit. Inflatable objects or signs, air-supported structures, kites, and searchlights cannot be located in the public right-of-way or in required landscaping or parking areas. Shall not interfere with pedestrian movement, nor impede the vision or block the movement of motorists on private or public rights-of-way. Size, height, and illumination shall adhere to all applicable city, state and federal requirements relating to public safety, air and vehicular traffic control and the like. Kites and inflatable objects such as balloons shall not be operated more than one hundred fifty feet from the grade of the earth beneath the point of attachment, without written waivers from the Federal Aviation Administration. The beam of the searchlight shall not flash against any building or sweep an arc greater than forty-five degrees from vertical.

b) Banners shall be located completely on the wall of the building or leased space of the sponsoring business. Banners cannot be located in required parking areas, upon poles, other constructed frame, affixed to or covering required landscaping, utility poles or vehicles and shall be affixed so as to survive high winds or storm events.



# TEMPORARY SIGNAGE COMMUNITY DEVELOPMENT

806 WEST MAIN STREET • MONROE, WA 98272  
City Hall 360.794.7400 • Fax 360.794.4007

FOR OFFICE USE ONLY

Expiration Date: \_\_\_\_\_

## Permit Application

Applicant: \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Address of Sign Location: \_\_\_\_\_ Email: \_\_\_\_\_

Type of Sign:     Banner     Inflatable     A-Frame     Stake

Number of Signs Requested: \_\_\_\_\_ Size of Sign(s): \_\_\_\_\_

Requested Date of Postings: \_\_\_\_\_

## Requirements for Temporary Signage

- Permit
  - Stickers, provided by the City of Monroe, will be affixed to each of my signs.
- Construction
  - Signs (except for banners and inflatables) will be constructed of a durable, rigid, all-weather material (i.e., plywood, plastic, etc.) so as not to lose structural integrity in inclement weather. Signs must be of a sufficient weight and stature to ensure that they will remain in place during high winds.
  - Inflatable objects must comply with the regulations in MMC 22.50.030.D (b)
- Duration
  - Signs will be displayed no longer than the expiration date noted on the Permit Sticker and/or this form.
- Location
  - Signs will not be affixed or located on utility poles, street sign, fence, tree, stop sign, or other similar structure within the ROW without underlying property owner permission.
  - Commercial banners shall be located completely on the wall of the building or leased space of the sponsoring business. Banners cannot be located in required parking areas, upon poles, other constructed frame, affixed to or covering required landscaping, utility poles or vehicles and shall be affixed so as to survive high winds or storm events.
- Prohibited Signage
  - Signs shall not contain illumination.
  - Prohibited signage listed in MMC 22.50.080 and the reverse side of application.

**I hereby certify that I have read and examined this permit and know the same to be true and correct in all provisions of law and ordinances governing this type of work.**

\_\_\_\_\_  
SIGNATURE OF APPLICANT:

\_\_\_\_\_  
DATE:



## TEMPORARY SIGNAGE COMMUNITY DEVELOPMENT

806 WEST MAIN STREET • MONROE, WA 98272  
City Hall 360.794.7400 • Fax 360.794.4007

### **22.50.080 Prohibited Signs.**

General. From and after the effective date of this chapter, it is unlawful for any person to maintain, erect or place the following signs that are prohibited in the city of Monroe.

- A. Signs that contain statements, words or pictures of an obscene, indecent or immoral character such as will offend public morals or decency under the prevailing statutes or U.S. Supreme Court rulings.
- B. Any sign that constitutes a traffic hazard or is detrimental to traffic safety because of size, location, movement, content, or method of illumination. Any sign that obstructs the vision of drivers or detracts from the visibility of any official traffic control device because it diverts or tends to divert the attention of drivers of moving vehicles away from traffic movement on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians, or which by its glare or by its method of illumination constitutes a hazard to traffic. No sign may use words, phrases, symbols or characters in such a manner as to interfere with, mislead, or confuse the steady and safe flow of traffic.
- C. Signs that are of such an intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist or pedestrian using or entering the public right-of-way, or that are a nuisance or hazard to occupants of any property because of glare or other characteristics.
- D. Laser signage consisting of light-based displays, with beams or wide spectrum lights that result in an image.
- E. Signs attached to public vegetation and structures within the right-of-way, including utility poles, traffic control devices, and lampposts, or other city-owned property, except the right-of-way itself, unless otherwise allowed pursuant to state or federal laws, are prohibited.
- F. Signs that are in violation of the building, electrical or fire codes adopted by the city.
- G. Advertising vehicles. This does not include automobile for sale signs.
- H. Portable reader board signs including trailer signs.
- I. Signs with visible moving, revolving or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by optical illusion, motion, electrical, electronic or mechanical means, except for traditional barber poles.
- J. Signs that emit odor or visible matter such as smoke or steam or involve the use of live animals.
- K. Off-premises signs including, but not limited to, billboards, snipe signs and those signs upon vehicles and trailers, except for those otherwise authorized by this chapter. This prohibition shall not apply to noncommercial signs, or other categories of signage specifically exempted under this chapter.
- L. Billboards and all product advertising sponsored flags (including feather banners) and posters except those allowed as interior signs that are not visible from the street ROW.
- M. Signs that are painted, pasted, or printed on any curb, pavement or any portion of any sidewalk or street, except house numbers and traffic control signs.
- N. Signs painted directly on a sloped or gabled roof surface.
- O. Signs for which a permit has been granted under conditions with which the permittee does not comply.
- P. Any sign or advertising structure or supporting structure that is torn, damaged, defaced or destroyed.
- Q. Abandoned signs or signs in poor repair.
- R. Any other signs that are not specifically permitted or exempted by this chapter.



**HOLD HARMLESS AND INDEMNIFICATION AGREEMENT  
(A-FRAME SIGNS)**

\_\_\_\_\_ (hereinafter "Applicant") by and through  
*(Name of business)*  
\_\_\_\_\_, its \_\_\_\_\_ in consideration for Permit # \_\_\_\_\_  
*(Name of person) (Position of person) (Assigned by City staff)*  
to place an "A-Frame" sign as described in the Sign Permit Application, submitted herewith, at:  
\_\_\_\_\_  
*(Address of business location)*

Hereby agrees to Defend, Indemnify, and Hold Harmless the City of Monroe, its employees, and agents, from any and all claims of whatever nature for any loss, injury, damage, or attorney's fees which may arise from the sue of or placement of the "A-Frame" sign as described in the Sign Permit Application submitted herewith. Further, the Applicant agrees to provide proof of insurance acceptable to the City of Monroe and naming the City of Monroe as an additional insured. In the event the City of Monroe or its employees or agents bring an action to enforce the terms of this Agreement, the City of Monroe, its employees, or agents are entitled to recover its/their attorney's fees and costs in such enforcement action.

\_\_\_\_\_ Hereby represents he/she is authorized to sign this Hold Harmless and  
*(Name of person)*  
Indemnification Agreement as the \_\_\_\_\_  
*(Position of person)*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
*month*



**CITY OF PORT ORCHARD**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**

216 Prospect Street, Port Orchard, WA 98366  
Ph.: (360) 874-5533 • FAX: (360) 876-4980

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**PLANNING COMMISSION STAFF REPORT**

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| <b>Agenda Item No:</b> 5(b)  | <b>Meeting Date:</b> October 4, 2022                   |
| <b>Subject:</b> Revisions to POMC 20.132 –<br>Subdivision Entry Sign | <b>Prepared by:</b> Nick Bond, Development<br>Director |

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**Issue:** On June 27, 2017 the City of Port Orchard adopted a sign code which is consistent with the Reed v. Town of Gilbert Decision issued by the Supreme Court of the United States (SCOTUS) in 2015. Port Orchard’s current sign regulations address signage type, size, placement and design, but is entirely content-neutral.

Currently, POMC 20.132 does not provide standards for free standing sign related to subdivision entry points. In fact, most subdivisions are not permitted free-standing signage based on the associated residential zoning designation. POMC 20.132.210(2)(b) requires a free-standing sign to be located a minimum of 30 feet from any residential zoned property. However, if the property is residentially zoned, a free-standing sign cannot be 30 feet from the property which it would be constructed or from itself.

The proposed code amendment would create a free-standing sign type which would be permitted in residential districts with specific development regulations related to sign area and height. He amendment creates certain location requirements in relation to subdivision entry points and defines what a subdivision entry sign is.

The current language in the code, and the proposed language to be included in the ordinance, are presented for the Planning Commission’s review. The Planning Commission is requested to hold a public hearing at the November 1 ,2022 Planning Commission meeting.

**Recommendation:** The Planning Commission should review the proposed revisions to 20.132 prior to scheduling a public hearing. Staff recommends that a public hearing be scheduled for November 1, 2022 on the proposed amendment.

**Attachments:** POMC 132 Redline, Photos of local subdivision entry signs



**Chapter 20.132**  
**SIGN CODE**

**Sections:**

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**Article V. Definitions**

20.132.290 Definitions.

## Article I. General Provisions

### 20.132.010 Intent and purpose.

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

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

- (a) Promote and accomplish the goals, policies and objectives of the city's comprehensive plan and zoning code;
- (b) To provide minimum standards in order to safeguard life, health, property and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location and maintenance of signs and sign structures;
- (c) Recognize free speech rights by regulating signs in a content-neutral manner;
- (d) Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting and/or illegible signage;
- (e) Protect the beauty of the city's built environment by encouraging signs that are compatible with the architectural style, characteristics and scale of the building to which it may be attached, and to encourage signs that are compatible with adjacent buildings and businesses;
- (f) Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape;
- (g) Provide consistent sign design standards;
- (h) Protect and encourage creative and innovative approaches to signage, and signs that are of a quality design, pleasing in appearance and are appropriate in size, materials and illumination to the surrounding neighborhood;
- (i) Provide an improved visual environment for the citizens of and visitors to the city;
- (j) Adopt clear, understandable regulations which enable the fair and consistent enforcement of this chapter; and

(k) Address emerging trends in digital and electronic sign technologies and provide regulations that facilitate use of such technologies while ensuring protection of motorists and pedestrians from the hazards of glare, startling bursts of light, and use of virtual movement and animation intended to attract driver attention, to hold driver gaze, and/or to otherwise distract drivers from the safe operation of their vehicles. Protect neighborhoods, surrounding development and the night sky from the nuisance factors associated with such glare, movement and animation of digital and electronic signs.

**20.132.020 Applicability and interpretations.**

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

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

**20.132.030 Exemptions.**

The following signs or activities relating to signs are exempt from the sign permit requirements of this chapter:

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

(2) The normal repair and maintenance of conforming or legal nonconforming signs.

(3) Temporary signs on private property or public property, meeting the requirements in POMC [20.132.270](#), Temporary signs.

(4) Building identification numbers as required pursuant to this code (Chapter [20.208](#) POMC) or any other city or state regulation.

(5) Governmental Signs. Signs installed by the city, county, or a federal or state governmental agency for the protection of the public health, safety and general welfare, including, but not limited to, the following:

(a) Emergency and warning signs necessary for public safety or civil defense;

(b) Traffic and/or wayfinding signs erected and maintained by an authorized public agency;

(c) Signs required to be displayed by law;

(d) Signs showing the location of public facilities; and

(e) Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety and general welfare.

(6) Flags. Any flags; provided, that they conform to all provisions of this chapter for signs.

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

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

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

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

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

(12) Bench Signs. Any outdoor bench or furniture with any signs other than plaques one square foot or less in area.

(13) Privately maintained traffic control signs in a subdivision with private roads or signs in a parking lot.

#### **20.132.040 Prohibited signs.**

No person shall erect, alter, maintain or relocate any of the following signs in the city:

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

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

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

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

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

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

(7) Permanent Signs on Vacant Lots, Parcels or Easements. No permanent sign, except a subdivision entrance sign, shall be located on a vacant lot, parcel or easement. No permanent sign shall be located on a lot, parcel or easement as the principal use of that lot, parcel or easement. Signs may only be established as an accessory use to a principally permitted use. Provided, however, that subdivision entrance signs may be located on tracts under common ownership of a Homeowner's Association.

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

(9) Abandoned signs.

(10) Signs on utility poles or trees.

(11) Off-Site Controlled Signs. Any sign that is programmed and/or controlled off site.

## Article II. Permitting

### 20.132.050 Sign permits.

(1) Permit Required. No person shall erect, alter or relocate any sign requiring a permit under this chapter without first submitting a sign permit application and receiving approval of the sign permit from the city, unless the sign is identified as exempt under POMC [20.132.030](#), Exemptions. Some sign types may be regulated under other codes adopted by the city, which may require additional permits that are subject to additional regulations, including, but not limited to, the building code (Chapter [20.200](#) POMC) and street use permits (Chapter [12.24](#) POMC). Signs for which permits are not required shall nonetheless comply with all applicable provisions of this chapter.

(2) Review Procedures. A sign permit is a Type I permit application pursuant to POMC [20.22.030](#), and the requirements of that section shall be followed in the processing of sign permit applications:

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

(3) Application Requirements. A complete sign permit application shall consist of the following:

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

(b) Other Permit Applications. A completed building permit application, if required under the city's building code; a completed street use permit application, if required under Chapter [12.24](#) POMC; a completed special event permit application, if required under Chapter [5.94](#) POMC.

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

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

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

(f) Lighting. A drawing indicating the location and fixture type of all exterior lighting for the proposed signs. The drawing shall specify wattage and lamp type to ensure compatibility with the lighting standards in POMC [20.132.090](#), Sign illumination.

(g) Master Sign Plan. If the sign is subject to a master sign plan as described in POMC [20.132.060](#), Master sign plans, a master sign plan must be included as part of a complete sign permit, unless a master sign plan for the site or building has already been approved, is current, and is on file with the city.

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

#### (4) Criteria for Approval.

(a) Sign permit applications shall be reviewed by the community development director for consistency with the standards in this chapter, according to sign type and other applicable regulations. A sign permit shall not issue unless the director makes findings that the criteria applicable to each sign type, as well as the general standards in this chapter, are satisfied. Building permit applications associated with signs shall be reviewed by the building official for consistency with the building code. If the sign requires a street use or special event permit, the application shall be submitted with the sign permit application for review by the public works director or city clerk.

(b) A sign permit shall not issue unless the director makes findings that the criteria applicable to each sign type in this chapter are satisfied, and further, that the sign does not exceed the limits in this subsection for the business or use set forth below:

(i) Calculation of Maximum Size Allowance. The maximum total aggregate sign area of all signs permitted for a business or use shall not exceed one square foot of sign area for each one foot of principal building frontage occupied by such business or use. In addition, one square foot of sign area for each 200 square feet of gross floor area occupied by such business may be included in the calculation of the total area permitted. The total aggregate sign area is the combined total display area of all types of signs located on the premises measured in square feet, but not including exempt or temporary signs.

(ii) Building Setback from Street. The tenants of a building which is set back 100 feet or more from the street may increase the wall sign area otherwise permitted to



face such street by 25 percent; provided, that the total sign area on any one building frontage still does not exceed 200 square feet.

(iii) Buildings with More Than One Frontage. Any business which has more than one building frontage may have 160 percent of the sign surface area permitted on the principal frontage by the provisions of subsection (4)(b)(i) of this section. The permitted sign surface area may be distributed in any manner on the front and adjacent sides of the building which have frontage subject to the placement limitations of subsection (4)(c) of this section, but in no event shall the sign surface area on any building facade exceed 100 percent of the sign surface area permitted by subsection (4)(b)(i) of this section. Building frontage opposite the principal frontage may have additional sign area calculated in the same manner and subject to the same size and placement regulations as for the principal frontage, as long as two adjacent frontages do not exceed 160 percent of the permitted sign surface area.

(c) Other Criteria for Approval. In addition to the above, the director shall make written findings that the sign meets all of the criteria in this chapter for sign placement, maximum height, location on the property, zone, etc.

(5) Notice of Final Decision. A notice of decision incorporating the decision on the sign permit application shall issue not more than 120 days after issuance of the determination of completeness. This deadline shall not apply if a street use permit or special event permit is required.

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

#### **20.132.060 Master sign plans.**

(1) Approval Required. Before the city will issue any sign permit relating to space in a proposed new mixed use, nonresidential, multitenant building(s), or multitenant site development, the city must first approve a master sign plan for the building(s) and/or site development. In addition, a master sign plan may be voluntarily developed and maintained by the owner or agent of any new or existing nonresidential use.

(2) Review Procedures. A master sign plan is a Type I permit per POMC [20.22.030](#). The community development director shall make the decision on the master sign plan without a hearing. Refer to Chapter [20.24](#) POMC for application, review and approval procedures.

(3) Application Requirements. A complete master sign plan application shall consist of the following:

(a) A complete master sign plan application, including the applicant's name, address, phone number and email address. If the applicant is not the property owner(s), then the property owner(s) must be identified and the application must include an affidavit from the property owner(s), verifying that the property owner(s) has given permission to the applicant for the submission of the master sign plan application. No sign may be placed upon real property without the consent of the real property owner(s);

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

(c) Elevation drawings of each building on a site that indicates proposed sign locations on each of the buildings;

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

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

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

(g) Fees. Payment of the appropriate fee for a master sign plan.

(4) Criteria for Approval. All signs in the master sign plan must meet the criteria for approval in POMC [20.132.050](#), Sign permits. In addition, all of the signs in the master sign plan:

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

(b) Shall be architecturally integrated with the buildings included in the master sign plan; and

(c) Must not obscure the view of other signs which are consistent with this chapter.

(5) Notice of Final Decision. See POMC [20.132.050](#), Sign permits.

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

(7) Amendment to Master Sign Plan. An application for an amendment to an approved master sign plan may be made at any time, subject to the same limitations, requirements and procedures as those that apply to an original application in this section. Tenants whose signs are included in the amendment application need the property owner's consent to file such application. In order to approve any such amendment, the director shall consider the existing signs on the building(s) subject to the approved plan when determining whether the application meets the criteria for approval in subsection (4) of this section.

### **20.132.070 Sign variances.**

(1) Approval Required. A variance may be granted from the strict application of the regulations in this chapter which apply to: (a) sign placement on a parcel or building frontage; (b) sign area; or (c) sign height, as regulated in this chapter. A variance may not be granted to allow any prohibited signs or prohibited sign features, as described in POMC [20.132.040](#), or for any other purpose not listed in this subsection (1). The variance procedure in this section does not apply to any street use permit or building permit.

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

(3) Review Procedures. A sign variance is a Type II permit pursuant to Table 20.22.020. Refer to Chapter [20.24](#) POMC for application requirements and permit processing steps.

(4) Application Requirements. A complete sign variance application shall consist of the following:

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

(b) Sign Permit Application. A completed sign permit application containing all of the materials required by POMC [20.132.050](#), Sign permits. However, the applicant may submit a variance application without a sign permit application as provided in subsection (2) of this section.

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

(d) The narrative report shall also include the applicant's description of the manner in which the sign variance satisfies all of the variance criteria in subsection (5) of this section.

(e) Fees. Payment of the appropriate sign variance application fee.

(5) Variance Criteria for Approval. Sign variance applications shall be reviewed by the community development director to determine whether all of the following criteria are satisfied. In order to approve any sign variance, the director must make written findings to show that all of the following criteria have been met:

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

(b) The sign will not create a hazard; and

(c) The sign will not violate any state statute or any city code provision (other than the ones identified in this chapter relating to signs); and

(d) The sign will not negatively affect adjacent property; and

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

(f) The proposed variance is consistent with the purposes and intent of the zoning code and the purposes of this chapter; and

(g) The variance is consistent with the city's comprehensive plan; and

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

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

(j) The variance will not permit any sign or use that is not allowed in the zoning district where the affected land is located, nor will it allow any sign or sign feature prohibited under POMC [20.132.040](#), Prohibited signs.

(6) First Amendment Exception/Variance. Where an applicant can demonstrate that the strict application of the regulations in this chapter would violate his/her First Amendment rights, the city may grant a variance that does not conform to all of the variance criteria in subsection (5) of this section. However, the applicant shall submit an application which provides his/her response to each of the variance criteria in subsection (5) of this section. The city need not make findings that all of the variance criteria have been satisfied, but the city shall grant such variance only to the extent reasonably necessary to protect the applicant's First Amendment rights. If a First Amendment exception is granted, it shall be treated as an approval of a variance for purposes of this chapter.

(7) Notice of Final Decision. A notice of decision incorporating the decision on the variance application shall issue not more than 120 days after issuance of the determination of complete application.

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

### **20.132.080 Nonconforming signs, maintenance, removal and enforcement.**

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

(2) Maintenance. It is unlawful for any owner of record, lessor, lessee, manager or other person having lawful possession or control over a building, structure or parcel of land to fail to maintain any signs on the building, structure or parcel in compliance with this chapter, building code and the zoning code. Failure to maintain a sign constitutes a violation of this chapter, and shall be subject to enforcement under the provisions of Chapter [20.02](#) POMC, Administration and Enforcement.

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

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

(3) Removal. Any vacant and/or unused sign support structures, angle irons, sign poles or other remnants of old signs which are currently not in use, or are not proposed for immediate reuse by a sign permit application for a permitted sign, shall be removed. In addition to the remedies in Chapter [20.02](#) POMC, Administration and Enforcement, the director shall have the authority to require the repair, maintenance or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health or welfare of the public, at the cost of the sign and/or property owner.

(4) Enforcement. Violations of the provisions of this chapter shall be enforced according to Chapter [20.02](#) POMC, Administration and Enforcement.

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

**20.132.090 Sign illumination.**

(1) General. No temporary sign may be illuminated. No sign located in a residential zone may be illuminated, except that on parcels two acres in size or greater or a subdivision entrance sign, signs may be halo illuminated or illuminated as necessary for allowable digital signs. Permanent signs allowed by this chapter may be nonilluminated, or illuminated by internal light fixtures, halo illuminated, or have external indirect illumination, unless otherwise specified. All illuminated signs shall comply with the time limitations of subsection (4) of this section.

(2) Externally Illuminated Signs.

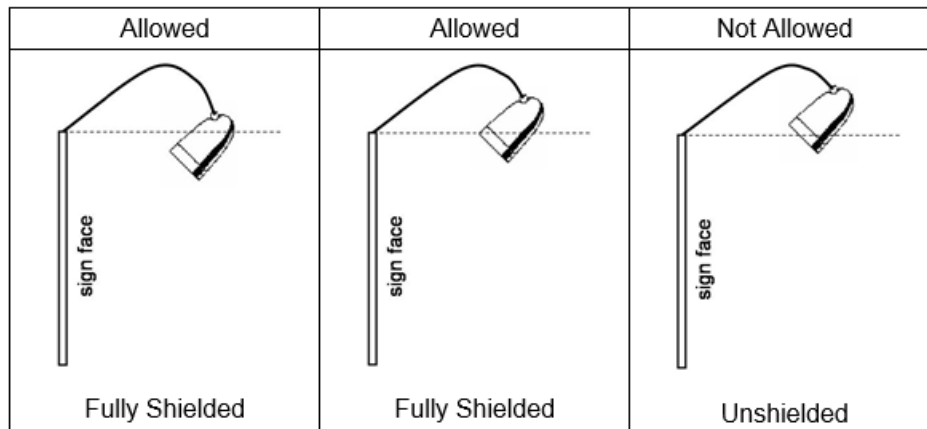
(a) Except as provided in this subsection, externally illuminated signs shall be illuminated only with steady, stationary, fully shielded light sources directed solely onto the sign without causing glare. Light shielding shall ensure that the lamp or light source is not visible beyond the premises and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

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

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

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

Figure 1  
External Sign Lighting Configurations  
Permitted and Prohibited External Sign Lighting Configurations



(3) Internally Illuminated Signs.

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

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

(c) Neon sign lighting is allowed in nonresidential zones only and shall not exceed 100 nits per sign face. An example of a neon sign is shown in Figure 2 below.

Figure 2



Neon Sign

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

#### **20.132.100 Sign materials.**

(1) Temporary Signs. The construction of temporary signs is described in the definition of “temporary sign” in POMC [20.132.290](#), Definitions. However, temporary signs may be made of any material; provided, that the temporary sign otherwise conforms to the requirements of this chapter, including, but not limited to, POMC [20.132.270](#), Temporary signs.

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

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

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

#### **20.132.110 Sign placement and location restrictions.**

(1) City Right-of-Way. No sign may be placed within the roadway portion of the city's right-of-way, except as otherwise permitted in this chapter. If a sign is allowed within a city right-of-way, a street use permit or special event permit may be required.

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

(3) Attached to Other Fixtures. No sign may be painted, attached or mounted on fuel tanks, storage containers and/or solid waste receptacles or their enclosures, except for information required by law.

(4) Freeway-Oriented Signs. Freeway-oriented signs are prohibited, except in the following instances:

(a) Building-mounted wall signs (POMC [20.132.170](#)), window signs (POMC [20.132.280](#)) and temporary signs (POMC [20.132.270](#)) as otherwise allowed by this chapter may face the freeway if:

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

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

(b) Freestanding signs as otherwise allowed by this chapter are allowed for businesses located on and facing frontage roads along freeways, even if such signs are incidentally visible from the freeway.

### **20.132.120 Sign area measurements.**

Sign area for all sign types is measured as follows:

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

(2) Individual Letters or Graphics. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard or parapet of a building or surface of another structure, that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, is



measured as the sum of the smallest square, rectangle, parallelogram, triangle or circle that will enclose each word, name, sentence and complete message, and each graphic in the sign.

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

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

(5) Multiface Signs. Multiface signs, as shown in Figure 8, are measured as follows:

(a) Two Face Signs. If the interior angle between the two sign faces is 45 degrees or less, the sign area is of one sign face only. If the angle between the two sign faces is greater than 45 degrees, the sign area is the sum of the areas of the two sign faces.

(b) Three or Four Face Signs. The sign area is 50 percent of the sum of the areas of all sign faces.

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

#### **20.132.130 Sign height measurement.**

Sign height is measured as follows:

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

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

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

#### **20.132.140 Sign structure and installation.**

(1) Support Elements. Any angle iron, bracing, guy wires or similar features used to support a sign shall not be visible from publicly accessible areas.

(2) Electrical Service. When electrical service is provided to freestanding signs or to signs located on a wall within a landscaped area, all such electrical service is required to be underground and concealed. Electrical service to building-mounted wall signs, including conduit, housings and wire, shall be concealed or, when necessary, painted to match the surface of the structure upon which they are mounted. An electrical permit must be issued prior to the installation of any new signs requiring electrical service.

(3) Raceway Cabinets. Raceway cabinets, where used as an element of building-mounted wall signs, shall match the building color at the location of the building where the sign is located. Where a raceway cabinet provides a contrast background to sign copy, the colored area is considered part of the sign face and is counted in the aggregate sign area permitted for the site or business. Examples of raceway cabinets are shown in Figure 3.

Figure 3



Raceway Cabinets

(4) Limitation on Attachments and Secondary Uses. All permitted sign structures and their associated landscape areas shall be kept free of supplemental attachments or secondary uses including, but not limited to, supplemental signs not part of a permitted sign, light fixtures, newspaper distribution racks or trash containers. The use of sign structures and associated landscape areas as bicycle racks or support structures for signs that are not permitted is prohibited.

#### **Article IV. Sign Types**

##### **20.132.150 Accessory signs.**

The installation or modification of an accessory sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under POMC [20.132.030](#). No permit shall be issued for an accessory sign which does not comply with the following standards:

(1) Number. A maximum of one sign at each vehicle point of entry or egress, not to exceed four accessory signs per parcel.

(2) Location. Flexible; provided, that the number of signs in subsection (1) of this section is not exceeded; and provided, that the signs comply with the setback standards for freestanding signs in POMC [20.132.210](#).

(3) Zones. Not allowed in residential zones.

(4) Design. Nonilluminated or internal illumination only. Any accessory sign with electronic display must conform to all digital sign and/or electronic message center sign standards in POMC [20.132.190](#), Digital signs, and POMC [20.132.200](#), Electronic message center (EMC) signs.

(5) Size. Maximum sign area: three square feet per face; may be double-sided.

(6) Height. Mounting height:

(a) Building-mounted wall sign (POMC [20.132.170](#)): maximum of eight feet; must be flat against a wall of the building.

(b) Freestanding sign (POMC [20.132.210](#)): maximum of three feet from grade.

Figure 4



Accessory Signs

(7) Drive-Through Large Accessory Signs. In addition to the accessory signs allowed for vehicle points of entry, and in addition to freestanding signs otherwise allowed under POMC [20.132.210](#), large accessory signs are allowed for each point of entry to a drive-up window, subject to the following standards:

(a) Maximum sign area per drive-up point of entry: 45 square feet.

(b) Maximum sign size: 50 square feet.

(c) Maximum sign height: five feet, six inches, including the associated sign structure.

(d) Orientation. Large accessory signs must be oriented so that the sign face is not visible from the view of the street or public-right-of way.

(e) Screening. All sides of large accessory signs must be screened from the view of the street or public right-of-way with landscaping or walls of brick, stone or siding materials that match the principal walls of the building to which the sign applies. If landscaping is used for screening, it must provide full screening at maturity and must be large enough at planting to provide at least 70 percent screening of the sign.

(f) Audio. No sound or amplification may be emitted that is audible beyond the site.

### 20.132.160 Awning and canopy signs.

The installation or modification of an awning or canopy sign shall require a sign permit unless the activity related to the sign is listed as exempt under POMC [20.132.030](#). No permit shall be issued for an awning or canopy sign which does not comply with the following standards:

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

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

Figure 5



Awning/Canopy Sign

(3) Location.

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

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

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

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

(4) Zone. Not allowed in residential zones.

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

### **20.132.170 Building-mounted wall signs.**

The installation or modification of a building-mounted wall sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under POMC [20.132.030](#). No permit shall issue for a building-mounted wall sign which does not comply with the following standards:

(1) Residential Zones. The maximum building-mounted wall signage allowed in residential zones is as follows:

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

(b) Area. Four square feet total.

(c) Design. Nonilluminated.

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

(2) Nonresidential Zones.

(a) Size of Parcel or Site. No restrictions.

(b) Area. The total signage may be up to five percent of the area of the facade upon which the sign is placed. Width: not to exceed 60 percent of the width of the wall plane upon which the sign is placed or the width of the tenant space. Height: not to exceed 70 percent of the height of the blank wall space or fascia on which the sign is mounted. In the absence of a building height measurement, the city will assume 10 feet in height per story excluding basements.

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

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

(e) Design. Where more than one sign is allowed for a business or tenant space, all signs shall be consistent in design, style, color and method of illumination. Where there are multiple

businesses or tenants on a site, all signs shall conform to a master sign plan, if applicable, consistent with POMC [20.132.060](#).

Figure 6



Standards for Building-Mounted Signs

### 20.132.180 Changeable copy sign.

Changeable copy signs may be either wall-mounted or freestanding; roof-mounted changeable copy signs are not permitted. Changeable copy signs shall comply with the requirements, including permitting requirements, of the underlying sign type according to POMC [20.132.170](#), Building-mounted wall signs, or POMC [20.132.210](#), Freestanding signs, as well as the following additional requirements:

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

(a) The additional changeable copy sign(s) must be placed at least 100 feet from abutting streets or rights-of-way; and

(b) When the area, height and quantity of additional changeable copy signs are added to the first changeable copy sign, the total changeable copy sign(s) must not exceed the total maximum area, height, and quantity standards otherwise applicable to any freestanding or building-mounted wall signs on the parcel.

Figure 7



Changeable Copy Sign

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

(3) Placement/Location. Allowed only as an integral part of a building-mounted wall sign or a freestanding sign.

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

(5) Design. Nonilluminated changeable copy signs are allowed in all zones. Internally or indirectly illuminated changeable copy signs are allowed in nonresidential zones subject to the illumination standards in POMC [20.132.090](#).

#### **20.132.190 Digital signs.**

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

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

- (2) Density: one digital sign per 100 feet of street frontage in nonresidential zones, not to exceed one sign per parcel.
- (3) Zoning: allowed in nonresidential zones only.
- (4) Maximum luminance: 50 nits during nighttime hours.
- (5) Motion limits: no motion allowed except for instantaneous change of message.
- (6) Minimum hold between messages: eight seconds.
- (7) Programming: to ensure that digital signs are programmed and continue to operate according to local standards, digital signs shall be designed for local on-site control and programming.

### **20.132.200 Electronic message center (EMC) signs.**

An EMC sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which EMC sign technology can be applied to sign types that are otherwise allowed in this chapter. It is not intended to allow more signs or larger signs than otherwise permitted in this chapter. No permit shall issue for an EMC sign which does not comply with the following standards:

- (1) Maximum size: 30 square feet.
- (2) Density: one EMC sign per 100 feet of street frontage, not to exceed one per business and tenant space.
- (3) Zoning: prohibited in residential zones.
- (4) Minimum parcel size per sign: one acre.
- (5) Maximum Luminance.
  - (a) Daytime: 5,000 nits.
  - (b) Nighttime (one-half hour before sunset to one-half hour after sunrise): 100 nits. EMC signs shall comply with POMC [20.132.090](#)(4) concerning time limitations (i.e., EMC signs shall be turned off by 11:00 p.m. or when the business closes, whichever is later).
  - (c) Signs shall include auto-dimming features with light-sensory capabilities to dim the sign to allowable luminance levels during nighttime hours.
- (6) Motion limits: no motion except for a fade in of the next message with the fade transition being no more nor less than one and one-half seconds. Fade transition is required rather than instantaneous message changes to avoid sudden or startling flashes of light.
- (7) Minimum hold between messages: 10 seconds, plus one-and-one-half-second transition fade.



(8) Programming. To ensure that EMC signs are programmed and continue to operate according to local standards, EMC signs shall be designed for local on-site control and programming. The applicant shall provide a written certificate from the sign manufacturer that the nighttime light intensity has been factory preset not to exceed allowable levels under this section, and that this setting is protected from end-user modification by password-protected software or other method that ensures compliance.

### **20.132.210 Freestanding signs.**

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

(1) Number.

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

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

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

(2) Location.

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

(b) Freestanding signs, except subdivision entrance signs, shall be set back a minimum of five feet from the street-side property line, a minimum of 25 feet from any interior side lot line and a minimum of 30 feet from any residential zoned property.

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

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

(3) Height, Support Width, and Area by Freestanding Sign Type.

(a) Top Mounted Pole Signs.

Figure 8



Pole Sign

Top mounted pole signs shall meet the following sign area, height, and support width requirements which shall be based on site frontage:

| Site Frontage     | Maximum Area per Face | Maximum Height | <del>Minimum</del> -Maximum Support Width |
|-------------------|-----------------------|----------------|---|
| < 50 feet         | 24 square feet        | 6 feet         | 40% of sign width                         |
| 50 – 99 feet      | 36 square feet        | 10 feet        | 40% of sign width                         |
| 100 feet and over | 50 square feet        | 12 feet        | 40% of sign width                         |

(b) Pole and Mast Arm Hanging Signs.

Figure 9



Pole and Mast Arm Sign

Pole and mast arm hanging signs shall meet the following sign area, height, and support width requirements which shall be based on site frontage:

| Site Frontage | Maximum Area per Face | Maximum Height |
|---------------|-----------------------|----------------|
| < 50 feet     | 16 square feet        | 10 feet        |
| 50 – and over | 16 square feet        | 10 feet        |

(c) Double Post-Mounted Freestanding Sign.

Figure 10



Double Post-Mounted Freestanding Sign

Double post-mounted freestanding signs shall meet the following sign area and height requirements which shall be based on site frontage:

| Site Frontage     | Maximum Area per Face | Maximum Height |
|-------------------|-----------------------|----------------|
| < 50 feet         | 30 square feet        | 6 feet         |
| 50 – 150 feet     | 42 square feet        | 7 feet         |
| 150 feet and over | 56 square feet        | 8 feet         |

(d) Monument Freestanding Signs.

Figure 11



Monument Freestanding Sign

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

| Site Frontage     | Maximum Area per Face | Maximum Height | Minimum Sign Base Width |
|-------------------|-----------------------|----------------|-------------------------|
| < 50 feet         | 30 square feet        | 6 feet         | 100% of sign width      |
| 50 – 150 feet     | 42 square feet        | 7 feet         | 100% of sign width      |
| 150 feet and over | 56 square feet        | 8 feet         | 100% of sign width      |

(e) Subdivision Entrance Signs

Figure 11a



Subdivision Entrance Sign

Subdivision Entrance signs shall meet the following sign area and height requirements which shall be based on the number of entrances to a residential subdivision:

| <u>Number of residential subdivision entrances</u> | <u>Maximum number of subdivision entrance signs</u> | <u>Maximum Area per Face</u> | <u>Maximum Height</u> | <u>Minimum Sign Base Width</u> |
|--|---|------------------------------|-----------------------|--------------------------------|
| <u>1</u>   | <u>1 per entrance</u>                               | <u>100 square feet</u>       | <u>5 feet</u>         | <u>100% of sign width</u>      |
| <u>2 or more</u>                                   | <u>2 per entrance</u>                               | <u>100 square feet</u>       | <u>5 feet</u>         | <u>100% of sign width</u>      |

Location: The location of subdivision entrance signs shall be subject to the approval of the building official; no portion of a subdivision identification sign shall be within a public right-of-way or public easement, except where authorized by a street-use permit granted by City

Council. Subdivision entrance signs shall be located on a separate tract, not on a resultant Lot of the residential subdivision, within 75 feet of the adjacent street centerline intersection, at least five feet from an adjacent right-of-way, and satisfy sight visibility standards.

(4) Design Requirements.

(a) Freestanding signs shall be of a style, material, and design compatible with the associated building.

(b) Berming shall not be used to exceed the maximum allowable height of freestanding signs.

(c) For monument signs or signs surrounded by a framework, the area of the surrounding structure shall not exceed the allowable sign area by more than 20 percent.

(d) Freestanding signs should be sited so that they integrate with the location of street trees and other site landscaping, and to avoid obscuring the view of adjacent freestanding signs.

(e) Landscaping at the base of a freestanding sign is required, providing a landscaped area equal to square footage of one face of the freestanding sign; however, this provision does not apply to temporary freestanding signs.

(f) If a sign is proposed in a landscaped area, either an existing landscaped area or required landscaping for new development, the sign shall be compatible with the existing or proposed landscaping, and shall be shown on the landscaping plan if applicable.

Figure 12



Landscaped Monument Freestanding Sign

Figure 13



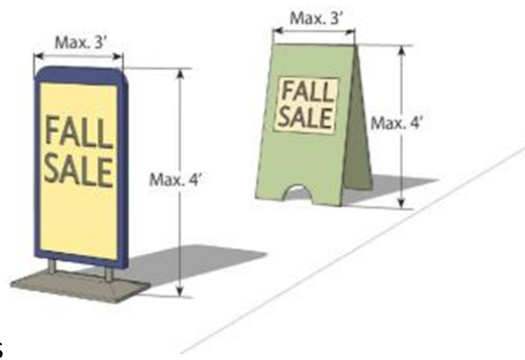
Landscaped Pole and Mast Arm Hanging Freestanding Sign

### 20.132.220 Portable signs.

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

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

Figure 14



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

(4) Number.

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

Multitenant Lots: Not more than one portable sign may be displayed per business, per tenant space.

(5) Location.

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

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

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

(6) Display Hours. Portable signs, including temporary portable signs, may be displayed during business or operating hours only.

(7) Type. Portable signs may not be illuminated in any manner.

**20.132.230 Projecting signs.**

The installation or modification of a projecting sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under POMC [20.132.030](#). No permit shall be issued for any projecting sign which does not comply with the following standards:

(1) Number. One projecting sign may be allowed per tenant space or building frontage.

Projecting signs are permitted in addition to allowable wall signage.

(2) Sign Size.

(a) Nonresidential zones: The face of a projecting sign shall not exceed 12 square feet in area.

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

Figure 15



Projecting Sign

(3) Location.

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

(b) No projecting sign shall be located higher than the first story level of the building.

(c) Projecting signs may be located in all residential and nonresidential zones.

(4) Design.

(a) In nonresidential zones, projecting signs may be illuminated, internally or indirectly. In residential zones, projecting signs may not be illuminated.

(b) A projecting sign shall be perpendicular to the building wall to which it is affixed.

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

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

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

(6) Projecting Signs Overhanging Public Property. Projecting signs overhanging public property, including city right-of-way, shall be regulated as follows:

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

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

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

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



(e) Any sign that overhangs right-of-way or other public property shall be required to obtain a street use permit and/or a public property use permit, in addition to a sign permit.

Figure 16



Projecting Sign Beneath the Downtown Marquee

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

(a) If a projecting sign is suspended from a marquee or awning, no part of the sign shall be located lower than seven feet above the grade of the sidewalk, street, driveway or parking lot located beneath the sign.

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

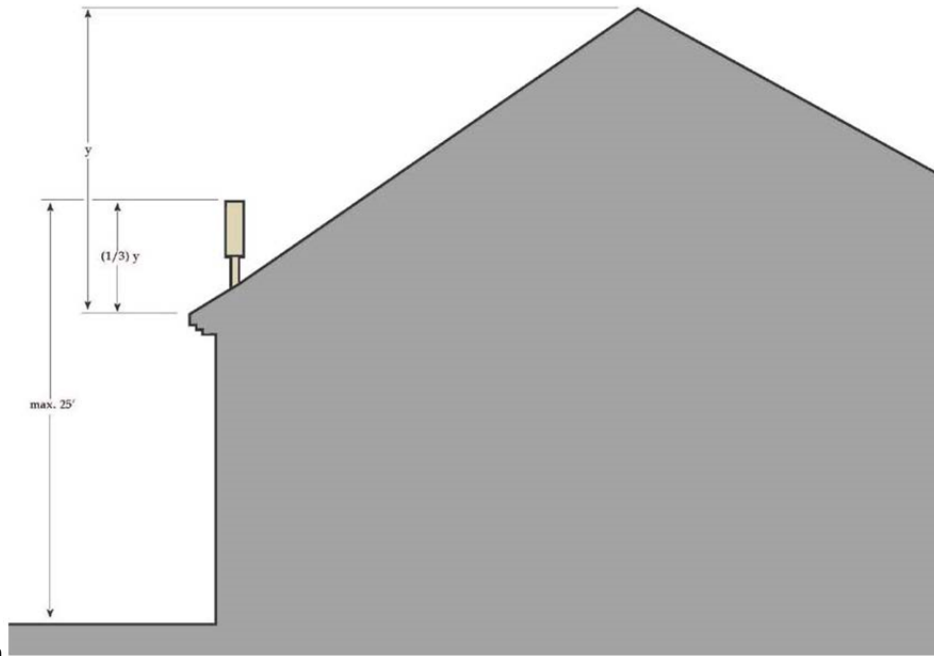
(c) Projecting signs attached to a building or suspended from a marquee or awning shall be suspended by chains, cables, or rods of a sufficient gauge to ensure public safety.

#### **20.132.240 Roof-mounted signs.**

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

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

Figure 17



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

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

(4) Zone. Roof-mounted signs are permitted in nonresidential zones only.

(5) Design. Roof-mounted signs may be nonilluminated, internally illuminated or indirectly illuminated; provided, that the light is limited to the sign face only.

**20.132.250 Service island signs.**

The installation or modification of a service island sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under POMC [20.132.030](#). No permit shall be issued for a service island sign which does not comply with the following standards:

(1) Number and Size.

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

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

(2) Zone. Not allowed in residential zones.

(3) Design. Service island signs and spandrel signs may be internally illuminated, subject to the illumination standards of POMC [20.132.090](#). Signs attached to canopy support columns shall not be illuminated.

### **20.132.260 Sign walkers.**

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

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

(2) Number. No limit.

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

(4) Zone. Allowed in nonresidential zones only.

(5) Design. The sign walker's sign cannot be illuminated or made of reflective materials. Sign walkers shall be limited to daylight hours only. A sign walker's sign may not include any element of a prohibited sign as described in POMC [20.132.040](#), Prohibited signs.

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

(a) On any public property or within public right-of-way, although sign walkers are allowed on public sidewalks;

(b) In parking aisles or stalls;

(c) In vehicle or pedestrian travel pathways of private streets, including shoulder, bike lane and sidewalk;

(d) On fences, walls, boulders, planters, other signs, vehicles, utility facilities or other structures; or

(e) In a manner which results in a sign walker physically interfering with or creating a hazardous distraction to motorists, pedestrians or bicyclists.

### **20.132.270 Temporary signs.**

(1) No Permit Required. A temporary sign does not require a sign permit but shall comply with the following standards:

(2) Removal. Temporary signs shall be removed if the sign is in need of repair, is worn, dilapidated or creates a public nuisance.

(3) Materials. See POMC [20.132.100](#), Sign materials, and the definition of “temporary sign” in POMC [20.132.290](#), Definitions.

(4) City Property (Excluding City Right-of-Way). Temporary signs on city-owned property (excluding city right-of-way) are allowed only in conjunction with an approved special event permit.

(5) City Right-of-Way Outside of the Roadway. Temporary signs are prohibited in the roadway. Temporary signs on city right-of-way placed outside of the roadway must comply with the following requirements:

(a) Location. Allowed only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the roadway pavement. Signs may not be placed on sidewalks, driveways or other paved areas designed for pedestrian or vehicular use, in roundabouts or center medians, or as conditioned in a street use permit.

(b) Approval of Abutting Owner. Approval of the abutting owner is recommended.

(c) Type. Signs on stakes that can be manually pushed or hammered into the ground are allowed. All other signs are prohibited, unless specifically allowed by a street use permit.

(d) Size and Height. Limited to four square feet, and three feet in height.

(e) Dilapidated or Nuisance Signs. Any temporary sign in the right-of-way that is dilapidated or a nuisance shall be removed by the person responsible for placement of the sign.

(f) Other Signs. The city may allow permanent or oversize signs in city rights-of-way with a street use permit.

(6) Residential Zones. Temporary signs may be placed on property residentially zoned in accordance with the requirements of this section and the following:

(a) Window Signs. Limited to no more than one temporary window sign per residential unit, not to exceed four square feet.

(b) Freestanding Signs (Includes Post-Mounted, Stake and Portable Signs).

(i) Single-Family Zones. Each temporary freestanding sign shall not exceed four square feet in size and five feet in height, if the sign is mounted on the ground, and not to exceed three feet in height if the sign is stake-mounted or portable. No more than 32 square feet of temporary freestanding signage may be located on any one site.

(ii) Multifamily Zones. Each temporary freestanding sign shall not exceed six square feet in size and five feet in height if the sign is post-mounted on the ground, and

not to exceed three feet in height if the sign is stake-mounted or portable. No more than 32 square feet of temporary freestanding signage may be located on any one site.

(iii) Developments. One post-mounted sign of up to eight feet in height and 32 square feet shall be allowed in association with a residential subdivision, during the period of active site development and construction. Such sign may not be permanently installed, and shall be removed upon completion of construction of all homes in the associated subdivision. If site development or construction ceases or is suspended for a period of more than 180 days, the sign shall be removed until construction or development resumes.

(c) Surface-Mounted Signs. Limited to sites two acres or larger:

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

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

(7) Nonresidential Zones. Temporary signs are allowed on nonresidentially zoned property in accordance with the requirements of this section and the following:

(a) Window Signs. Limited to 25 percent of the window area, subject to the window sign requirements of POMC [20.132.280](#), Window signs.

(b) Freestanding Signs (Including Post-Mounted, Stake and Portable Signs). One sign per street frontage meeting the following conditions:

Size/height: limited to four square feet and five feet in height if the temporary sign is mounted on the ground, and not to exceed three feet in height if the temporary sign is portable.

(c) Surface-Mounted Signs.

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

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

(8) Temporary Signs on Large Properties, Residential or Nonresidentially Zoned Properties. The following temporary signs may be placed on any site at least two acres in size, in accordance with the requirements of this section and the following:

(a) Type. Any type.

(b) Number/Size/Height. One sign per street frontage. Not to exceed 32 square feet and up to eight feet above ground level.

(c) Exclusivity. The sign allowed under this subsection is in lieu of and shall not be displayed with or be in addition to other temporary signs allowed by this section.

### **20.132.280 Window signs.**

A window sign does not require a sign permit but shall comply with the following standards:  
(1) Number. No more than one permanent window sign may be placed in a single window.

Figure 18



Window Signs

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

## Article V. Definitions

### 20.132.290 Definitions.

The words and phrases used in this section shall be construed as defined in this chapter, unless the context clearly appears otherwise. Unless specifically defined in this section, the definitions set forth in other provisions of this code shall likewise apply to this chapter.

“A”

“Abandoned sign” means a sign, the face of which has been removed or is broken and is not refaced within 180 days thereafter. Abandoned signs shall also include signs with rusted, faded, peeled, cracked or otherwise deteriorated materials or finishes that have not been repaired within 90 days after the city provides notice of the sign’s deteriorated condition under the city’s enforcement chapter (Chapter [20.02](#) POMC).

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

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

“A-frame sign” means signs capable of standing without support or attachment. See also “portable sign.”

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

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

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

“B”

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

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

“C”

Canopy or Awning Sign. See definition under “awning or canopy sign.”

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

“D”

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

“E”

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

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

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

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

“F”

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

“Face” means the area enclosed within a perimeter consisting of a series of straight lines at right angles enclosing the extreme limits of characters, lettering, logos, illustration or ornamentation, together with any material or color as to differentiate the sign from the background material on which it is placed.

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

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

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



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

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

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

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

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

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

“G”

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

“H”

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

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

“I”

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

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

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

“L”

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

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

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

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

“M”

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

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

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

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

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

“N”

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

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

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

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

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

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

“O”

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

“P”

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

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

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

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

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

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

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

“R”

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

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

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

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

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

“S”

Sandwich Board Sign. See “A-frame sign” definition.

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

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

visual messages, pictures, videos or images, with or without sound or odors. Refer to POMC [20.132.040](#), Prohibited signs, for a list of prohibited signs.

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

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

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

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

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

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

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

“Static” means without motion.

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

"Subdivision entrance sign" means a free-standing sign located at an entrance of a residential subdivision.

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

“T”

“Temporary sign” (which may include special event sign) means any sign that is used temporarily and is not permanently mounted, painted or otherwise affixed, excluding portable signs as defined by this chapter, including any poster, banner, placard, stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability and rot prevention. Temporary signs may only be made of nondurable materials including, but not limited to, paper, corrugated board, flexible, bendable or foldable plastics, foamcore board, vinyl canvas or vinyl mesh products of less than 20-ounce fabric, vinyl canvas and vinyl mesh

products without polymeric plasticizers and signs painted or drawn with water soluble paints or chalks. Signs made of any other materials shall be considered permanent and are subject to the permanent sign regulations of this chapter, except that post-mounted temporary signs allowed in POMC [20.132.270](#), Temporary signs, which are located on properties that are actively listed or marketed for sale or rental or actively under development or construction, may be made of durable materials. Temporary signs of durable materials shall be removed when such properties are no longer actively listed or marketed for sale or rental or actively under development or construction. If site development or construction ceases or is suspended for a period of more than 180 days, such signs shall be removed until construction or development resumes.

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

“U”

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

“W”

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

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

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

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

**POMC 20.132 Subdivision Signage Examples**











**CITY OF PORT ORCHARD**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**

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**PLANNING COMMISSION STAFF REPORT**

|   |                                      |
|---|--------------------------------------|
| <b>Agenda Item No:</b> 5(c)             | <b>Meeting Date:</b> October 4, 2022 |
| Discussion: Annual                      | Nick Bond, Development               |
| <b>Subject:</b> Housekeeping Amendments | <b>Prepared by:</b> Director         |

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**Issue:** DCD staff continually tracks errors, inconsistencies, outdated references, and omissions in Title 20 POMC (Unified Land Use and Development Code) and gathers these into one corrections ordinance each year – generally known as the annual Title 20 “housekeeping ordinance”. These proposed corrections to Title 20 for 2022 have been identified and the proposed action for the Planning Commission’s review.

Staff introduced the code sections identified to be addressed in the 2022 Housekeeping Ordinance at the September 6, 2022 Planning Commission meeting. Since the September Planning Commission meeting staff prepared the an explanatory document listing each correction in numerical order, in redline strikeout/underline format, with explanations at the head of each change. The Planning Commission is requested to schedule a public hearing regarding the described amendments at the November 1, 2022 Planning Commission Meeting.

**Recommendation:** The Planning Commission should review the proposed Housekeeping Redline prior to scheduling a public hearing. Staff recommends that a public hearing be scheduled for November 1, 2022 on the proposed amendments.

**TITLE 20 POMC**  
**PROPOSED “HOUSEKEEPING” CORRECTIONS – 2022**  
**SHOWN AS RED STRIKEOUT/UNDERLINE, PER SECTION**  
Explanations for changes are listed in *italic blue* before each change

*POMC 5.88 Land Classification: Repeal in its entirety.*

**~~5.88.010 Designated.~~**

~~There is established a processing fee for the filing of applications for classification of land as open space, agricultural, or timber lands, if such lands are located within the city, as follows:~~

~~(1) For each application for any parcel of land of 15 acres or less, \$15.00;~~

~~(2) In addition to the foregoing, the fee shall be \$0.50 per acre for every acre or portion thereof, over the first 15 acres, which are contained in the same application.~~

*POMC 10.96 RV Parking Permitting: Repeal in its entirety.*

**~~Chapter 10.96~~**

**~~RV PARK PERMIT SYSTEM~~**

**Sections:**

**~~10.96.010 Registration requirement.~~**

**~~10.96.020 Establishment of park use rules.~~**

**~~10.96.030 Violations and penalties.~~**

**~~10.96.010 Registration requirement.~~**

~~The city shall establish a requirement that each overnight user of the recreational vehicle (RV) park on Harold Drive shall register with the city.~~

**~~10.96.020 Establishment of park use rules.~~**

~~The rules and regulations for the use of the park shall be established by city council resolution.~~

**~~10.96.030 Violations and penalties.~~**

~~(1) Violation of this chapter and/or the park rules adopted pursuant to this chapter by resolution shall be a misdemeanor and subject to a penalty of \$25.00 for each day of such violation.~~

~~(2) Violation of the park rules established by this chapter and/or the park rules adopted pursuant to this chapter by resolution may result in immediate impoundment of the vehicle, recreational vehicle or trailer.~~

*POMC 20.31.010(2) Zones established: Include the McCormick Village Overlay District (MVOD) as an established overlay district.*

**20.31.010 Zones established.**

(1) The following zones are hereby established:

- (a) Greenbelt (GB).
- (b) Residential 1 (R1).
- (c) Residential 2 (R2).
- (d) Residential 3 (R3).
- (e) Residential 4 (R4).
- (f) Residential 5 (R5).
- (g) Residential 6 (R6).
- (h) Residential mixed use (RMU).
- (i) Neighborhood mixed use (NMU).
- (j) Commercial mixed use (CMU).
- (k) Business professional mixed use (BPMU).
- (l) Downtown mixed use (DMU).
- (m) (Downtown) Gateway mixed use (GMU).
- (n) Commercial corridor (CC).
- (o) Commercial heavy (CH).
- (p) Industrial flex (IF).
- (q) Light industrial (LI).
- (r) Heavy industrial (HI).
- (s) Civic institutional (CI).

(t) Parks and recreation (PR).

(u) Public facilities (PF).

(2) The following overlay districts are hereby established:

(a) View protection overlay district (VPOD).

(b) Downtown height overlay district (DHOD).

(c) Self-storage overlay district (SSOD).

(d) Ruby Creek overlay district (RCOD).

(e) McCormick Village Overlay District (MVOD).

(3) The location and boundaries of the various zones are shown on the city's adopted zoning map and are codified in this title and made a part of this title. Overlay district boundaries may be shown on the city's adopted zoning map, may be codified elsewhere in this code, or be adopted as a standalone map. Changes in the boundaries of the zones or overlay districts, including application or amendment or interim zoning, shall be made by ordinance adopting or amending the zoning map or alternatively in the case of an overlay district, by amending the standalone overlay district map or code section.

(4) Maps may be kept electronically in a geographic information system (GIS). Copies published online or electronically do not constitute originals. Map originals must be kept on file with the Port Orchard city clerk and must indicate the date of the adoption and most recent amendment.

*POMC 20.32.010(8) amend minimum number of units required for townhome building type in the Residential 2 district. Amendment is consistent with the minimum requirements of townhouse building type.*

#### **20.32.010 Building type descriptions.**

(1) Detached House.

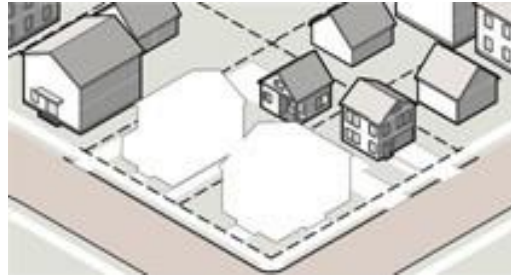
(a) A building type that accommodates one dwelling unit on an individual lot with yards on all sides. A new manufactured home shall be considered a detached house for the purposes of this title. "New manufactured home" means any manufactured home required to be titled under RCW Title [46](#), which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW [82.45.032](#)(2). A new manufactured home shall be treated as a detached house for the purposes of this title.



(b) Zones where permitted: R1, R2, R3, R6, NMU, BPMU, GB.

(2) Backyard Cottage.

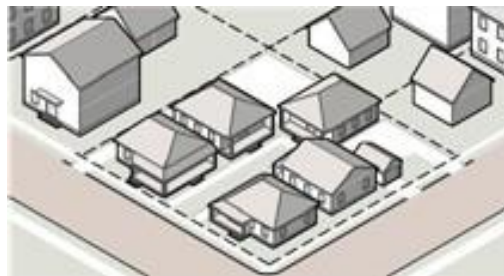
(a) A small self-contained accessory dwelling located on the same lot as a detached house but physically separated.



(b) Zones where permitted: R1, R2, R3, R6, NMU, BPMU, GB.

(3) Cottage Court.

(a) A building type that accommodates five to 12 detached dwelling units organized around an internal shared courtyard.



(b) Zones where permitted: R1, R2, R3, R6, NMU, BPMU.

(4) Duplex: Side-by-Side.

(a) A building type that accommodates two dwelling units on an individual lot separated vertically side by side that share a common wall.



(b) Zones where permitted: R2, R3, NMU, BPMU.

(5) Duplex: Back-to-Back.

(a) A building type that accommodates two dwelling units on an individual lot separated vertically with one unit located directly behind the other unit that share a common wall.



(b) Zones where permitted: R2, R3, NMU, BPMU.

(6) Attached House.

(a) A building type that accommodates two attached dwelling units located on two separate lots that share a common wall along a lot line.



(b) Zones where permitted: R2, R3, NMU, BPMU.

(7) Fourplex.

(a) A building type that accommodates three to four dwelling units vertically or horizontally integrated.



(b) Zones where permitted: R3, R4, R5, NMU.

(8) Townhouse.

(a) A building type that accommodates three or more dwelling units where each unit is separated vertically by a common side wall and located on its own lot. Units cannot be vertically mixed. A subdivision or short subdivision may be required to construct townhouse units.



(b) Zones where permitted: R2 (~~two to three~~ to four dwelling unit buildings only), R3, R4, R5, NMU, CMU, GMU, BPMU.

(9) Apartment.

(a) A building type that accommodates five or more dwelling units vertically and horizontally integrated.



(b) Zones where permitted: R3, R4, R5, NMU, CMU, GMU.

(10) Live-Work.

(a) A building type that accommodates three or more units. Units allow for residential and nonresidential uses in the same physical space. Units may be vertically or horizontally mixed.



(b) Zones where permitted: RMU, NMU, CMU, GMU, DMU, IF, CC.

(11) Shopfront House.

(a) A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses at a scale that complements the existing residential character of the area.

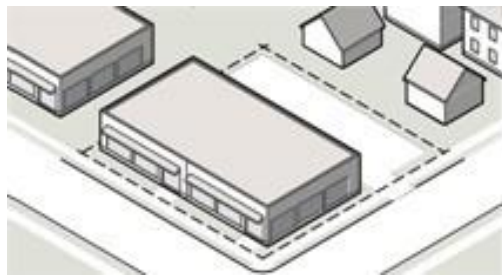




(b) Zones where permitted: NMU, CMU, RMU, GMU, CC, BPMU.

(12) Single-Story Shopfront.

(a) A single-story building type that typically accommodates retail or commercial uses.



(b) Zones where permitted: CMU, CC, CH, DMU, GMU.

(13) Mixed Use Shopfront.

(a) A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses.



(b) Zones where permitted: BPMU, CMU, DMU, CC.

(14) General Building.

(a) A building type that typically accommodates ground floor retail, office, or commercial uses with upper-story residential or office uses.



(b) Zones where permitted: BPMU, CMU, GMU, CC, CH, IF, IL, IH, CI, PR, PF.

(15) Manufactured or Mobile Home Park.

(a) A cluster of manufactured or mobile homes configured such that more than one mobile home is located on a lot, parcel, or tract. A manufactured or mobile home park typically features land or unsubdivided lots leased or rented by the manufactured or mobile home owner.

(b) Zones where permitted: none. New manufactured or mobile home parks are not permitted. Existing legal nonconforming manufactured or mobile home parks may be maintained and the homes therein may be replaced.

(16) Accessory Building.

(a) An accessory building is any building of which the form and use are subordinate in both purpose and size, incidental to and customarily associated with a permitted principal building and use located on the same lot.

*POMC 20.32.090. Amendment creates consistency with minimum number of units required of the townhouse building type in POMC 20.32.010 and an amendment to garage door restrictions provides reference to residential design standards for clarification.*

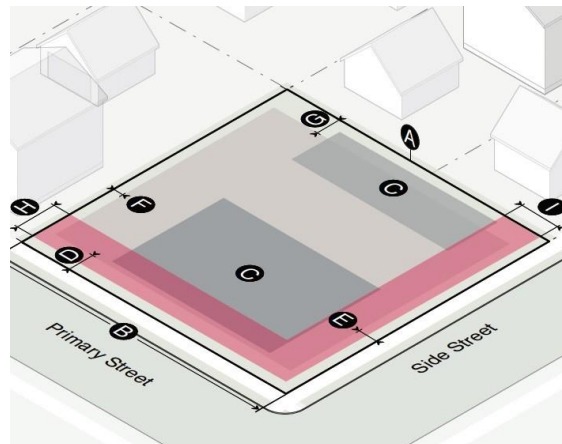
**20.32.090 Townhouse.**





(1) Definition. A building type that accommodates two-three or more dwelling units where each unit is separated vertically by a common side wall and located on its own lot. Units cannot be vertically mixed. A subdivision or short subdivision may be required to construct townhome units.

(2) Districts where allowed: R2 (three to four unit residential attached only), R3, R4, R5, RMU, NMU, CMU, GMU, BPMU.



(3) Lot and Placement.

(a) Minimum site area: 5,000 square feet minimum.

(b) Minimum site width: 70 feet.

- (c) Minimum lot area: set by district.
  - (d) Minimum lot width: set by district.
  - (e) Maximum lot coverage: set by district.
  - (f) Primary street setback: set by district.
  - (g) Side street setback: set by district.
  - (h) Side interior setback: set by district.
  - (i) Rear setback: set by district.
- (4) Dwellings allowed per site/lot: one minimum, no maximum.
- (5) Build-to Zone (BTZ).
- (a) Building facade in primary street BTZ: set by district.
  - (b) Building facade in secondary street BTZ: set by district.



- (6) Height and Form.
- (a) Maximum principal building height: three stories/35 feet maximum.
  - (b) Accessory structure: 24 feet maximum.
  - (c) Minimum ground floor elevation: two feet minimum.
  - (d) Unit width: 20 feet minimum.
  - (e) Number of units permitted in a row: six maximum.
  - (f) Transparency ground story: 20 percent minimum.
  - (g) Transparency upper story: 20 percent minimum.
  - (h) Blank wall area: 35 feet maximum.
  - (i) Pedestrian Access.

- (i) Entrance facing primary street: required.
- (j) Building Elements Allowed.
  - (i) Awning/Canopy. See POMC [20.122.020](#).
  - (ii) Balcony. See POMC [20.122.030](#).
  - (iii) Porch. See POMC [20.122.060](#).
  - (iv) Stoop. See POMC [20.122.070](#).
- (k) Parking Location.
  - (i) Front/corner yard restrictions: not allowed in front/corner yards.
  - (ii) Garage door restrictions. [See POMC 20.139.015](#).

*POMC 20.39.250(1) Amendment reformats specific uses as subsections of defined use.*

#### **20.39.250 Parks and open space.**

(1) Defined. Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, and having few structures. Parks and open space includes the following:

(~~2~~a) Golf Course. A golf course is a public or private recreational facility that contains a golf course, and may contain ancillary facilities such as a driving range, pro shop, storage and maintenance buildings, clubhouse, meeting rooms and restaurant.

(~~3~~b) Cemetery. Land or structures used for burial or interment of the dead. For purposes of this code, pet cemeteries are considered a subclassification of this use.

(~~4~~c) Park, Recreation Field. An area used for outdoor play or recreation, often containing recreational equipment such as slides, swings, climbing frames, ballfields, soccer fields, basketball courts, swimming pools, and tennis courts. May include passive and active recreation.

*POMC 20.39.355. Incorporates Director's Interpretation LU21-03 into POMC Title 20, in accordance with the requirements of POMC 20.10.040(5)(b) (Director's Decision – Time Limitation).*

#### **20.39.355 Personal services.**

(1) Defined. A facility involved in providing personal or repair services to the general public. Personal services include, but are not limited to, the following:

- (a) Beauty, hair or nail salon;
- (b) Catering establishment;
- (c) Cleaning establishment, dry-cleaning or laundry drop-off facility, laundromat, washeteria;

- (d) Copy center, printing, binding, photocopying, blueprinting, mailing service;
- (e) Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium;
- (f) Landscaping services;
- (g) Locksmith;
- (h) Optometrist;
- (i) Palmist, psychic, medium, fortunetelling;
- (j) Repair of appliances, bicycles, canvas product, clocks, computers, jewelry, musical instruments, office equipment, radios, shoes, televisions, watch or similar items;
- (k) Tailor, milliner or upholsterer;
- (l) Tattoo parlor or body piercing;
- (m) Taxidermist;
- (n) Tutoring; and
- (o) Wedding chapel.
- (p) Massage parlor

***POMC 20.100.070. Amendment creates consistency with the City of Port Orchard Public Works Standards and Specifications regarding minimum right-of-way and paving widths.***

**20.100.070 Cul-de-sac streets.**

Except where projecting into adjacent unsubdivided areas, any street having only one vehicular access to another street shall be terminated by a permanent turnaround. Standards for both the turnaround and its street approach are set forth within this section. Exceptions to these standards shall be discouraged due to firefighting and solid waste collection requirements. Any turnaround, either temporary or permanent, that does not meet these requirements shall be permanently signed for no parking or marked as a fire lane in accordance with the adopted PWESS.

(1) That portion of any street extending from an intersection to a turnaround shall be improved and rights-of-way platted with the minimal dimensions provided in Table 20.100.070(1) below.

Table 20.100.070(1): Width for Cul-de-sac Streets for Certain Activities

| Activity Served        | Paving Width* | Right-of-Way Width | Additional Requirements                                |
|------------------------|---------------|--------------------|--|
| Less than 12 dwellings | <u>32'20'</u> | <u>52'45'</u>      | 300 feet maximum length                                |
| 12 – 25 dwelling units | <u>34'20'</u> | <u>56'45'</u>      | 450 feet maximum length – Single-family, duplex only** |

|   |                   |                   |                         |
|---|-------------------|-------------------|-------------------------|
| Nonresidential zoning districts (except as otherwise specified) | <del>36'26'</del> | <del>56'52'</del> | 300 feet maximum length |
| Industrial districts  | <del>40'26'</del> | <del>62'52'</del> | 300 feet maximum length |

\* Measured from the front of adjoining curbs.

\*\* Cul-de-sacs (dead-end streets) serving triplex, quadraplex and higher density multifamily uses shall be discouraged. Exceptions may be granted by the hearing examiner where no alternative exists and meeting the industrial districts standard or in infill development situations.

(2) The turnaround portion of any cul-de-sac shall be improved, and rights-of-way platted, as prescribed below:

Table 20.100.070(2): Width for Cul-de-sac Turnarounds for Certain Activities

| Activity Served   | Paving Width*               | Right-of-Way Width  | Additional Requirements***   |
|---|-----------------------------|---|--|
| Residential and nonresidential zoning districts (except as otherwise specified) | 90' diameter                | 110' diameter <del>or 100' with 10' utility and sidewalk easement**</del> | <del>Shall be a min. of 10' of ROW or ROW/Easement Combination behind curb</del> |
| Industrial districts  | <del>100'96'</del> diameter | 120' diameter   |  |

\* Measured to front of adjoining curbs.

~~\*\* Seven feet to provide room for fire hydrants and other utilities, streetlights and traffic/no parking signs, and satisfy ADA compliance.~~

~~\*\*\* Or in accordance with the engineering standards and specifications.~~

***POMC 20.124.040(11) Amendment clarifies reduction to required off-street parking applies only to nonresidential development.***

**20.124.040 Bicycle parking required.**

(1) Bicycle parking facilities shall be provided for new buildings or facilities, additions to or enlargements of existing buildings, or for changes in the use of buildings or facilities that result in the need for additional auto parking facilities in accordance with the parking requirements in POMC 20.124.140 and where required in Table 20.124.140. The director is authorized to approve modifications to these standards when the applicant successfully demonstrates that the proposed alternative layout, location, design or type of racking meets the intent of these standards.

(2) The number of required bicycle parking spaces shall be calculated as shown in Table 20.124.140.

(3) Individual bicycle parking spaces shall be a minimum of 75 inches long by 24 inches wide for each space. Where double-sided multi-racks are utilized resulting in overlapping of bicycle parking spaces, the minimum bicycle parking space for two bicycles shall be 100 inches long by 36 inches wide.

(4) Bicycle parking racks shall be located in areas visible from public right-of-way and shall be provided with adequate lighting if intended for use after dark. A minimum of 50 percent of the required number of bicycle parking spaces shall be located within 50 feet of a public entrance to the building requiring bicycle parking spaces.

(5) Bicycle parking racks shall support the bikes in a stable, upright position, without damage to wheels, frame or other components.

(6) Bicycle parking racks shall support the frame of the bicycle at two points of contact and at least one wheel. Racks shall allow the frame and one wheel to be locked to the rack, regardless of whether the front wheel is removed or not. Racks shall be securely anchored. Racks shall accommodate a wide variety of sizes and types of bicycles, including those with water bottles or without kick stands.

(7) Bicycle parking racks shall be permanently mounted/installed within private property on solid surfaces. Racks placed adjacent to sidewalks shall not encroach upon required pedestrian access ways, accessible routes or accessible passing space areas.

(8) Access shall be provided to each required bicycle parking space. Aisles shall have a width of at least three feet to the front, rear or side of the bicycle parking spaces.

(9) Racks shall be placed a minimum of 24 inches away from walls and other elements that may create an obstacle to accessing the bike parking spaces.

(10) Where the required bicycle parking spaces cannot be properly located upon the property generating the need for bicycle parking, the owner or applicant of the property generating the need for bicycle parking may apply for a street use from the city for permission to locate the bicycle parking on city right-of-way.

(11) New and existing nonresidential uses, buildings and facilities may substitute up to 10 percent of the required vehicular spaces for additional bike parking. Substitutions shall be made based on one vehicular parking space for at least six bicycle parking spaces.

*POMC 20.127.160(1) Amendment corrects typographic error.*

### **20.127.160 Landscaped block frontage standards.**

(1) Description/Purpose. The landscaped block frontage designation emphasizes landscaped frontages and clear pedestrian connections between buildings and the sidewalk and serves the purpose of including attractive vegetation within the streetscape. This designation applies to all streets designated landscaped in POMC 20.127.130, Community design framework maps, and ~~the~~ all development in residential zones.

Figure 20.127.160(1)





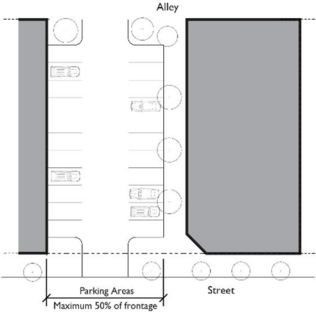

## Landscaped Block Frontage Vision and Key Standards



(2) Standards. All development as set forth in POMC 20.127.130 on sites containing a landscaped block frontage designation must comply with the following standards (on applicable block frontages):

Table 20.127.160(2)  
Landscaped Block Frontage Standards

| Element             | Standards   | Examples and Notes  |
|---------------------|---|---|
| Building placement  | 10-foot minimum front setback, except where greater setbacks are specified in the district in Chapter 20.122 POMC or where future right-of-way need and/or acquisitions have been identified in city plans. ⇒   | See POMC 20.127.230 for special design provisions associated with ground level residential uses adjacent to a sidewalk.   |
| Building entrances  | Building entrances must be visible and directly accessible from the street. ⇒<br>For uses that front on multiple mixed designated block frontages, an entry along both streets is encouraged, but not required. |   |
| Facade transparency | 25 percent minimum for buildings design with ground level nonresidential uses. ⇒<br>20 percent minimum for residential uses. ⇒<br>Windows must be provided on all habitable floors of the facade.               | Also see POMC 20.127.140 for additional clarification on transparency standards.<br><br>Facade transparency example. |

|   |  |   |
|---|--|---|
| <p>Weather protection</p>   | <p>Provide weather protection at least three feet deep over primary business and residential entries.</p>  |    |
| <p>Parking location<br/>Also see Chapter 20.124 POMC for related parking requirements</p> | <p>Parking must be placed to the side, rear, below or above uses. For multi-building developments, surface and structured parking areas (ground floor) are limited to no more than 50 percent of the street frontage. Private or shared garage entries must occupy no more than 50 percent of facade width. Provide a 10-foot minimum buffer of landscaping between the street and off-street parking areas meeting the standards of Chapter 20.128 POMC. ⇒</p>  |    |
| <p>Landscaping<br/>Also see Chapter 20.128 POMC for related landscaping standards</p>     | <p>The area between the street and building must be landscaped, private porch or patio space, and/or pedestrian-oriented space. For setbacks adjacent to buildings with windows, provide low level landscaping that maintains views between the building and the street. Also provide plant materials that screen any blank walls and add visual interest at both the pedestrian scale and motorist scale. For extended wall areas, provide for a diversity of plant materials and textures to maintain visual interest from a pedestrian scale.</p> |  <p>Example of low level landscaping that screens foundation walls, provides visual interest, and maintains views from dwelling units to the street.</p> |
| <p>Sidewalk width</p>   | <p>Six-foot minimum sidewalks are required. Wider sidewalks may be required where designated in</p>  |   |

|  |   |  |
|--|---|--|
|  | other code sections or in the public works standards. |  |
|--|---|--|

(3) Departure Criteria. Departures from the above standards that feature the ⇒ symbol will be considered by the reviewing authority (the director or hearing examiner, as appropriate), provided the alternative proposal meets the purpose of the standards, plus the following criteria:

(a) Building Entrances. Block frontages with steep slopes and/or those facing busy arterial streets and very limited pedestrian traffic may warrant some flexibility to this standard (particularly in residential districts).

(b) Facade Transparency. The proposed alternative design treatment of facade area between ground level windows provides visual interest to the pedestrian and mitigates impacts of any blank wall areas. No less than 40 percent of the facade between 30 inches and 10 feet above the sidewalk may be approved with a departure.

(c) Parking Location. There must be an acceptable tradeoff in terms of the amount and quality of landscaped area that is integrated with the development and the applicable parking location departure. Plus, the alternative must include design features to successfully mitigate the visual impact of additional parking areas along designated landscaped streets.

*POMC 20.127.330(4)(b) Amendment provides relief from additional walkway width when wheel stops are used as permitted in POMC 20.124.100.*

**20.127.330 Nonmotorized circulation and design.**

(1) Purpose.

(a) To improve the pedestrian and bicycling environment by making it easier, safer, and more comfortable to walk or ride among residences, to businesses, to the street sidewalk, to transit stops, through parking lots, to adjacent properties, and to connections throughout the city.

(b) To enhance access to on- and off-site areas and pedestrian/bicycle paths.

(2) Access to Sidewalk. All buildings must feature pedestrian connections to a sidewalk per applicable block frontage standards in Article II of this chapter. See subsection (4) of this section for access design requirements.

**Figure 20.127.330(2)**

**Examples of Direct Pedestrian Access to Buildings from the Street**

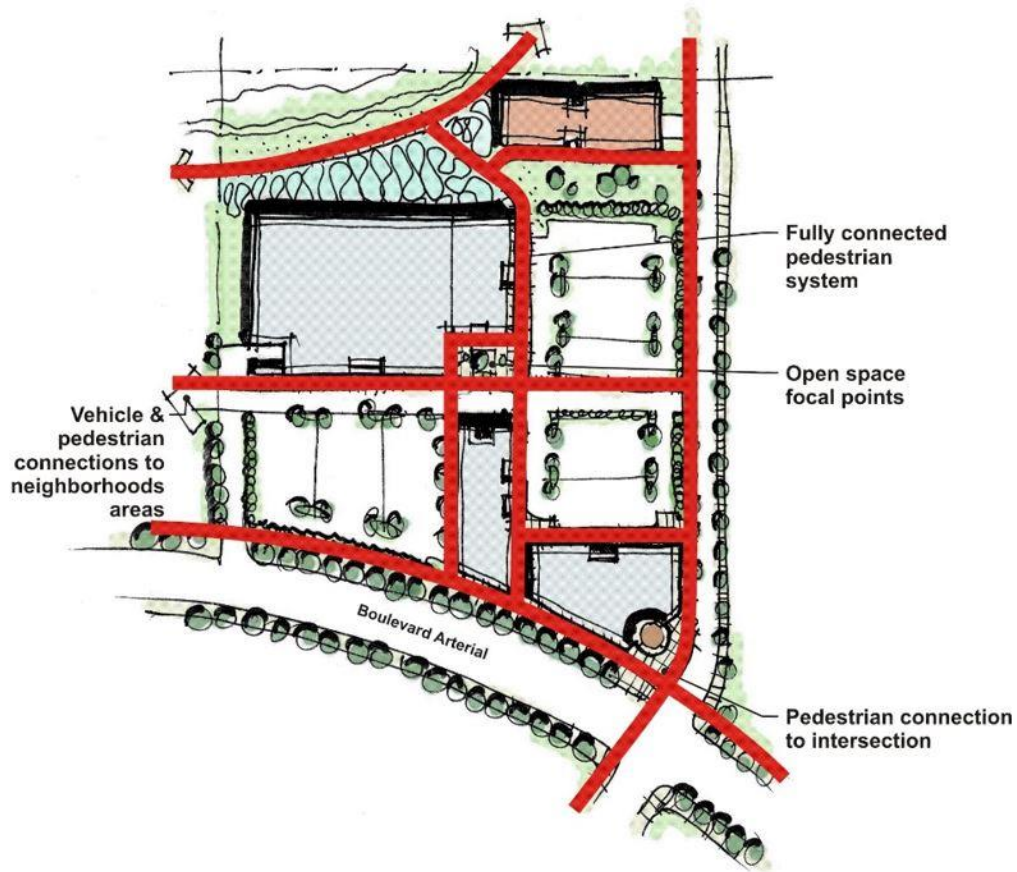


**(3) Internal Circulation.**

(a) For sites with multiple buildings, pedestrian paths or walkways connecting businesses and residential entries on the same development site must be provided. Routes that minimize walking distances must be utilized to the extent practical.

Departures will be allowed where steep slopes prevent a direct connection or where an indirect route would enhance the design and/or use of a common usable open space. See subsection (4) of this section for walkway design standards.

**Figure 20.127.330(3)(a)**  
**Internal and External Pedestrian Connections Are Important**

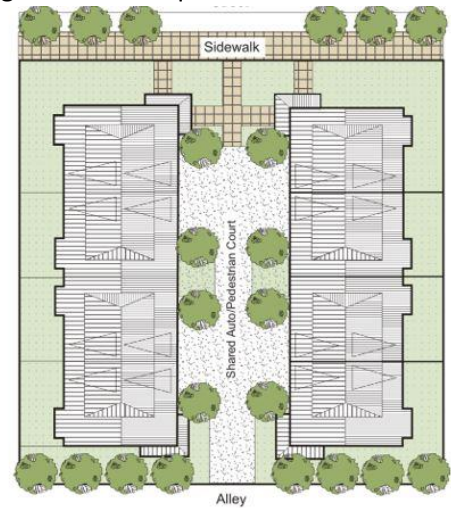


(b) Sites with Residential Units. Provide direct pedestrian access between all ground related unit entries and a public street or to a clearly marked walkway network or open space that has direct access to a public street. Residential developments must provide a pedestrian circulation network that connects all main entrances on the site to other areas of the site, such as:

- (i) Parking areas.
- (ii) Recreational areas.
- (iii) Common outdoor areas.
- (iv) Any pedestrian amenities.

For townhouses or other residential units fronting the street, the sidewalk may be used to meet this standard.

Figure 20.127.330(3)(b)(i)  
Direct Walkways between the Street and Dwelling Units Are Required



The entries of the example on the left connect directly to a public sidewalk while the entries in the right example connect to a common path that extends to the sidewalk.

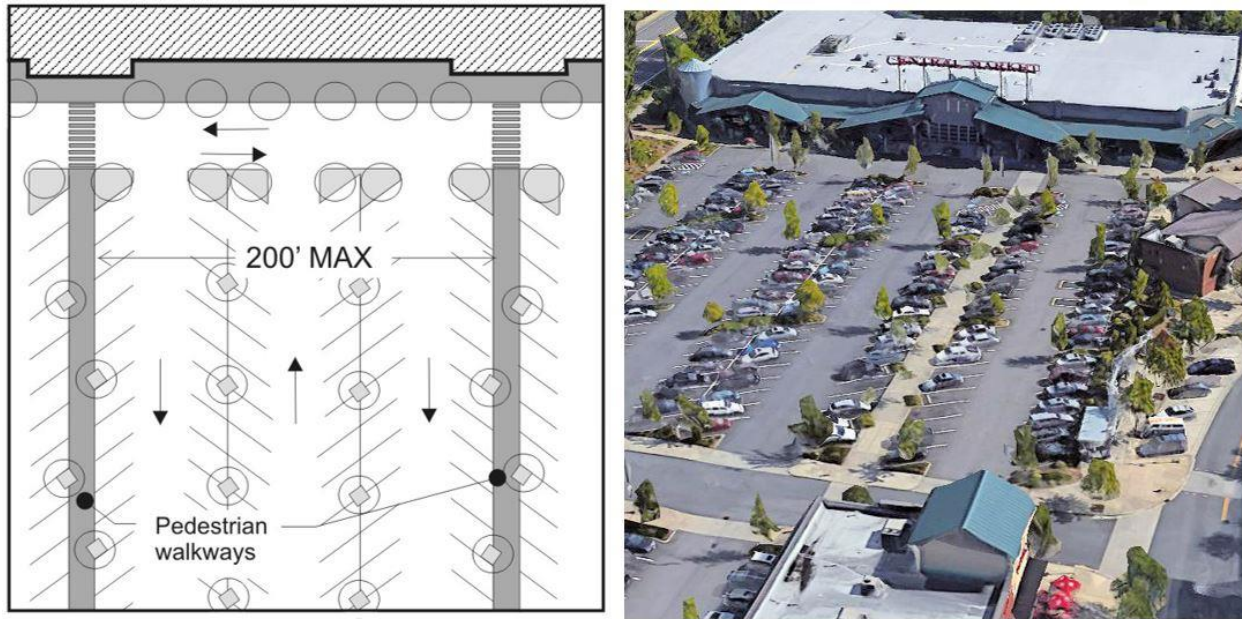
Figure 20.127.330(3)(b)(ii)  
Examples of Attractive Pedestrian Connection through a Residential Development



(c) Crosswalks are required when a walkway crosses an on-site paved area accessible to vehicles. Crosswalks must contain contrasting material (such as concrete) and/or patterns (such as stamped asphalt), excluding painted surfaces.

(d) Pedestrian Walkways through Parking Lots. Developments with 50 parking spaces or more must provide specially marked or paved walkways through parking areas. At least one walkway must be provided every four rows of parking or at a maximum spacing of 200 feet. The walkways must provide a safe connection to the building entrance and meet the walkway design standards set forth in subsection (4) of this section. See examples below.

**Figure 20.127.330(3)(d)**  
**Parking Area Walkway Standards and Examples**



Note the location of the parking lot walkway in the upper right example (connecting shops in one building to the main entry of a grocery store).



Note in both examples that the concrete walkway extends into the vehicular area to provide a highly visible and safe crosswalk.

(e) Connections to Adjacent Properties (Including Parks and Trails). Except for when adjacent properties have less than five dwelling units, provide pedestrian walkways that connect to adjacent properties. Public sidewalks in the right-of-way shall not count towards this requirement.

Departures will be allowed where it is determined that internal connections are not necessary or practical due to shallow lot depths, steep slopes, or other contextual challenges.

(f) Barriers that limit future pedestrian access are prohibited. Gates that limit access to employees are permitted. See subsection (4) of this section for walkway design standards.

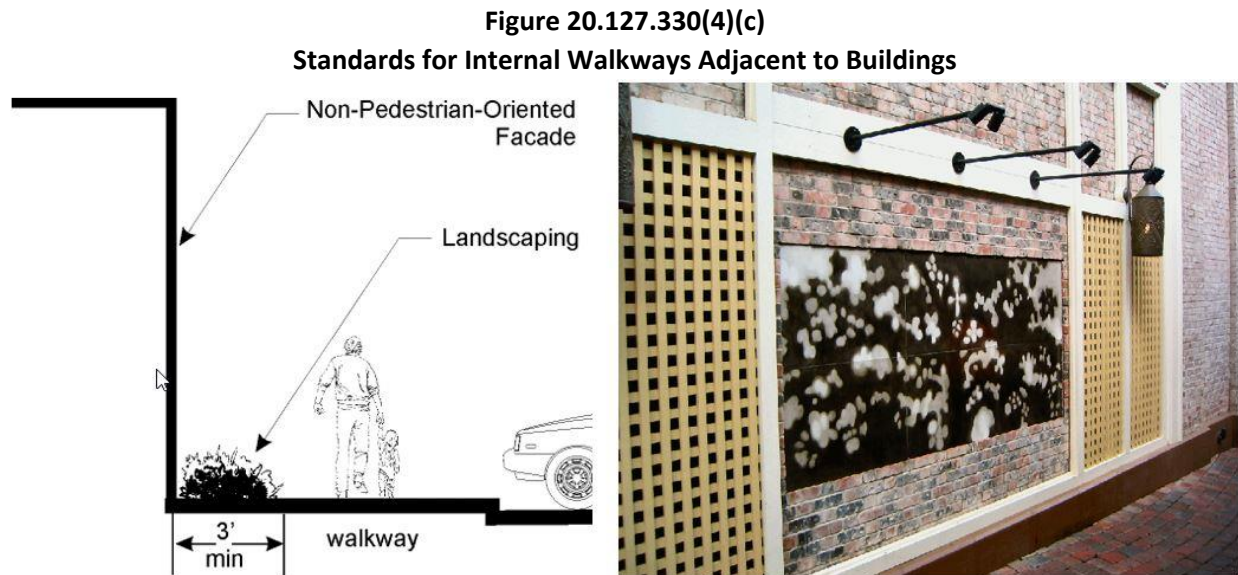
(4) Walkway Design.

(a) All internal pedestrian walkways must have a minimum five-foot-wide unobstructed walking surface, except where wider walkways are prescribed in this article or where the applicable uses and context dictate wider walkways.

(b) Where parking is adjacent to perpendicular or angled parking and does not utilize wheel stops as described in POMC 20.124.100, an extra two feet of walkway width must be provided to mitigate for parked vehicles overhanging the walkway.

(c) Pedestrian walks must be separated from structures at least three feet for landscaping except where the adjacent building facade meets the storefront block frontage standards per POMC [20.127.120\(2\)](#).

Departures will be considered where other landscaping and/or facade design treatments to provide attractive walkways are proposed. Examples include sculptural, mosaic, bas-relief artwork, or other decorative treatments that meet the purpose. Figure 20.127.330(4)(c) below provides one example.



Internal walkways adjacent to building walls that do not meet storefront facade standards must provide at least three feet of landscaping to enhance the character of the walkway. The reviewing authority will consider alternative treatments, such as decorative walls (right example).

(d) Walkway design where multi-tenant commercial or mixed use buildings 100 feet or more in length abut parking lots. Such walkways must feature a 12-foot wide sidewalk with:

(i) Eight feet minimum unobstructed width.

(ii) Trees, as approved by the director or hearing examiner, placed at an average of 50 feet on-center and placed in grates or in planting strips as set forth in subsection (4)(d)(iii) of this section.

Departure: Breaks in the tree coverage will be allowed near major building entries to enhance visibility.

(iii) Planting strips may be used between any vehicle access or parking area and the walkway; provided, that the trees required above are included and the walkway meets the



applicable width standards herein and the combined walkway and planting strip is at least 12 feet wide.

(iv) See also POMC [20.127.340\(4\)](#), internal roadway design.

**Figure 20.127.330(4)(d)**  
**Example of a Successful Pedestrian Sidewalk between Parking Lot and Storefront**



*POMC 20.132.210(3)(a) Amendment corrects typographic error.*

### **20.132.210 Freestanding signs.**

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

(1) Number.

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

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

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

(2) Location.

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

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

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

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

(3) Height, Support Width, and Area by Freestanding Sign Type.

(a) Top Mounted Pole Signs.

Figure 8  
Pole Sign



Top mounted pole signs shall meet the following sign area, height, and support width requirements which shall be based on site frontage:

| <b>Site Frontage</b> | <b>Maximum Area per Face</b> | <b>Maximum Height</b> | <b><u>Minimum-Maximum</u> Support Width</b> |
|----------------------|------------------------------|-----------------------|---|
| < 50 feet            | 24 square feet               | 6 feet                | 40% of sign width                           |
| 50 – 99 feet         | 36 square feet               | 10 feet               | 40% of sign width                           |
| 100 feet and over    | 50 square feet               | 12 feet               | 40% of sign width                           |

(b) Pole and Mast Arm Hanging Signs.

Figure 9

Pole and Mast Arm Sign



Pole and mast arm hanging signs shall meet the following sign area, height, and support width requirements which shall be based on site frontage:

| Site Frontage | Maximum Area per Face | Maximum Height |
|---------------|-----------------------|----------------|
| < 50 feet     | 16 square feet        | 10 feet        |
| 50 – and over | 16 square feet        | 10 feet        |

(c) Double Post-Mounted Freestanding Sign.

Figure 10

Double Post-Mounted Freestanding Sign



Double post-mounted freestanding signs shall meet the following sign area and height requirements which shall be based on site frontage:

| Site Frontage | Maximum Area per Face | Maximum Height |
|---------------|-----------------------|----------------|
| < 50 feet     | 30 square feet        | 6 feet         |

| Site Frontage     | Maximum Area per Face | Maximum Height |
|-------------------|-----------------------|----------------|
| 50 – 150 feet     | 42 square feet        | 7 feet         |
| 150 feet and over | 56 square feet        | 8 feet         |

(d) Monument Freestanding Signs.

Figure 11  
Monument Freestanding Sign



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

| Site Frontage     | Maximum Area per Face | Maximum Height | Minimum Sign Base Width |
|-------------------|-----------------------|----------------|-------------------------|
| < 50 feet         | 30 square feet        | 6 feet         | 100% of sign width      |
| 50 – 150 feet     | 42 square feet        | 7 feet         | 100% of sign width      |
| 150 feet and over | 56 square feet        | 8 feet         | 100% of sign width      |

(4) Design Requirements.

(a) Freestanding signs shall be of a style, material, and design compatible with the associated building.

(b) Berming shall not be used to exceed the maximum allowable height of freestanding signs.

(c) For monument signs or signs surrounded by a framework, the area of the surrounding structure shall not exceed the allowable sign area by more than 20 percent.

(d) Freestanding signs should be sited so that they integrate with the location of street trees and other site landscaping, and to avoid obscuring the view of adjacent freestanding signs.

(e) Landscaping at the base of a freestanding sign is required, providing a landscaped area equal to square footage of one face of the freestanding sign; however, this provision does not apply to temporary freestanding signs.

(f) If a sign is proposed in a landscaped area, either an existing landscaped area or required landscaping for new development, the sign shall be compatible with the existing or proposed landscaping, and shall be shown on the landscaping plan if applicable.

Figure 12

Landscaped Monument Freestanding Sign



Figure 13

Landscaped Pole and Mast Arm Hanging Freestanding Sign



*POMC 20.180.004(1)(r) Amendment clarifies Tenant Improvement applications are only exempt from concurrency requirements when a change of use does not occur.*

**20.180.004 Exempt development.**

(1) No development activity shall be exempt from the requirements of this chapter, unless the permit is listed below. The following types of permits are not subject to the capacity reservation certificate (CRC) process because they do not create additional long-term impacts on transportation facilities, additional sewer capacity in the city's waste water treatment plant, or a need for more potable water from the city's water system:

- (a) Administrative interpretations;
- (b) Sign permit;
- (c) Street vacations;
- (d) Demolition permit;
- (e) Street use permit;
- (f) Interior alterations of a structure with no change in use;
- (g) Excavation/clearing permit;
- (h) Hydrant use permit;
- (i) Right-of-way permit;
- (j) Single-family remodeling with no change of use;
- (k) Plumbing permit;
- (l) Electrical permit;
- (m) Mechanical permit;
- (n) Excavation permit;
- (o) Sewer connection permit;
- (p) Driveway or street access permit;
- (q) Grading permit;
- (r) Tenant improvement permit with no change in use;
- (s) Fire code permit;
- (t) Design review.

Notwithstanding the above, if any of the above permit applications will generate any new p.m. peak hour trips, require additional sewer capacity, or increase water consumption, such application shall not be exempt from the requirements of this chapter.

(2) Transportation. This chapter shall apply to all applications for development or redevelopment if the proposal or use will generate any new p.m. peak-hour trips. Every application for development shall be accompanied by a capacity reservation certificate application. Developments or redevelopments that will generate one or more new projected vehicle trips that will pass through an intersection or roadway section identified with a level of service below the acceptable level noted in the transportation element in the city's comprehensive plan, or that will generate 15 or more new p.m. peak hour trips, shall also be required to submit information for a traffic report pursuant to POMC 20.180.011(2)(b).

(3) Water. This chapter shall apply to all applications for development or redevelopment if the proposal or use requires water from the city's water system (not West Sound Utilities). In addition, this chapter

shall apply to existing developments to the extent that the property owner requires water for a use not disclosed on a previously submitted water service application or a previously submitted application for a capacity reservation certificate.

(4) Sewer. This chapter shall apply to all applications for development or redevelopment if the proposal or use requires sewer from the city's sewer system (not West Sound Utilities). In addition, this chapter shall apply to existing developments to the extent that the property owner requires sewer for a use not disclosed on a previously approved request for sewer service or a previously approved application for a capacity reservation certificate.

*POMC 20.200.018) Amendment corrects incorrect reference.*

#### **20.200.018 Appeals.**

Whenever the fire code authority shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the codes do not apply or that the true intent and meaning of the codes have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire authority within 30 days from the date of the decision in accordance with Section ~~108-113~~ of the 2018 Edition of the International Fire Code, as adopted herein.