

ORDINANCE NO. 1942

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING SECTION 20C.20.230 OF THE REDMOND COMMUNITY DEVELOPMENT GUIDE AND THE REDMOND MUNICIPAL CODE TO REGULATE AND PROHIBIT CERTAIN SIGNS, PROVIDE FOR REMOVAL AND DISPOSAL OF ILLEGAL SIGNS, PROVIDE A SIX MONTH AMORTIZATION PERIOD FOR SANDWICH BOARD SIGNS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 20C.20.230(40) of the Redmond Community Development Guide currently allows sandwich board signs, and;

WHEREAS, the Planning Commission has reviewed the issue of sandwich board signs and concludes that they present a hazard to the public and motorists by distracting motorists and interfering with those who use sidewalks, and that they are not in keeping with the high level of aesthetics demanded by residents and businesses in Redmond, and;

WHEREAS, the Planning Commission has reviewed the city's existing sandwich board sign regulations and concluded that these regulations have not prevented the harms they were to address, and;

WHEREAS, the Planning Commission concludes that on premises signs allowed by Section 20C.20.230 constitute a reasonable alternative to sandwich board signs and that the ban on sandwich board signs is a reasonable time and place regulation, and;

WHEREAS, the Planning Commission has held a hearing on this ordinance and has recommended that the City Council amend the Community Development Guide to prohibit sandwich board signs and further define the regulations applicable to real estate signs, and;

WHEREAS, the Council has determined to adopt the regulations set forth in this ordinance, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Section 20C.20.230(25)(y) of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended by deleting the struck through material and adding the underlined material so that the section reads as follows:

(y) Real Estate Sign is a portable or temporary sign that advertises real property for rent, lease, or sale.

Section 2. Section 20C.20.230(35)(g) of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended by deleting the struck through material and adding the underlined material so that the section reads as follows:

(g) Real Estate Signs

1. On-premises real estate signs shall meet the following requirements:

A. Maximum (Max) size, height (Ht), and number of on premises real estate signs:

<u>Items Being Advertised</u>	<u>Max Size In Sq. Ft.</u>	<u>Max Ht In Feet</u>	<u>Max No. Of signs</u>
Single-family House or Lot	4	6	2
Commercial, industrial or multiple-family lots	32	6	2

<u>Items Being Advertised</u>	<u>Max Size In Sq. Ft.</u>	<u>Max Ht In Feet</u>	<u>Max No. Of signs</u>
Commercial, industrial or multiple-family buildings or portion of building	16	6	2
Subdivisions (single-family lots or houses)	32	6	2

B. All on-premises real estate signs authorized by subsection 20C.20.230(35)(g), Real Estate Signs, shall be removed when the sale closes or, in the case of a rental or lease, when the tenant takes possession.

2. Open house or directional real estate signs shall be permitted in compliance with the following requirements:

A. No more than one on-premises open house or directional sign shall be allowed for each property.

B. No more than three off-premises open house or directional signs shall be allowed for each property.

C. The area of an open house sign shall not exceed six square feet per sign face and each sign shall have no more than two sign faces.

D. Directional signs shall not exceed one and one-half square feet per sign face and each sign shall have no more than two sign faces. Directional signs, also referred to as arrow signs, are signs that are intended to assist people in finding the location of difficult to locate properties that are for sale, lease, or rent. Directional signs shall only be allowed when the following conditions are met: (i) the property can only be accessed by a private roadway and (ii) any driveway connecting the property to the private roadway does not abut a public roadway. Where the development abuts a public roadway, the directional signs

shall only be placed within the development or in rights-of-way that touch the edge of the development.

E. Time Limits. (i) For properties offered for sale, rent or lease, open house and directional signs may be used during on-site construction and for 31 calendar days after all occupancy permits have been issued.

(ii) For properties offered for sale, rent or lease after the initial period provided for subsection 20C.20.230(35)(g)(2)(C)(i) (Time Limits), open house and directional signs shall only be allowed when a seller, agent, or a person giving information on leasing or renting the property is present on the property.

(iii) For properties offered for rent or lease after the initial period provided for subsection 20C.20.230(35)(g)(2)(C)(i) (Time Limits), open house and off-site directional signs may be used for no more than three calendar days in any month.

F. Open house or directional signs may be located within public rights of way where consistent with parts A and B of this subsection. The signs shall not be located within vehicle lanes, bikeways, trails, sidewalks, or median strips. Open house or directional signs shall comply with Section 20C.20.220(15) that prohibits obstruction of sight distance triangles. Open house or directional signs shall not block driveways or be affixed to utility poles, trees, or traffic signs.

G. The use of balloons, festoons, flags, pennants or any other attached display on a real estate sign is prohibited.

H. Developments that consist of multi-family housing units offered for rent or lease shall be considered one property.

Section 3. Section 20C.20.230(35)(j) of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended by deleting the struck through material and adding the underlined material so that the section reads as follows:

(j) **Temporary Uses and Secondary Uses of Schools, Churches, or Community Buildings** - Temporary signs relating directly to allowed temporary uses under these regulations and secondary uses of schools, churches, or community buildings may be permitted for a period not to exceed the operation of the use. The signs need not be processed through the Design Review Board and are subject to the following requirements:

- Signs must be portable in nature.
- No more than one on-premises sign and one off-premises sign shall be permitted per temporary use, except by virtue of having been in consistent operation prior to the existence of this ordinance, and due to the fact numerous individual operators participate in the operation, the open air crafts and farmer's market, commonly known as the Saturday Market, shall be allowed two on-premises signs in addition to one off-premises sign.
- No sign shall exceed 32 square feet total of all sign faces. Sandwich board signs, or "A" board signs, shall not exceed 12 square feet in total sign area.
- Maximum sign height shall be eight (8) feet.
- Signs shall not be portable readerboard types, electrical or neon. Only indirect lighting is allowed.
- Sandwich board or "A" board signs may be used in compliance with this subsection, *Temporary Uses and Secondary Uses of Schools, Churches, or Community Buildings*, provided they are used only during the days the temporary or secondary use occurs and are removed after the use ceases for each day.
- Signs shall be secured with an approved tie down.
- Signs shall be approved by the Planning Director before they are used. If a temporary use permit is required, this review shall take place as part of the temporary use application decision.

Section 4. Section 20C.20.230(40) of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended by deleting the struck through material so that the section reads as follows:

20.230(40) General Sign Requirements -

(a) **Street Address Identification** - Each residence, building, business or complex of buildings shall display and maintain on-premise street address number identification. The number or letters shall be visible from the street and be at least four (4) but not greater than twelve (12) inches high and of a color contrasting with the background upon which placed. Address verification signs of less than four (4) square feet are exempt from the provisions of paragraph (30) of this section.

(b) **Directional Signs** - Directional signs may be located to guide or direct pedestrian or vehicular traffic to parking entrances, exits, service areas, and business locations and may not exceed six (6) square feet in area. Such signs are exempt from paragraph (30) of this section if they do not contain a commercial message or the name of establishment.

(c) **Parking Area Signs** - Where parking is separated from the business served, one off-premise sign is permitted for identification. Signs shall not exceed twelve (12) square feet in area and are exempt from paragraph (30) of this section if there is no commercial message.

(d) **Changing Message Signs** - Changing message signs such as the movement of the hands of a clock or digital changes indicating time, date and temperature or other message are permitted.

(e) **Lighting Restrictions** - No person shall construct, establish, create, maintain any stationary exterior lighting or illumination system or any interior system which is intended to be viewed from a public street, highway or other public thoroughfare used for vehicular traffic when such system contains or utilizes: any exposed incandescent lamp with a wattage in excess of 25 watts unless a dimmer or sun screen is attached; any exposed incandescent lamp with an internal metallic reflector; any exposed incandescent lamp with an external reflector; any revolving beacon light; any continuous or sequential flashing operation in which more than one-third of the lights are turned off at one time and/or which uses light of more than 25 watts; or any strobe light. These provisions shall not apply to: lighting systems owned or controlled by any public agency for the purpose of directing or controlling navigation, traffic, highway or street illumination; electronic information systems which display the time of day and/or the atmosphere temperature or programmable electronic messages of a public service or commercial nature; or temporary lighting used for repair or construction as required by governmental agencies.

(f) **Permanent Subdivision or Neighborhood Identification Signs** - Permanent signs including those for short subdivisions, may be

placed at the major entrances to the subdivision or neighborhood on arterial and collector streets. The signs shall be located outside the right-of-way, and be no more than ten (10) feet in height or length, and not exceed sixty (60) square feet per face or one hundred twenty (120) square feet in total area of all sign faces.

(g) **Permanent Windows Signs** - Permanent window signs shall be treated as wall signs. Windows decals and emblems shall not exceed a total of five (5) square feet in area per business premise and are exempt from paragraph (30) of this section.

(h) **Incidental Signs** - Incidental signs are small signs of a non-commercial nature without advertising intended primarily for the convenience of the public and have a maximum area of two (2) square feet. Included are signs designating restrooms, hours of operations, entrances and exits to buildings and parking lots, help wanted, public telephones, etc. Also included are property control and warning signs such as "no trespassing," "no dumping," etc., and plaques, tablets or inscriptions which are an integral part of a building or are attached flat to the face of a building, walkway or street.

(i) **Fuel Price Signs** - Fuel price signs must be permanently anchored to the ground or attached to a canopy or its supports. Sign area shall not exceed twelve (12) square feet, and not more than one such sign per street frontage is permitted. These signs are exempt from paragraph (30) of this section.

(j) **Readerboards** - Readerboards are signs in which the sign copy or content can be readily and frequently changed. Readerboards are permitted subject to the size and location requirements of this section.

(k) **Certain Public Facility Signs** - The following signs and displays are exempt from the requirements of this section: traffic and pedestrian signs and signals, signs required by law, street and governmental directional signs, official public notices, and governmental flags. Signs of governmental agencies and facilities including the City shall otherwise comply with the requirements of this section.

(l) **Sight Clearance** - The requirements of Section 20C.20.220, "Sight Clearance at Intersections," shall be complied with.

(m) **Sign Maintenance** - Signs shall be maintained in a state of good repair. Those signs found to be deteriorated or unsafe shall be

repaired or removed by the owner within five (5) days after receiving notice from the City. The premises surrounding a freestanding sign shall be free of litter, and any landscaped area shall be maintained.

(n) **Wall Mounted Signs** - Wall mounted signs shall not extend above the height of the facade or wall to which attached. Wall sign area shall include each face of all signs.

(o) **Rooftop Signs** - Rooftop signs are permitted if attached to the building in such a manner that from all angles of view they appear to be part of the basic shape of the building and shall not exceed the height of the building. (Rooftop signs that are projecting signs are not permitted.) Rooftop signs shall not be painted on the roofing material.

(p) **Projecting Signs and Marquees** - Projecting signs and marquees may not extend more than five (5) feet from a building facade and shall have a minimum clearance of eight (8) feet above sidewalks. Projecting signs and marquees shall not extend into a public right-of-way without the approval of the Technical Committee. Projecting signs shall have no visible angle irons, wire, bracing, or standard support structure except those that are an integral part of the overall design such as decorative metals or wood. The area of a projecting sign shall be the area of the maximum number of sign faces visible from any single viewpoint. Under marquee signs shall be considered projecting signs.

(q) **Freestanding Signs** - Freestanding signs shall be of a style, material and design compatible with the associated building. All sign and support elements are to be integrated into a single design. Auxiliary projections or attachments not a part of that design shall not be erected without a building permit. Freestanding signs shall not be oriented toward an expressway and then shall not extend into a public right-of-way. The area of a freestanding sign shall be the area of the maximum number of faces visible from any single viewpoint.

(r) **Multiple Building Complexes and Multiple Tenant Buildings** - Each multiple building complex is permitted one freestanding sign on each street on which it adjoins and has access. However, the Technical Committee may permit one additional sign per street frontage when the respective frontage is at least 300 feet. Individual businesses and buildings in such a complex are not permitted freestanding signs. Each multiple tenant building, unless it is a part of a multiple building complex, is permitted one freestanding sign on each street on which it adjoins and has access. Individual businesses in such a building are not permitted

freestanding signs. Signs shall be based on a uniform sign concept approved by the Design Review Board that shall be known as the "Approved Sign Program." All subsequent tenant signs must conform to the approved program in addition to sign review criteria defined in Section 20C.30.020(45), unless a modification from the program has been requested by the property owners.

(s) Marquee and Canopy Signs - Marquee and canopy signs shall be considered wall signs for the purpose of determining sign area.

(t) Service Organization Signs - Service, fraternal, and similar organizations located in the City may erect signs at City entrances only as follows: there shall be one standard no higher than ten (10) feet that shall carry all of the signs for the subject organizations; there shall be no more than one (1) standard per entrance; each organization sign, symbol, or emblem shall not exceed two (2) square feet in sign area.

Section 5. Section 20C.20.230(50) of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended by deleting the struck through material so that the section reads as follows:

20.230(50) Prohibited Signs - The following signs are prohibited:

(a) Animated Signs - No sign shall be animated, revolve or rotate either mechanically or by illumination except the movement of the hands of a clock, digital changers and barber poles.

(b) Off-Premise Signs - Off-premise signs are not permitted within the City of Redmond unless exceptions are specifically made elsewhere in this section. Included within this prohibition are billboards, poster boards and other advertising for products or businesses not located on the site of the business or place of sale.

(c) Portable Signs - All portable signs except real estate signs and other portable signs specifically allowed by Section 20C.20.230, Signs and Street Graphics, are prohibited. This prohibition includes, but is not limited to, portable readerboards, signs on trailers, sandwich boards, except as allowed by Section 20C.20.230(35)(j) (Signs and Street Graphics: Temporary Uses), and sidewalk signs.

(d) Signs on Utility Poles - Signs on utility, street light and traffic control standards or poles are prohibited, except for those of the utility or government.

(e) Signs not Meeting the Requirements of this Section or that are Legal Nonconformances - The following signs are unlawful and prohibited: signs that do not comply with the conditions of their permits; signs erected, altered or relocated without a permit and not in compliance with this section; signs which were lawful under prior sign codes, but which have been altered or relocated so that the sign is not in compliance with this section; and signs that identify and advertise activities, products, businesses, or services which have been discontinued, terminated or closed for more than sixty (60) days on the premises upon which the signs are located.

(f) Signs within Rights-of-Way - Signs within public rights-of-way may be permitted upon approval by the Director of Public Works.

(g) Streamers and Pennants - Displays of banners, festoons flags, posters, pennants, ribbons, streamers, strings of lights, chasing strobe or scintillating lights, flares, balloons, bubble machines, and similar devices are prohibited, except on a limited basis as seasonal or festival decorations or for grand openings or anniversaries of establishments.

(h) Traffic-like Signs - Signs which by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with a traffic control sign, signal, or device, or the light of an emergency vehicle, or which obstruct the visibility of any traffic or street sign or signal are prohibited.

(i) Obscene Signs - Signs which bear or contain statements, words or pictures which are obscene under the prevailing statutes or U.S. Supreme Court decisional law are prohibited.

Section 6. A new subsection is hereby added to Section 20C.20.230 of the Redmond Municipal Code and Redmond Community Development Guide to reads as follows:

20.230(60) Removal and Disposal of Illegal Signs.

(a) Any sign on public property or within a public right-of-way or easement, including utility poles within a public right-of-way or easement, that violates the Redmond Community Development Guide or Redmond Municipal Code may be removed by the city without notice.

(b) If the advertiser can be determined, the city shall store the illegal sign for thirty calendar days after the day the sign was removed and notify the advertiser that the city is storing the sign and the time and location where the sign can be retrieved. The advertiser may retrieve the sign during any working days within this thirty-day period.

(c) To reimburse the city for the costs of removing and storing the sign, an advertiser retrieving a sign shall pay the city a \$50 fee for each sign removed to compensate the city for its costs. This fee is a reimbursement of city costs and shall not be considered a penalty. This fee shall be paid in addition to any penalty levied.

(d) If the city's determination that the sign is illegal is appealed and the decision-maker determines the sign is not illegal, the advertiser shall not have to pay the fee. If the fee has been paid, the city shall reimburse the advertiser. Any appeals of the city's determination that the sign is illegal shall not stay the requirement to comply with the Redmond Community Development Guide or Redmond Municipal Code.

(e) If the advertiser cannot be determined or the sign is not picked-up by the advertiser within the time period set by Section 20C.20.230(60)(b) (Removal and Disposal of Illegal Signs), the city shall dispose of the sign. The removal and disposal of signs is an enforcement mechanism and is not a penalty. The placement of illegal signs may be subject to the penalties provided for in Redmond Municipal Code Chapter 1.14. in addition to the removal and disposal of illegal signs.

(f) The city and its officers, employees, or contractors shall not be responsible for any lost or damaged signs located on public property, public rights-of-way, or public easements while on the property, right-of-way or easement, or in city custody.

Section 7. A new subsection is hereby added to Section 20C.20.230 of the Redmond Municipal Code and Redmond Community Development Guide to reads as follows:

20.230(70) Amortization of Sandwich Board Signs.

(a) Any sandwich board sign which was legally established and in use during the week in which the effective date of this ordinance falls may continue to be used for six months from the effective date of this ordinance provided that the sandwich board sign is in compliance with all regulations in effect when the sign was legally established.

(b) After the amortization period in Section 20C.20.230(70)(a), Amortization of Sandwich Board Signs, has ended, sandwich board signs legally established or used before the effective date of this ordinance shall be prohibited uses and structures and their use shall cease.

(c) Other than as provided in Section 20C.20.230(70)(a), Amortization of Sandwich Board Signs, sandwich board signs shall not be legal nonconforming uses or structures.

(d) Sandwich board signs shall be defined as signs used for advertising and constructed of two boards or other flat surfaces hinged or otherwise connected at one end.

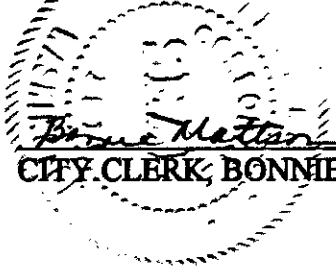
Section 8. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 9. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND


MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:



Bonnie Mattson

CITY CLERK, BONNIE MATTSO

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: _____

FILED WITH THE CITY CLERK:	May 30, 1997
PASSED BY THE CITY COUNCIL:	June 17, 1997
SIGNED BY THE MAYOR:	
PUBLISHED:	June 21, 1997
EFFECTIVE DATE:	June 26, 1997
ORDINANCE NO.: <u>1942</u>	