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ORDINANCE NO. 3461

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF THE EDMONDS COMMUNITY DEVELOPMENT CODE TO REPEAL AND RE-ENACT CHAPTER 20.10 ARCHITECTURAL DESIGN REVIEW IN ORDER TO ADDRESS ISSUES RELATED TO REVIEW OF SIGNS; REPEALING AND RE-ENACTING CHAPTER 10.60 SIGN CODE; AMENDING CHAPTER 19.45 RELATING TO ADOPTION OF THE UNIFORM SIGN CODE TO ADD A NEW SECTION 19.45.015 RELATING TO EXEMPTIONS; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the Planning Board has recommended certain changes to the substantive provisions of the Sign Code, as well as the processes which the City uses to review and approve signage, including amendments to the Architectural Design Review Process; and

WHEREAS, the City Council has held numerous hearings on the subject, and after considering the testimony provided at those public hearings, as well as the recommendations of its staff and the Planning Board, deems it to be in the public interest to enact changes to the Architectural Design Review process as it relates to signs, to amend the sign code, and to make certain amendments to the Uniform Sign Code, NOW, THEREFORE,

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

Section 1. Chapter 20.10 related to the Architectural Design Review Process is

hereby repealed and re-enacted in the following format:

Chapter 20.10
ARCHITECTURAL DESIGN REVIEW

Sections:

- | | |
|------------------|------------------------------------------------------------|
| 20.10.000 | Purposes. |
| 20.10.010 | Scope. |
| 20.10.020 | Approval required. |
| 20.10.040 | Optional pre-application. |
| 20.10.045 | Augmented architectural design review applications. |
| 20.10.050 | Review procedure. |
| 20.10.060 | Findings. |
| 20.10.070 | Criteria. |
| 20.10.075 | Application of criteria - Examples. |
| 20.10.080 | Appeals. |
| 20.10.090 | Lapse of approval. |

20.10.000 Purposes.

In addition to the general purposes of the comprehensive plan and the zoning ordinance, this chapter is included in the community development code for the following purposes:

- A. To encourage the realization and conservation of a desirable and aesthetic environment in the city of Edmonds;

- B. To encourage and promote development which features amenities and excellence in the form of variations of siting, types of structures and adaptation to and conservation of topography and other natural features;

- C. To encourage creative approaches to the use of land and related physical developments;

- D. To encourage the enhancement and preservation of land or building of unique or outstanding scenic or historical significance;

- E. To minimize incompatible and unsightly surroundings and visual blight which prevent orderly community development and reduce community property values.

20.10.010 Scope.

This chapter applies to all development, except for permitted primary and secondary uses in RS-Single-Family Residential districts and duplexes in RM-Multiple Residential districts. Development means any improvement to real property open to exterior view, including but not limited to buildings, structures, fixtures, landscaping, site screening, signs, parking lots, lighting, pedestrian facilities, street furniture, use of open areas (including parks, junk yards, riding academies, kennels and recreational facilities), mobile home and trailer parks, whether all or any are publicly or privately sponsored. Development does not include underground utilities.

20.10.020 Approval required.

A. Development. No person shall start any development, or substantially change any development, until the architectural design board (ADB) or the hearing examiner has approved the proposed development or change, except where this code expressly delegates such approval to the staff. Unless staff determines that the project creates a significant change in the design characteristics of the development, the following development projects are exempt from ADB and hearing examiner review and subject to approval of staff using the criteria of this chapter:

1. Remodels of buildings that do not result in a changing of the building footprint and that involve materials, forms and repetition of elements consistent with the existing building design.
2. Re-striping and other minor changes to parking lots that do not result in changes to landscaping, a reconfiguration of the lot or the creation of five or more new parking spaces.
3. Fences that do not require a separate development permit.
4. Signs that meet all of the standards contained ECDC 20.60.

B. Permits. No city permit or approval shall be issued for any development until the ADB or the hearing examiner has approved the proposed development, except where this code expressly delegates such approval to the staff.

20.10.040 Optional pre-application.

The applicant may submit the plans required in ECDC 20.95.010 in preliminary or sketch form, so that the comments and advice of

the architectural design board may be incorporated into the final plans submitted for application.

20.10.045 Augmented architectural design review applications.

At the option of the applicant, an augmented ADB application to vest rights under the provisions of ECDC 19.00.120 may be submitted. Such applications may not be submitted in conjunction with the concept review provided for by ECDC 20.10.040. The application shall be processed in all respects as a regular application for review but vesting rights shall be determined under the provisions of ECDC 19.00.120. The architectural design board shall not be required to, and shall not, consider the application of vesting rights or the interpretation of ECDC 19.00.120 and any appeal with respect thereto shall be taken only as provided in that section.

20.10.050 Review procedure.

A. Review. The staff shall review the application as provided in ECDC 20.95.030, and the director of community services shall schedule the item for a meeting of the ADB. The role of the ADB shall be dependent upon the nature of the application as follows:

1. The ADB shall conduct a public hearing for the following types of applications:

a. Applications that are not subject to project consolidation as required by ECDC 20.90.010(B)(2).

b. Applications that are subject to project consolidation as required by ECDC 20.90.010(B)(2) but in which the ADB serves as the sole decision-making authority.

c. Applications that are subject to project consolidation as required by ECDC 20.90.010(B)(2) but in which all decision-making authority is exercised both by staff pursuant to Chapters 20.10 and 20.12 ECDC and by the ADB. The ADB shall act in the place of the staff for these types of applications.

2. The ADB shall review a proposed development at a public meeting and make a recommendation to the hearing examiner to approve, conditionally approve, or deny the proposal for projects subject to project consolidation as required by ECDC 20.90.010(B)(2) that are not subject to a public hearing by the

ADB as required by ECDC 20.10.050(1). The hearing examiner shall subsequently hold a public hearing on the proposal.

3. The ADB under ECDC 20.10.050(1) and the hearing examiner under ECDC 20.10.050(2) shall approve, conditionally approve, or deny the proposal. The ADB or hearing examiner may continue its public hearing on the proposal to allow changes to the proposal, or to obtain information needed to properly review the proposal. See ECC 3.13.090 regarding exemptions from review required by this chapter.

4. Notwithstanding the requirements of this section to the contrary, the action of the ADB under ECDC 20.10.050(1) and the hearing examiner under ECDC 20.10.050(2) on a development in which the city serves as the applicant shall be a recommendation to the city council.

B. Notice. Public notice by mail, posting or newspaper publication shall only be required for applications that are subject to environmental review under Chapter 43.21C RCW, , in which case notice of the hearing shall be provided in accordance with Chapter 20.91 ECDC.

C. Bond. The ADB may require that a bond be posted under Chapter 17.10 ECDC to ensure the satisfactory installation of site improvements.

20.10.060 Findings.

The board shall make the following findings before approving the proposed development:

A. Comprehensive Plan. That the proposal is consistent with the comprehensive plan and other adopted city policies.

B. Zoning Ordinance. That the staff has found that the proposal meets the requirements of the zoning ordinance, or the city has approved a variance or a modification under the zoning ordinance.

C. Criteria. That the proposal as approved or conditionally approved satisfies the criteria and purposes of this chapter.

20.10.070 Criteria.

A. Building Design. No one architectural style is required. The building shall be designed to comply with the purposes of this chapter and to avoid conflict with the existing and planned character of the nearby area. All elements of building design shall form an integrated development, harmonious in scale, line and mass. The following are included as elements of building design:

1. All exterior building components, including windows, doors, eaves, and parapets;
2. Colors, which should avoid excessive brilliance or brightness except where that would enhance the character of the area;
3. Mechanical equipment or other utility hardware on the roof, grounds or buildings should be screened from view;
4. Long, massive, unbroken or monotonous buildings shall be avoided in order to comply with the purposes of this chapter to allow light and air to occupants of the development and to provide space for landscaping and recreational facilities;
5. All signs should conform to the general design theme of the development;
6. Size and height of buildings should be compatible with the character and existing views of the surrounding area.

B. Site Treatment. The existing character of the site and the nearby area should be the starting point for the design of the building and all site treatment. The following are elements of site treatment:

1. Grading, vegetation removal and other changes to the site shall be minimized where natural beauty exists. Large cut and fill and impervious surfaces should be avoided.
2. Landscape treatment should be provided to enhance the building design and other site improvements.
3. Landscape treatment should be provided to buffer the development from surrounding property where conflict may result,

such as parking facilities near yard spaces, streets or residential units, and different building heights, design or color.

4. Landscaping that could be damaged by pedestrians or vehicles should be protected by curbing or similar devices.

5. Service yards, and other areas where trash or litter may accumulate, should be screened with planting or fences or walls which are compatible with natural materials.

6. All screening should be effective in the winter as well as the summer.

7. Materials such as wood, brick, stone and gravel (as opposed to asphalt or concrete) may be substituted for planting in areas unsuitable for plant growth.

8. Exterior lighting should be the minimum necessary for safety and security. Excessive brightness should be avoided. All lighting should be low-rise and directed downward onto the site. Lighting standards and patterns should be compatible with the overall design theme.

C. Other Criteria.

1. Community facilities and public or quasi-public improvements should not conflict with the existing and planned character of the nearby area.

2. Street furniture (including but not limited to benches, light standards, utility poles, newspaper stands, bus shelters, planters, traffic signs and signals, guardrails, rockeries, walls, mail boxes, fire hydrants and garbage cans) should be compatible with the existing and planned character of the nearby area.

3. Buildings taller than two stories shall be reviewed to determine the extent to which they will block views from surrounding property. Substantial view blockage should be avoided by alternative roof designs or location or imposition of special height limits.

20.10.075 Application of criteria – Examples.

Examples of the successful application of the design criteria contained in ECDC 20.10.070 and/or of the requirements of the comprehensive plan are incorporated in a Building Design and

Treatment Criteria Interim Guide (Interim Guide) adopted by this reference and incorporated in the provisions of the Edmonds Community Development Code and Chapter 20.10 ECDC as fully as if herein set forth. Copies of the Interim Guide are available for review or purchase from the planning department of the city of Edmonds. The Interim Guide contains photographs of various residential and commercial structures erected in the city of Edmonds which comply with the design criteria set forth in the preceding section and the city's comprehensive plan.

20.10.080 Appeals.

A. All design review decisions of the hearing examiner are appealable to the city council as provided in ECDC 20.105.040(B) through (E).

B. All design review decisions of the ADB are appealable to the city council as provided in ECDC 20.105.040(B) through (E) except that all references to the hearing examiner in ECDC 20.105.040(B) through (E) shall be construed as references to the ADB.

C. Persons entitled to appeal are (1) the applicant; (2) anyone who has submitted a written document to the city of Edmonds concerning the application prior to or at the hearing identified in ECDC 20.10.050; or (3) anyone testifying on the application at the hearing identified in ECDC 20.10.050.

20.10.090 Lapse of approval.

A. Time Limit. Unless the owner submits a fully completed building permit application necessary to bring about the approved alterations, or if no building permit application is required, substantially commences the use allowed within 18 months from the date of approval, ADB or hearing examiner approval shall expire and be null and void, unless the owner files a fully completed application for an extension of time prior to the expiration date. For the purposes of this section the date of approval shall be the date on which the ADB's or hearing examiner's minutes or other method of conveying the final written decision of the ADB or hearing examiner as adopted are mailed to the applicant. In the event of appeal, the date of approval shall be the date on which a final decision is entered by the city council or court of competent jurisdiction.

B. Time Extension.

1. Application. The applicant may apply for a one time extension of up to one (1) year by submitting a letter, prior to the date that approval lapses, to the planning division along with any other supplemental documentation which the planning manager may require, which demonstrates that he/she is making substantial progress relative to the conditions adopted by the ADB or hearing examiner and that circumstances are beyond his/her control preventing timely compliance. In the event of an appeal, the one (1) year extension shall commence from the date a final decision is entered in favor of such extension.

2. Fee. The applicant shall include with the letter of request such fee as is established by ordinance. No application shall be complete unless accompanied by the required fee.

3. Review of Extension Application. An application for an extension shall be reviewed by the planning official as provided in ECDC 20.95.050 (Staff Decision – Notice Required).

Section 2. The Edmonds Community Development Code is hereby amended by

the repeal and re-enactment of Chapter 20.60 Sign Code to read as follows:

**Chapter 20.60
SIGN CODE**

- Sections:**
- 20.60.000 Purpose.**
 - 20.60.005 Definitions.**
 - 20.60.010 Design review required.**
 - 20.60.015 Design review procedures.**
 - 20.60.020 General regulations for permanent signs.**
 - 20.60.025 Total maximum permanent sign area.**
 - 20.60.030 Wall signs – Maximum area and height.**
 - 20.60.035 Window signs – Maximum area.**
 - 20.60.040 Projecting signs – Maximum area and height restrictions.**
 - 20.60.045 Freestanding signs – Regulations.**
 - 20.60.050 Wall graphic and identification structures.**
 - 20.60.060 Campaign signs.**
 - 20.60.065 Real estate signs.**
 - 20.60.080 Temporary signs.**
 - 20.60.090 Prohibited signs.**
 - 20.60.095 Exempt signs.**
 - 20.60.100 Administration.**

20.60.000 Purpose.

The purpose of this chapter is to enact regulatory measures to implement those goals and policies stated in the Edmonds Comprehensive Policy Plan and to achieve the following objectives.

1. Protect the public right-of-way from obstructions which would impair the public's use of their right-of-way.
2. Minimize the hazard to the public represented by distractions to drivers from moving, blinking, or other similar forms of signage or visual clutter.
3. Provide for distinct signage for each distinct property.
4. Encourage the use of graphics/symbols to reduce the visual clutter associated with overly large letters or extensive use of lettering.
5. Minimize potential for view blockage and visual clutter along public rights-of-way.

20.60.005 Definitions.

For the purposes of the enforcement of this chapter, the following definitions shall apply:

“Attached sign” is any sign attached or affixed to a building. Attached signs include wall signs, projecting signs, and window signs.

“Boxed Cabinet sign” is a permanent sign that is mounted on the face of a building that is roughly rectangular in shape and provides for internal illumination and changing the message of the sign by replacing a single transparent or translucent material such as a Plexiglas / lexan face. This definition is meant to distinguish between a cabinet sign that is essentially a rectangular box and one that follows the outlines of the letters of the sign or an “Outline Cabinet sign”.

“Building ID/Historic sign” is a permanent sign that identifies or names a building and assists in creating landmarks in the City. Examples include dates, “1890”, names, “Beeson Building”, or addresses.

“Campaign sign” is a temporary sign displaying a message relating to a candidate, political party, or issue that is registered or certified for an upcoming election.

“Commercial sign” is a sign displayed for the purpose of identifying a commercial use, or advertising a service, product, business or venture that is offered for trade or sale.

“Fixed sign” is any sign attached or affixed to the ground or any structure in such a manner so as to provide for continuous display for an extended or indeterminable period of time. Fixed signs include, but are not limited to freestanding signs and wall signs.

“Freestanding sign” is any sign that is not attached or affixed to a building. Freestanding signs can be further described as “Monument signs” or “Pole signs”.

“Governmental sign” is a sign that is necessary to protect the public health and safety. Governmental signs include traffic signs, directional and informational signs for public health and safety facilities, and warning or hazard signs.

“Group sign” is a sign or signs on one sign structure serving two or more businesses sharing a parking facility.

“Identification structure” is a structure intended to attract the attention of the public to a site, without the use of words or symbols identifying the businesses. Examples include fountains, sculptures, awnings, and totem poles.

“Internally Illuminated Signs” include any sign where light shines through a transparent or semi-transparent sign face to illuminate the signs message. Exposed neon is considered to be a form of internal illumination.

“Marquee sign” is any sign attached or made part of a building marquee. A marquee sign is a form of projecting sign.

“Monument signs” are freestanding signs that have integrated the structural component of the sign into the design of the sign and sign base.

“Noncommercial sign” is a sign that is intended to display a religious, charitable, cultural, governmental, informational, political, educational, or artistic message, that is not primarily associated with a good, product, or service offered for sale or trade. Noncommercial signs include signs advertising incidental and

temporary commercial activities conducted by churches and nonprofit businesses, clubs, groups, associations or organizations.

“Off-premises sign” is any sign that advertises or relates to a good, product, service, event, or meeting, that is offered, sold, traded, provided, or conducted at some location or premises other than that upon which the sign is posted or displayed. Off-premises signs include all signs posted or displayed in the public right-of-way.

“On-premises sign” is any sign that advertises or relates to a good, product, service, event, or meeting that is lawfully permitted to be offered, sold, traded, provided, or conducted at the location or premises upon which the sign is posted or displayed. On-premises signs also include signs not related to any particular location or premises, such as signs displaying religious, charitable, cultural, governmental, informational, political, educational, or artistic messages that are intentionally displayed by the owner of the property or premises upon which the sign is displayed.

“Outline Cabinet sign” is a permanent sign that is mounted on the face of a building that roughly follows the shape of the text of the sign and provides for internal illumination. This definition is meant to distinguish between a cabinet sign that follows the outlines of the letters of the sign and one that is essentially a rectangular box and one or an “Boxed Cabinet sign”. An “Outlined Cabinet sign” will be treated more like an “Individual Letter sign” where the area of the sign is calculated based on the actual outlined shape of the sign.

“Permanent sign” is a fixed or portable sign intended for continuous or intermittent display for periods exceeding 60 days in any calendar year.

“Pole signs” are freestanding signs where the structural support for the sign is a pole(s).

“Portable sign” is any sign that is readily capable of being moved or removed, whether attached or affixed to the ground or any structure, that is typically intended for temporary display. Portable signs include, but are not limited to:

1. Signs designed and constructed with a chassis or support with or without wheels;
2. Menu and “sandwich” board signs;
3. “A” and “T” frame signs;

4. Wooden, metal, or plastic “stake” or “yard” signs;
5. Posters or banners affixed to windows, railings, overhangs, trees, hedges, or other structures or vegetation;
6. Signs mounted upon vehicles parked and visible from the public right-of-way, except signs identifying the related business when the vehicle is being used in the normal day-to-day operation of the business, and except for signs advertising for sale the vehicle upon which the sign is mounted;
7. Searchlights;
8. Inflatables.

“Premises” is the actual physical area of the lot upon which a sign is posted or displayed, except within the boundaries of the BC zone in the downtown activity center, where premises shall include any portion of the public sidewalk that fronts upon the lot.

“Projecting sign” is any sign attached or affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of such building or wall.

“Reader Board sign” is a sign that is designed to allow for a change in the message, either by adding or removing plastic letters, or by means of electronics and lights.

“Real estate sign” is a sign displaying a message relating to the sale or rent of real property.

“Sign” is any structure, device or fixture that is visible from a public place, that incorporates graphics, symbols, or written copy for the purposes of conveying a particular message to public observers, including wall graphics or identification structures.

“Sign area” is the maximum actual area of a sign that is visible from any single point of observation from any public vantage point. Supporting structures which are part of a sign display shall be included in the calculation of the sign area.

“Temporary sign” is an allowed portable sign intended for short-term display, not to exceed 60 calendar days in any calendar year.

“Wall graphic” is a wall sign in which color and form, and without the use of words, is a part of the overall design on the building(s) in which the business is located. A wall graphic may be painted or applied (not to exceed one-half inch in thickness) to a building as a

part of its overall color and design, but may not be internally lighted. Internally lighted assemblies, including those which project from the wall of the structure, or which are located on any accessory structure on the site, shall be considered wall signs and comply with the requirements of this chapter.

“Wall sign” is a sign that is attached or affixed to a wall and that is parallel to and not projecting more than 12 inches at any angle from such wall. Wall signs include signs that are painted directly upon a wall.

“Window sign” is a sign that is attached or affixed to a window, or a sign displayed within 24 inches of the inside of a window in such a manner as to be visible from any public place.

20.60.010 Design review required.

A. Except as provided in subsection B of this section, no permanent sign may be constructed, installed, posted, displayed or modified without first obtaining design approval for the proposed sign’s size, design, location, and display as provided for in this chapter.

B. Design approval is not required for the posting of permanent signs in residential zones; provided, that the restrictions and standards of this chapter are met. If additional signage is requested for conditional or nonconforming uses in residential zones, the property owner shall apply for design review. Design review is not required for any sign which does not require a building permit.

C. A sign modification shall include, but is not limited to: relocations, modifications to size, design, height or color scheme, or the replacement of 25 percent or more of the structural material in the sign area. Normal and ordinary maintenance and repair, and changes to the graphics, symbols, or copy of a sign, without affecting the size, structural design, height, or color scheme, shall not constitute modifications for purposes of this section.

20.60.015 Design review procedures.

A. Staff Approval. Except as referred to the architectural design board pursuant to subsections (A)(1) of this section, and except as provided in subsection B of this section, the planning manager, or designee, shall review all applications for design review under this chapter, and shall approve, conditionally approve or deny the application in accordance with the policies of ECDC 20.10.000, the criteria set forth in ECDC 20.10.070, and the

standards and requirements of this chapter. The decision of the planning manager on any sign permit application may be appealed to the hearing examiner pursuant to the procedure established in Chapter 20.105 ECDC for appeal of staff decisions.

1. The planning manager or designee may refer design review applications to the architectural design board for the types of signs listed below, where the planning manager determines that the proposed sign has the potential for significant adverse impacts on community aesthetics or traffic safety.

a. Any sign application for an identification structure as defined by this chapter;

b. Any sign application for a wall graphic as defined by this chapter;

c. Any proposed sign that the planning manager determines to be obtrusive, garish or otherwise not consistent with the architectural features of the surrounding neighborhood.

B. Review by Architectural Design Board. The architectural design board shall review those signs listed below and any sign permit referred by the planning manager pursuant to subsection (A)(1) of this section. The architectural design board shall approve, conditionally approve or deny such sign permit applications in accordance with the policies of ECDC 20.10.000, the criteria set forth in ECDC 20.10.070, and the standards and requirements of this chapter. The decision of the architectural design board on any sign permit application may be appealed to the city council pursuant to the procedure established in ECDC 20.10.080 for appeal of architectural design board decisions.

1. Any sign permit application that requests a modification to any of the standards prescribed by this chapter. The ADB shall only approve modification requests that meet all of the following criteria:

a. The request is for signage on a site that has a unique configuration, such as frontage on more than two streets or has an unusual geometric shape;

b. The subject property, building, or business has site conditions that do not afford it the opportunity to provide signage consistent with or similar to other properties in the vicinity;

c. The design of the proposed signage must be compatible in its use of materials, colors, design and proportions with development throughout the site;

d. In no event shall the modification result in signage which exceeds the maximum normally allowed by more than 50%.

C. Notwithstanding the provisions of subsections A and B of this section, sign permit applications shall not be referred to or reviewed by the architectural design board if the proposed sign constitutes a modification to an existing sign and involves no significant alteration or modification to the size, height, design, lighting or color of the existing sign. Sign permit applications for such sign modifications shall be processed and subject to review in the same manner as provided in for staff review in subsection A of this section.

20.60.020 General regulations for permanent signs.

A. When located on a wall or mansard roof, no sign may extend above the highest point of the wall or roof, or above the eave or drip line of a pitched roof on which it is located. A sign may not be attached above the eave or drip line on a pitched roof.

B. No sign or any part of a sign may be designed or constructed to be moving by any means and shall not contain items such as banners, ribbons, streamers and spinners. Signs with type that is movable to change the message (reader boards) are allowed.

C. No signs shall extend into or over a public right-of-way unless an encroachment permit has been approved (see Chapter 18.70 ECDC).

D. Exposed braces and angle irons are prohibited. Guywires are prohibited unless there are no other practical means of supporting the sign.

E. No sign shall have blinking, flashing, fluttering or moving lights or other illuminating device which has a changing light density or color; provided, however, temperature and/or time signs that conform in all other respects to this chapter are allowed. Electronic Reader Boards may have messages that change, however, moving messages are not allowed. Messages that change at intervals less than 20 seconds will be considered blinking or flashing and not allowed.

F. No light source which exceeds 20 watts shall be directly exposed to any public street or adjacent property.

G. No illumination source of fluorescent light shall exceed 425 milliamps or be spaced closer than eight inches on center.

H. No commercial sign shall be illuminated after 11:00 p.m. unless the commercial enterprise is open for business and then may remain on only as long as the enterprise is open.

I. No window signs above the first floor shall be illuminated.

J. Sign height shall be determined as follows:

1. For attached signs, sign height is the vertical distance from the highest point on the sign to the finished grade.

2. For freestanding signs, sign height is the vertical distance from the highest point of the sign area or its support to the average elevation of undisturbed soil at the base of the supports.

K. Portable signs may not be used as permanent signage; only fixed signs are permitted. .

L. The following matrix summarizes the types of signs permitted in each Neighborhood/District within the city.

Sign Type	Downto wn ¹	SR- 99 ²	Westgate / SR-104 ³	Neighborhood Commercial (BN zones)	Business uses in RM zones
Wall-mounted	P	P	P	P	P
Monument	C	P	P	C	C
Pole	N	P	N	N	N
Projecting	P	P	P	P	P
Internal Illumination	C	P	P	C	N
Reader Boards	C	C	C	C	C
Individual Letters	P	P	P	P	P
Boxed Cabinet	N	P	C	C	N
Building ID	P	P	P	P	P
Sandwich Boards	P	N	N	N	N
Wall Graphics	C	C	C	C	C

¹ “Downtown” includes all properties within the Downtown Activity Center defined in the Comprehensive Plan.

² “SR-99” includes all properties within the Medical-Highway 99 Activity Center and the Highway 99 Corridor defined in the Comprehensive Plan.

³ “Westgate / SR-104” includes all properties within the Westgate Corridor, the Edmonds Way Corridor, and within the Westgate Community Commercial area, as defined in the Comprehensive Plan.

Note: In the above table, P=Permitted; N=Not permitted; C=Conditionally permitted through design review if consistent with the standards itemized below, ECDC 20.60.020.M..

M. The following standards clarify how some signs identified as “conditionally permitted” must be installed to be permitted in the City of Edmonds.

1. Monument signs over six feet in height must be reviewed to ensure that the materials, colors, design and proportions proposed are consistent with those used throughout the site.
2. Internally illuminated signs in the Downtown area and Neighborhood Commercial areas may only light the letters. The back ground of a sign face may not be illuminated.
3. Internally illuminated signs in the Downtown area and the Neighborhood Commercial areas must be mounted on the wall of the building. They may not be mounted on or under an attached awning.
4. Internally illuminated signs that use exposed neon may only be located in the interior of buildings in the Downtown area and the Neighborhood Commercial areas.
5. Internally illuminated signs in the Downtown area shall not be permitted to be higher than 14 feet in height.
6. Reader Board messages are limited to alphanumeric messages only.
7. Reader Boards are only permitted for Public Uses or places of Public Assembly.
8. The background color of a boxed cabinet sign face must be coordinated with and compliment the colors used on the building.
9. The background color of a boxed cabinet sign face must be opaque and not allow any internal illumination to shine through.

20.60.025 Total maximum permanent sign area.

A. Business and Commercial Zone Districts (BN, BC, CW, CG).

1. The maximum total permanent sign area for allowed or permitted uses in the BN, BC, and CW zones, shall be one square foot of sign area for each lineal foot of the wall containing the main public entrance to the primary building or structure located upon a separate legal lot.

2. The maximum total permanent sign area for allowed or permitted uses in the CG zone shall be one square foot of sign area for each lineal foot of building frontage along a public street and/or along a side of the building containing the primary public entrance to a maximum of 200 square feet. The allowable sign area shall be computed separately for each qualifying building frontage, and only the sign area derived from that frontage may be oriented along that frontage. Sign areas for wall-mounted signs may not be accumulated to yield a total allowable sign area greater than that permitted upon such frontage, except that businesses choosing not to erect a freestanding sign may use up to 50 percent of their allowable freestanding sign area for additional attached sign area. Use of the additional area shall be subject to the review of the architectural design board.

3. The maximum total permanent sign area may be divided between wall, projecting, and freestanding signs, in accordance with regulations and maximum sign area and height for each type of sign, as provided in ECDC 20.60.030 through 20.60.050. Window signs meeting the requirements of ECDC 20.60.035 do not count against the total permanent sign area permitted.

4. The maximum number of permitted permanent signs is three per site, or one per physically enclosed business space on commercial sites with multiple business tenants, whichever is greater. The total sign area of all signs permitted on-site must also comply with the maximum total permanent sign area specified in this chapter.

B. Residential Zone Districts (RS, RM).

1. The maximum allowable signage area for individual residential lots shall be four square feet per street frontage, except as provided in subsection (B)(2) of this section.

2. The maximum allowable signage area for formal residential subdivisions, planned residential developments (PRD), or multifamily structures containing at least 10 dwelling units, shall be 10 square feet per main street entrance into the subdivision or PRD. Only one sign may be provided at each main entrance.

3. The maximum total permanent sign area may be divided between wall and freestanding signs, in accordance with regulations and maximum sign area and height for each type of sign, as provided in ECDC 20.60.030 through 20.60.050. Window signs meeting the requirements of ECDC 20.60.035 do not count against the total permanent sign area permitted.

4. Signage in excess of that provided in subsections (B)(1) and (2) of this section for lawful nonconforming or conditional nonresidential uses in residential zones may be approved through the issuance of a sign permit pursuant to ECDC 20.60.010, subject to the maximum area and height limitations established for signs in the BN zone.

5. The maximum number of permitted permanent signs is one, except that multi family sites with more than one vehicular entrance may have one permanent sign per entrance. The total sign area of all signs (excluding incidental signs) permitted on-site must also comply with the maximum total permanent sign area specified in this chapter.

20.60.030 Wall signs – Maximum area and height.

A. The maximum area of any wall sign shall be as follows:

Zone	Maximum Area of Sign
RS, RM	4 square feet
BN, BC, CW, CG	1 square foot per lineal foot of attached wall

B. The maximum height of any attached sign shall be as follows:

Zone	Maximum Height of Sign
RS, RM	6 feet
BN, BC, CW, CG	14 feet or the height of the face of the building which the sign is located on, consistent with ECDC 20.60.020.A

20.60.035 Window signs – Maximum area.

A. The maximum area of any window sign shall be as follows:

Zone	Maximum Area of Sign
RS, RM	4 square feet
BN, BC, CW, CG	1 square foot per each lineal foot of window frontage

20.60.040 Projecting signs – Maximum area and height restrictions.

A. The maximum area of any projecting sign shall be as follows:

Zone	Maximum Area of Sign
RS, RM	Not permitted
BN, BC, CW	16 square feet
CG	32 square feet

B. The maximum height of any projecting sign shall be as follows:

Zone	Maximum Height of Sign
RS, RM	Not permitted
BN, BC, CW, CG	14 feet

C. The bottom of the sign area of projecting signs shall be at least eight feet in height and at least 11 feet in height if it projects over a vehicle traveled right-of-way. The sign area of a marquee sign may not exceed two feet in vertical dimension.

20.60.045 Freestanding signs – Regulations.

A. Regulation. Permanent freestanding signs are discouraged. Freestanding signs shall be approved only where the applicant demonstrates by substantial evidence that there are no reasonable and feasible alternative signage methods to provide for adequate identification and/or advertisement.

B. Maximum Area. The maximum area of a freestanding sign shall be as follows:

Zone	Maximum Area of Sign
RS, RM	10 square feet (subdivision, PRD, multifamily) 4 square feet (individual residence sign)
BN	24 square feet (single) 48 square feet (group)
BC	32 square feet (single) 48 square feet (group)
CW	32 square feet (single) 48 square feet (group)
CG	Sign area shall be governed by subsection C of this section

C. Allowable Sign Area for Freestanding Signs – CG Zone. The total allowable sign area for freestanding signs on general commercial sites shall be 56 square feet or one-half square foot of sign area for each lineal foot of street frontage, whichever is greater, up to a maximum of 160 square feet of freestanding sign area. Multiple business or tenant sites shall further be allowed an additional 24 square feet of freestanding sign area for each commercial tenant or occupant in excess of one up to a maximum sign area of 160 square feet. Corner lots choosing to accumulate sign area under the provisions of subsection E of this section shall be limited to 160 square feet.

D. Maximum Height. The maximum sign height of freestanding signs shall be as follows:

Zone	Maximum Height of Sign
RS, RM	6 feet
BN, BC, CW	14 feet
CG	25 feet

E. Location. Freestanding signs shall be located as close as possible to the center of the street frontage on which they are located. They may not be located on public property. Sites on a corner of two public streets may have one sign on the corner instead of a sign for each frontage.

F. Number. In all zones, each lot or building site shall be permitted no more than one freestanding sign, except in the business and commercial zones where a lot or site has frontage on two arterial streets, in which case there may be permitted one sign per street frontage subject to the restrictions on area contained within this chapter.

G. Landscaping.

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

2. The applicant shall provide a landscape performance bond in the amount of 125 percent of the estimated costs of the landscaping, or \$1,000, whichever is more. The bond shall be processed in accordance with Chapter 17.10 ECDC.

20.60.050 Wall graphic and identification structures.

There are no area restrictions on wall graphics or identification structures.

20.60.060 Campaign signs.

A. On-premises campaign signs are permitted as a form of temporary signage in all zones, subject to the maximum sign size limitations set forth in ECDC 20.60.080.

B. Off-premises campaign signs are permitted as a form of temporary signage in the public right-of-way; provided, that the following requirements are met:

1. All campaign signs shall be posted in accordance with the regulations set forth in ECDC 20.60.080(B).

2. All off-premises campaign signs shall be removed within 10 days after the primary, general, or special election to which they pertain.

3. Off-premises campaign signs shall be posted and displayed no earlier than upon declaration of candidacy in accordance with Chapter 29.15 RCW, or other formal registration or certification of the candidate, party, initiative, referendum or other ballot issue for an upcoming election, or 60 days prior to the election, whichever time period is greater.

C. There is no maximum number of off-premises campaign signs that may be posted.

20.60.065 Real estate signs.

A. On-premises real estate signs are permitted as a form of temporary signage in residential and commercial zones, subject to the maximum signage area and sign number limitations set forth in ECDC 20.60.080.

B. Off-premises real estate signs are permitted as a form of temporary signage, subject to the following requirements:

1. Two and only two types of off-premises real estate signs shall be permitted.

a. An off-premises real estate directional sign is a sign displaying a directional arrow and either a company or logo, or an

indication that the property is for sale by its owner, and installed for the purpose of directing the public to the property.

b. An off-premises open house sign is a form of temporary off-premises sign indicating the property is currently open for viewing.

2. All off-premises real estate signs shall be posted in accordance with the regulations set forth in ECDC 20.60.080(B).

3. The maximum number of off-premises real estate signs allowed per property shall only be the number reasonably necessary to direct people to the premises. An agent or owner shall be permitted no more than one off-premises real estate directional sign per intersection and five in total. No more than one off-premises open house sign shall be displayed per intersection and no more than five in total.

a. Each off-premises real estate directional sign shall bear a legible tag located on the sign or supporting post indicating the date of posting and the address of the property to which it pertains.

b. Off-premises real estate open house signs shall only be posted during daylight hours when the real estate agent or owner is in attendance at the property for sale or rent, and shall be removed immediately upon the termination of an “open house” or other similar property display event.

4. No off-premises real estate signs shall be fastened to any traffic control device, public structure, fence, rock, tree or shrub.

C. All on-premises and all off-premises real estate directional signs shall be removed within seven days after the closing of the sale or lease of real property to which the sign pertains.

20.60.080 Temporary signs.

A. On-Premises Temporary Signs. On-premises temporary signs are permitted in residential and commercial zones, in addition to any allowed or permitted permanent signage, subject to the following restrictions and standards:

1. Residential Zones (RS, RM).

a. Only portable, freestanding or attached signs may be used as temporary signage.

b. Commercial on-premises temporary signage is not permitted, except for real estate signs as defined by ECDC 20.60.065.

c. Maximum number is one attached or freestanding sign.

2. Commercial Zones (BN, BC, CW, CG).

a. Only portable, freestanding or attached signs may be used for temporary signage; provided, that “sandwich board” or “A” frame portable signs shall only be permitted in the BC and CW zones.

b. Maximum duration of display is 60 days in any calendar year for the cumulative posting of all temporary commercial signage upon each commercial location or premises.

c. Maximum number of temporary signs is one freestanding sign per property street frontage; and one attached sign per building.

3. The total maximum area of on-premises temporary signage shall be as follows:

Zone	Maximum Area of Temporary Signage
RS, RM	6 square feet
BN, BC, CW	20 square feet
CG	30 square feet

4. The total maximum area for each allowed on-premises temporary sign shall be as follows:

Zone	Maximum Area of Temporary Sign
RS, RM	6 square feet (freestanding and attached)
BN, BC, CW	6 square feet (freestanding) 20 square feet (attached)
CG	6 square feet (freestanding) 30 square feet (attached)

5. The maximum height of any allowed on-premises temporary sign shall be as follows:

Zone	Maximum Height of Sign
RS, RM	6 feet (freestanding and attached)
BN, BC, CW, CG	3 feet (freestanding) 14 feet (attached)

6. In no case shall temporary signage be posted, located, or displayed in violation of the regulations for permanent signs set forth in ECDC 20.60.020 through 20.60.050.

B Off-Premises Temporary Signage. Off-premises temporary signs are allowed in residential and commercial zones, in accordance with the restrictions and standards set forth below:

1. Commercial off-premises temporary signage is prohibited, except for real estate signs as permitted by ECDC 20.60.065; provided, that such off-premises real estate signs shall be posted, displayed, and removed as provided for in that section, in addition to the provisions of subsections (B)(5) through (9) of this section.

2. Noncommercial off-premises signs are permitted in the public right-of-way; provided, that the posting and display of off-premises signs in the public right-of-way shall require a street use permit where required pursuant to Chapter 18.70 ECDC.

3. Maximum duration of display for all temporary off-premises signs is a cumulative of 60 days in any calendar year, except as otherwise provided in ECDC 20.60.060 for campaign signs. Display may be continuous or intermittent, except as otherwise provided in this section.

4. Except for campaign signs as provided in ECDC 20.60.060, all off-premises noncommercial signs relating to a specific meeting, event, or occurrence shall be removed within 48 hours following the conclusion of the meeting, event, or occurrence to which they relate.

5. Only portable freestanding signs may be used as temporary off-premises signage; provided, that the following types of portable freestanding signs are prohibited from use as an off-premises sign:

- a. Signs with a vehicular chassis or support with or without wheels;
- b. Posters and banners;
- c. Signs mounted upon vehicles;

- d. Searchlights;
 - e. Inflatables.
6. Maximum number of allowed off-premises signs to be displayed simultaneously shall be one sign per sign poster except as provided in ECDC 20.60.060 for campaign signs and in ECDC 20.60.065 for real estate signs.
7. Maximum allowable sign area for all temporary off-premises freestanding signs is six square feet.
8. Maximum allowable sign height for all permitted off-premises signs is three feet.
9. All off-premises temporary signage shall be posted and displayed in accordance with the following restrictions:
- a. Off-premises signs may not be placed in any portion of the public right-of-way typically used by motor vehicles in a lawful manner.
 - b. Off-premises signs shall be placed so as not to impede pedestrian, bicycle, or handicapped travel or access.
 - c. Off-premises signs shall not be posted in a manner or location which impairs traffic safety by unreasonably blocking line of sight at intersections.
 - d. Off-premises signs shall be constructed of suitable material and design to adequately withstand the reasonably expected normal or average weather conditions during the intended display period of the sign.
 - e. Off-premises signs shall be regularly inspected to ensure that they have not been damaged or destroyed by natural forces or vandalism. Damaged and destroyed signs shall be immediately removed or repaired so as to avoid threats to public health and safety or the accumulation of unclaimed refuse upon the public rights-of-way.
 - f. Off-premises signs shall not be posted upon public property other than the public right-of-way, and shall further not be posted within or upon planter boxes and flower beds within the publicly maintained landscaped portions of the public right-of-way.

20.60.090 Prohibited signs.

A. General. All signs not expressly permitted by this chapter are prohibited.

B. Hazards. Signs which the director public works determines to be a hazard to vehicle or water traffic because they resemble or obscure a traffic control device, or because they obscure visibility needed for safe traffic passage, are prohibited. These signs shall be removed if they already exist.

C. Confiscation Of Prohibited Signs In Public Rights-Of-Way, All signs which are located within a public right-of-way and that have been improperly posted or displayed are hereby declared to be a public nuisance and shall be subject to immediate removal and confiscation.

D. Any signs confiscated by the city shall be held for 10 working days after which such signs may be destroyed or otherwise disposed of. The owner of any confiscated signs may recover the same upon payment of a \$25.00 fee to cover the cost of confiscation and storage.

20.60.095 Exempt signs.

The following types of signs are exempted from regulations of this chapter, except that the dimensional and placement standards shall apply unless variance is required by other provisions of local, state or federal law.

A. Governmental signs.

B. Signs required by provision of local, state, or federal law.

C. Official public notices required by provision of local, state, or federal law.

D. Signs not visible from a public location.

E. Seasonal and holiday displays not incorporating the use of written copy or graphics to convey a message.

F. Gravestones.

20.60.100 Administration.

A. General. The community development director is responsible for administering and enforcing the provisions of this chapter. He or she shall adopt application requirements for sign permits. Fees shall be as stated in Chapter 15.00 ECDC.

B. Installation Permits. Many signs require installation permits under Chapter 19.45 ECDC and may require plan checking fees as well.

C. Notice of Violation. Whenever the planning director becomes aware of a violation of the provisions of this chapter, the planning director shall cause a notice to be sent to the alleged violator informing him or her of the violation, the applicable code section, and a time within which to remedy the violation. The notice shall also advise of the penalties for continued violation of the code as specified in this chapter. If the violation has not been corrected within the time limit specified, the planning director shall refer the matter to the city attorney's office for institution of appropriate legal action.

D. Penalty. Any person violating any provision of this code shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of \$25.00 for each day of continued violation.

Section 3. Chapter 19.45 Sign Code is hereby amended by the addition of a new Section 19.45.015 to read as follows:

19.45.015 Exemptions.

Section 303, item #3 of the Uniform Sign Code, current edition, is hereby repealed

Section 4. Among the priorities scheduled for Planning Board consideration are review of the City's nonconforming use provisions. Until such time as the city Council receives the report of the Planning Board and enacts amendments, if any, to the nonconforming use provisions relating to signs in ECDC 17.40.040, the City Council requests that the Mayor and staff take no action to abate or prevent repair of any legal sign which has been rendered nonconforming by the adoption of this ordinance. Such legal nonconforming signs may be repaired or replaced at the option and risk of the owner pending the adoption of new nonconforming sign provisions. Nothing herein shall be interpreted to vest any right, but rather to permit the owners of such signs, at their cost and without fear of prosecution or civil

enforcement proceeding, to repair or replace damaged signs beyond normal maintenance of the sign pending review of ECDC 17.40.040 and adoption of new nonconforming sign provisions, if any.

Section 5. 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.

APPROVED:

MAYOR GARY HAAKENSON

ATTEST/AUTHENTICATED:

CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY

W. SCOTT SNYDER

FILED WITH THE CITY CLERK: 06/27/2003
PASSED BY THE CITY COUNCIL: 07/01/2003
PUBLISHED: 07/08/2003
EFFECTIVE DATE: 07/13/2003
ORDINANCE NO. 3461

SUMMARY OF ORDINANCE NO. 3461

of the City of Edmonds, Washington

On the 1st day of July, 2003, the City Council of the City of Edmonds, passed Ordinance No. 3461. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF THE EDMONDS COMMUNITY DEVELOPMENT CODE TO REPEAL AND RE-ENACT CHAPTER 20.10 ARCHITECTURAL DESIGN REVIEW IN ORDER TO ADDRESS ISSUES RELATED TO REVIEW OF SIGNS; REPEALING AND RE-ENACTING CHAPTER 10.60 SIGN CODE; AMENDING CHAPTER 19.45 RELATING TO ADOPTION OF THE UNIFORM SIGN CODE TO ADD A NEW SECTION 19.45.015 RELATING TO EXEMPTIONS; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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

DATED this 7th day of July, 2003.

CITY CLERK, SANDRA S. CHASE