

ORDINANCE 1053
CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO ON PREMISES SIGN REGULATIONS, REPEALING CHAPTER 16.75 OF THE LACEY MUNICIPAL CODE, ADDING A NEW CHAPTER 16.75 TO SAID CODE AND APPROVING A SUMMARY FOR PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Chapter 16.75 of the Lacey Municipal Code is hereby repealed.

Section 2. There is hereby added to the Lacey Municipal Code a new chapter, 16.75, to read as follows:

Chapter 16.75

ON-PREMISES SIGN REGULATIONS

Sections:

- 16.75.010 Intent
- 16.75.020 Definitions and abbreviations
- 16.75.030 Permits and fees required
- 16.75.040 Installation Requirements
- 16.75.050 More restrictive provision to apply
- 16.75.060 Permit--Requirements
- 16.75.070 Applications
- 16.75.080 Fee Schedule
- 16.75.090 Prohibited Signs
- 16.75.100 Exemptions
- 16.75.110 Permitted signs
- 16.75.120 Regulations
- 16.75.130 Variances
- 16.75.140 Legal nonconforming signs
- 16.75.150 Illegal signs
- 16.75.160 Administrator
- 16.75.170 Conflict and severability
- 16.75.180 Visual Quality

16.75.010 Intent. The intent of this chapter is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the number, size, design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures; to preserve and improve the appearance of the city as a place in which to live and as an attraction to nonresidents who come to visit or trade; to encourage sound signing practices as an aid to business and for public information but to prevent excessive and confusing signing displays.

16.75.020 Definitions and abbreviations. For the purpose of this chapter, definitions as defined in Chapter 16.06 and certain abbreviations, terms, phrases, words and their derivatives shall be construed as specified in this section.

A. "Abandoned sign" means any sign which is located on property which becomes vacant and unoccupied for a period of six months or more, or any sign which relates to any occupant or business unrelated to the present occupant or his business, or any sign which pertains to a time, event, or purpose which no longer applies.

B. "Advertising vehicles" means any vehicle or trailer on a public right-of-way or public property or on private property so as to be visible from a public right-of-way which has attached thereto, or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during normal course of business. Franchised buses or taxis are exempt from this chapter.

C. "Animated sign" means any sign which includes action or motion or the optical illusion of action or motion, or color changes of all or any part of the sign facing, requiring electrical energy, or set in motion by movement of the atmosphere. Excluded from the definition are public service signs, changing message center signs, searchlights and flags.

D. "Awning" is a temporary shelter supported entirely from the exterior wall of a building.

E. "Bulletin board (readerboard)" means a sign so designed that the message may be changed by removal or addition of specially designed letters that attach to the face of the sign.

F. "Changing message center signs" means an electronically or electrically controlled sign where different automatic changing messages are shown on the same lamp bank.

G. "Construction sign" means any sign used to identify the architects, engineers, contractors or other individuals or firms involved with the construction of a building and announce the character of the building or the purpose for which the building is intended.

H. "Directional sign" means signs erected by the city on arterial streets directing the public to public, civic or nonprofit facilities.

I. "Flashing sign" means any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Excluded from the definition are public service and changing message center signs.

J. "Free-standing sign" means any sign which is supported by one or more uprights, poles or braces in or upon the ground.

K. "Garage sale signs," i.e., yard sales, moving sales, patio sales, means temporary signs used to announce a sale of used items.

L. "Grade" means the elevation or level of the street closest to the sign to which reference is made, as measured at the street's centerline, or the relative ground level in the immediate vicinity of the sign.

M. "Grand opening displays" means temporary signs, posters, banners, strings of lights, clusters of flags, balloons and searchlights used to announce the opening of a completely new enterprise or the opening of an enterprise under new management.

N. "Height" or "height of sign" means the vertical distance from the grade to the highest point of a sign or any vertical projection thereof, including its supporting columns.

O. "Informational sign" means a sign within a business park or commercial subdivision indicating only the name of a particular use and the direction in which it is located. Such sign shall be used for informational purposes only, and not for advertising copy. Such signs may be a maximum 4 feet high, and must be designed in a uniform manner using a single background color and a single color and typeface for wording.

P. "Internal Circulation Sign" means a sign used to aid customers in circulation within parking lots of commercial uses. Such signs may also be used to indicate entrances, exits or customer drive-thru's, but may not contain advertising or logos. Maximum 2-1/2 feet high, maximum 2 feet width, maximum six inch high lettering size.

Q. "Landscaping" means any material used as a decorative feature, such as shrubbery or planting materials, planter boxes, concrete bases, brick work, decorative framing or pole covers, used in conjunction with a sign which expresses the theme of the sign and related structure but does not contain advertising copy.

R. "Legal nonconforming sign" means a sign which (a) on the effective date of the ordinance codified in this chapter was lawfully maintained and had been lawfully erected in accordance with the provisions of any prior sign ordinance or code but which sign does not conform to the applicable limitations established by this chapter; or (b) on or after the effective date of the

ordinance codified in this chapter was lawfully maintained and erected in accordance with the provisions of this chapter but which sign, by reason of amendment of the ordinance codified in this chapter after the effective date thereof, does not conform to the applicable limitations established by the amendment of this chapter.

S. "Mansard roof" means a sloped roof or roof-like facade architecturally able to be treated as a building wall.

T. "Marquee" is a permanent roofed structure attached and supported by the building.

U. "Monument sign" is a ground-mounted sign which is higher than three feet above the average ground elevation and which is attached to the ground by means of a wide base of solid appearance.

V. "Multiple building complex" means a group of structures housing at least one retail business, office, commercial venture or independent or separate part of a business which shares the same lot, access and/or parking facilities.

W. "Multiple occupancy building" means a single structure housing more than one retail business, office or commercial venture.

X. "Political sign" means a sign advertising a candidate or candidates for public elective office, or a political party, or sign urging a particular vote on a public issue decided by ballot.

Y. "Portable (mobile) sign" means a sign made of any material which by its design is readily movable and is equipped with wheels, casters or rollers or which is not permanently affixed to the ground, structure or building. (Also includes sidewalk or sandwich board signs, and signs mounted upon the tops of vehicles.)

Z. "Public service signs" means an electronically or electrically controlled public service sign or portion of a larger sign which conveys only information such as time, date, temperature, atmospheric condition or general news information where different alternating copy changes are shown on the same lamp bank matrix.

AA. "Real estate or property for sale, rental or lease sign" means any sign pertaining to the sale, lease or rental of land or buildings.

BB. "Roof sign" means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

CC. "Seasonal sales sign" means any sign used to advertise a sale of merchandise or other items during a particular holiday season including seasonal fireworks or Christmas holiday sales.

DD. "Searchlight" means an apparatus containing an electric light and reflector on a swivel for projecting a far-reaching beam in any desired direction.

EE. "Sign" means any commercial communication device, structure or fixture that is intended to aid an establishment in identification and to advertise and/or promote a business, service, activity or interest. For the purpose of this chapter, a sign shall not be considered to be building or structural design, but shall be restricted solely to graphics, symbols or written copy that is meant to be used in the aforementioned way.

FF. "Sign area" means the entire area of a sign on which copy is to be placed. Only one side of a double-faced or three-faced sign shall be included. The area of painted signs, individual letter signs, and other indirectly illuminated signs shall be calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between letters and lines, as well as the areas of any devices, illuminated or non-illuminated, which are intended to attract attention.

GG. "Special event signs" means temporary signs used to announce a circus, a carnival, festivals or other similar events.

HH. "Temporary sign" means any sign, banner, pennant, valance, flags (not intended to include flags of any nation, state, city or other governmental agency or non-profit organization), searchlights, balloons or other air-filled or gas-filled figures or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frame, intended to be displayed for a limited period of time only. Different types of temporary signs included in this category are: construction, grand opening displays, real estate, special event, political and garage sale.

II. "Wall" means any member or group of members, which defines the exterior boundaries of a building and which has a slope of sixty degrees or greater with the horizontal plane. The height of a wall shall be measured as the two-dimensional height from the average finish grade of the particular architectural building elevation adjacent to the wall to the finish roof plane.

JJ. "Wall sign" means any sign attached to or painted directly on the wall, or erected against the wall of a building being parallel or approximately parallel to said wall; and does not exceed a distance of fifteen inches from said wall.

16.75.030 Permits and fees required. No sign permit shall be issued unless the sign installer has a valid Washington State sign contractors license; provided, however, that an applicant may obtain a permit to install a sign on his own property without a state license.

16.75.040 Installation Requirements.

A. Structural requirements. The structure and erection of signs or flag poles within the city shall be governed by the Uniform Building Code, 1994 Edition (or any superseding edition adopted by the city). Compliance with the Uniform Building Code shall be a prerequisite to issuance of a sign permit under this code.

B. Electrical requirements. Electrical requirements for signs within the city shall be governed by the National Electrical Code. Compliance with the National Electrical Code shall be required by every sign utilizing electrical energy as a prerequisite to issuance of a sign permit under this code.

C. Illumination. Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians or motorists. "Undue brightness" is illumination in excess of that which is reasonably necessary to make the sign reasonably visible to the average person on an adjacent street. illumination, if used, shall be what is known as white or yellow and shall not be blinking, fluctuating or moving. Light rays shall shine only upon the sign or upon the property within the premises and shall not spill over the property lines, in any direction, except by indirect reflection.

D. Maintenance. All signs, including signs heretofore installed shall be constantly maintained in a state of security, safety, appearance and repair. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five days after receiving notice from the sign code administrator. The premises surrounding a free-standing sign shall be free and clear of rubbish and landscaping area maintained in a tidy manner.

E. Landscaping for free-standing and monument signs. All free-standing and monument signs shall include as part of their design landscaping about their base so as to prevent vehicles from hitting the sign and to improve the overall appearance of the installation.

F. Inspection. All sign users shall permit the periodic inspection of their signs by the city upon city request.

G. Location. All monument and temporary freestanding signs (such as construction signs and property "for sale" signs) must be set back a minimum of five feet from any property lines, or outside the sight triangle established by the vision clearance ordinance, whichever is greater.

16.75.050 More restrictive provision to apply. Whenever two provisions of this code overlap or conflict with regard to the size or placement of a sign, the more restrictive provision shall apply.

16.75.060 Permit--Requirements. No sign governed by the provisions of this code of more than four square feet in sign area shall be erected, structurally altered or relocated by any person, firm or corporation after the date of adoption of this code without a permit issued by the city (with the exceptions as noted). No new permit is required for signs which have permits

and which conform with the requirements of this code on the date of its adoption unless and until the sign is structurally altered or relocated.

16.75.070 Permit--Applications. Applications for permits shall contain the name and address of the owner and user of the sign, the name and address of the owner of the property on which the sign is to be located, the location of the sign structure, drawings or photographs showing the design and dimensions of the sign and details of its proposed placement and such other pertinent information as the administrator of this code may require to insure compliance with this code and other applicable ordinances. Permit applications shall be available for inspection by the public upon request. Upon completion of a permit application, the application shall be acted on within two weeks unless there is a requirement for further time under SEPA.

16.75.080 Fee schedule. Fees for sign permits shall be established by resolution of the city council.

16.75.090 Prohibited signs. Prohibited signs are subject to removal (except legal nonconforming signs as defined by this chapter) by the city at the owner's or user's expense. The following signs or displays are prohibited:

- A. Roof signs;
- B. Animated signs;
- C. Flashing signs;
- D. Portable signs;
- E. Advertising vehicles;
- F. Signs which purport to be, or are, an imitation of, or resemble an official traffic sign or signal, or which bear the words "stop," "caution," "danger," "warning," or similar words;
- G. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or radio equipment vehicle, or which obstruct the visibility of traffic or street sign or signal device;
- H. Signs which are located upon or projecting over public streets, sidewalks, or rights-of-way except as provided for awnings and marquees in Section 16.75.175;
- I. Signs attached to utility poles;
- J. Off-premises signs as referred to in off-premises sign ordinance;
- K. Strings of banners, pennants, and other graffiti-like material.
- L. Freestanding signs except as referenced in section 16.75.110;

16.75.100 Exemptions. The following signs do not require a sign permit (unless noted), nor shall the area and number of such signs be included in the area and number of signs permitted for any site or use. This shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this chapter or any other law or ordinance:

A. The flag, emblem or insignia of a nation or other governmental unit or nonprofit organization subject to the guidelines concerning their use set forth by the government or organization which they represent. Flag poles require a sign permit for structural review.

B. Memorial signs or tablets, names of buildings, stained glass windows and dates of erection when cut into the surface or the facade of the building or when projecting not more than two inches.

C. Traffic or other municipal signs, signs required by law or emergency, railroad crossing signs, legal notices; and any temporary, or non-advertising signs as may be authorized by the city council.

D. Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or of public telephones.

E. Flush mounted wall signs, used to identify the name and address of the occupant for each dwelling provided the sign does not exceed two square feet in sign area.

F. Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, which signs are designed and located to be viewed exclusively by patrons of such use or uses.

G. One bulletin board not over fifty square feet in sign area for each public, charitable or religious institution where the same are located on the premises of said institution. A sign permit is required.

H. Decorations: such signs in the nature of decoration, clearly incidental and customary and commonly associated with any national, local or religious holiday.

I. Painting, repainting or cleaning of an advertising structure or the changing of the advertising copy of message thereon shall not be considered an erection or alteration which requires sign permit unless a structural change is made.

J. Sculptures, fountains, mosaics and design features which do not incorporate advertising or identification.

K. "No trespassing," "no dumping," "no parking," "private," signs identifying essential public needs (i.e., restrooms, entrance, exit, telephone, etc.) and other informational warning signs, which shall not exceed three square feet in surface area.

L. Directional signs erected by the city on arterial streets directing the public to public, civic, or nonprofit facilities. Such signs shall be erected at the discretion of the director of public works and shall be subject to city design guidelines.

16.75.110 Permitted Signs. The following signs are permitted subject to the applicable limitations as noted.

A. Temporary signs. The following signs are classified as temporary (non-permanent). Temporary signs are permitted subject to the applicable limitations:

1. Construction Signs. A sign permit is required. Such signs may be displayed only after a building permit is obtained and during the period of construction on the construction site. Only one such sign is permitted per construction project for each public street upon which the project fronts. The applicable limits are as follows:

a. In all zones other than single-family residential zones, no construction sign shall exceed thirty-two square feet in sign area (printed copy on one side only) or ten feet in height, nor be located closer than ten feet from the property line or closer than thirty feet from the property line of the abutting owner.

b. In single-family residential zones, no construction sign shall exceed thirty-two square feet in sign area (printed copy on one side only) or ten feet in height, nor be located closer than ten feet from the property line of the abutting owner.

2. Grand Opening Displays. No sign permit is required. Such temporary signs, posters, banners, strings of lights, clusters of flags, balloons or other air or gas filled figures, and searchlights are permitted for a period of seven days only to announce the opening of a completely new enterprise or the opening of an enterprise under new management. All such materials shall be removed immediately upon the expiration of seven days. Such displays are permitted only in districts where the enterprise so advertised is allowed under district zoning regulations. Searchlights may be permitted by any business or enterprise provided the beam of light does not flash against any building or does not sweep an arc of forty-five percent from vertical.

3. Special Event Signs. No sign permit is required. Such temporary signs may be placed upon private property only and shall not be larger than four square feet. Said signs shall not be posted or attached to telephone poles, power poles or other public utility facilities. Such signs may be displayed thirty days prior to an event and must be removed within seven days after the event's conclusion. The event committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this code. Searchlights may be permitted by any business or enterprise provided the beam

of light does not flash against any building or does not sweep an arc of forty-five percent from vertical.

4. Real Estate Signs. No sign permit is required. All exterior real estate signs must be of wood or plastic or other durable material. The permitted signs, with applicable limits are as follows:

a. Residential "for sale" and "sold" signs: Such signs shall be limited to one sign per street frontage not to exceed five square feet in sign area, placed wholly on the property for sale, and not to exceed a height of seven feet.

b. Residential directional "open house" signs: Such signs shall be limited to one sign per street frontage on the premises for sale and three off-premises signs. However, if a realtor has more than one house open for inspection in a single development or subdivision, he/she is limited to four off-premises "open house" signs in the entire development or subdivision. Such signs are permitted only during daylight hours and when the realtor or seller or an agent is in attendance at the property for sale. No such sign shall exceed five square feet in sign area. The sign may be placed along the periphery of a public right-of-way within one mile of the subject residential development.

c. Undeveloped commercial and industrial property "for sale or rent" signs: One sign per street frontage advertising undeveloped commercial and industrial property for sale or rent. The sign shall not exceed thirty-two square feet in sign area and seven feet in height.

d. Developed commercial and industrial property "for sale or rent" signs: One sign per street frontage advertising a commercial or industrial building for rent or sale is permitted while the building is actually for rent or sale. If one face of the building is less than ten feet from the building line, the sign shall be placed on the building or in a window. The sign shall not exceed seven feet in height and, if free-standing, shall be located more than fifteen feet from any abutting property line or a public right-of-way line. Said sign shall not exceed thirty-two square feet in sign area.

e. Undeveloped residential property "for sale" signs: One sign per street frontage advertising undeveloped residential property for sale is permitted not exceeding thirty-two square feet in sign area. Said sign must be placed more than thirty feet from the abutting owner's property line and may not exceed a height of seven feet.

f. Subdivisions approved after the effective date of this ordinance are permitted one cluster of flagpoles (not to exceed five flagpoles) in front of sales offices to advertise the new development.

4. Political Signs. No sign permit is required. Political signs or posters may be placed upon private property only and shall not be larger than ten square feet of sign area and shall

not be posted or attached to telephone poles, power poles or other public utility facilities. Such signs may be displayed no sooner than the next to the last Monday in July prior to an election (except for special elections which may display such signs no sooner than sixty days prior to the election) and must be removed seven days after the election in which the candidate or issue advertised on a sign has been determined. For a successful candidate in a primary election the sign may remain until the final election, but shall be removed within seven days after the election. The candidate or committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this code.

5. Banners or Cloth Signs. Such signs may be permitted and extend across a public street by permission of the city manager or his appointed representative. Such signs may only be placed at city designated locations and erected by city personnel.

6. Garage Sale (Yard Sales, Moving Sales, Patio Sales). No sign permit is required. Such sign shall be limited to one sign on the premises and three off-premises signs. No such sign shall exceed four square feet in sign area. The sign or signs may be displayed only during the sale and must be removed the day the sale ends. The person or persons for which the sign or signs are displayed shall be responsible for its removal and subject to the penalties as provided in this code.

7. Seasonal sales. No sign permit is required. Vendors who receive a temporary business license as defined in Section 5.12.050 for seasonal or temporary sales activities (e.g. Christmas trees or fireworks) are permitted one sign not to exceed 20 square feet in sign area. This sign shall be mounted to the booth or trailer used for temporary sales.

B. Permanent Signs.

1. Signage on awnings and marquees. Signage will be allowed on awnings and marquees in commercial and industrial zones of the city. Such signage shall be limited to thirty percent coverage of the face of the marquee or the exposed surface of the awning. The signage area shall be calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. Any such calculations shall include the areas between letters and lines as well as the areas of any devices which are intended to attract attention.

2. Freestanding Signs. Freestanding signs are permitted only where it can be demonstrated that monument signs are not effective due to topography, landscaping and/or natural vegetation, building locations/setbacks, adjacent land uses, or other physical restraints not created by acts of the property owner. In such cases, such sign shall not exceed fifteen feet in height, shall not exceed the size standards of Section 16.75.180(H), and shall be subject to design approval by the city. It shall be incumbent upon the owner/operator of such

facility to establish the need for such sign based upon the above criteria.

3. Wall Signs.

4. Monument Signs. Monument signs shall be permitted subject to *Table 16T-21(a) and (b)*.

5. Low Profile Monument Signs. Low profile monument signs shall be permitted, subject to the following criteria:

a. Shall not exceed five feet in height as measured from the average ground elevation at the base of the sign, provided there is no sight obstruction.

b. Sign area shall not exceed eighteen square feet.

c. Two signs per entrance to the parcel are permitted, with a maximum of four signs total.

6. Informational Signs. As defined in Section 16.75.020(O) are permitted for the uses identified in Table 16.T21a.

7. Internal Circulation Signs . As defined in Section 16.75.020(P) are permitted for the uses identified in Table 16.T21a.

16.75. 120 District regulations. This section shall apply to all zones designated in the zoning ordinance.

A. Residential Districts.

1. Nonresidential Uses Within Residential Districts. Each use is permitted one monument sign as described in Table 16.T21 (a) and (b).

2. Home Occupations. Home occupation signs relate to home occupation as defined in the zoning ordinance. The sign shall be flush-mounted and shall not exceed two square feet in area, and cannot be internally illuminated, but may be indirectly illuminated.

3. Single-family Subdivisions and mobile or manufactured home parks or subdivisions. Two signs—may be permitted per entrance from an access street, provided said signs do not exceed eighteen square feet in sign area each and five feet in height. Such signs can be low profile monument or fence mounted, and can be placed anywhere on the property along access streets, not necessarily at entrances.

4. Multi-family Complex. Each multi-family complex is permitted two signs per entrance from an access street provided said signs do not exceed eighteen square feet in sign area each and five feet in height. Rental information such as contact name and phone number can be included as a subservient portion of this sign. Such signs can be low profile monument or fence mounted, and can be placed anywhere on the property along access streets, not necessarily at entrances.

B. Commercial, Industrial and Open Space/Institutional Districts.

1. Each single occupancy building not in a multiple building complex is permitted signs as described in Table 16.T21 (a) and (b) and Table 16.T22 (a) of this code.

2. Each multiple occupancy building is permitted signs as described in Table 16.T21 (a) and (b) and Table 16.T22 (a) of this code.

3. Each multiple building complex is permitted signs as described in Table 16.T21 (a) and (b) and Table 16.T22 (a) of this code.

4. A regional shopping center (more than thirty acres in size and more than three hundred fifty thousand square feet in gross floor area of buildings) is permitted one sign not exceeding thirty feet in height and three hundred square feet in sign area. Such sign must be located at least twenty feet from all property lines and rights-of-way.

C. Commercial subdivision, planned industrial development, planned community and business park. Each commercial subdivision, planned industrial development, planned community and business park is permitted monument signs as described in Table 16.T21 (a) and (b) of this code. Each use within a planned community or business park, and each use within a commercial subdivision which cannot be described as a multiple building complex, is permitted inclusion on an informational sign. One informational sign per entrance may be located along any internal street, generally at intersections with other internal streets. Such signs may be low profile monument signs subject to Table 16.T22(b), or a maximum five foot high freestanding sign subject to design review.

1. Each separate parcel within a business park zone is permitted monument signs as described in section 16.75.180(H) and table 16.T21 of this code.

D. Freeway-Oriented businesses. Parcels with significant freeway frontage are permitted freeway-oriented signs under the following criteria:

1. Parcels must have a minimum of one thousand one hundred feet of frontage along a freeway. A frontage road or other right-of-way between the parcel and the freeway does not disqualify the parcel.

2. Parcels must have limited or no visibility from the freeway, as determined by the city.

3. Businesses advertised on such signs must not be eligible to be advertised on Department of Transportation informational signs (food, fuel, lodging).

4. Monument signs are the first and preferred option unless, in the judgment of the city, they will not provide adequate identification.

5. Adjacent parcels may combine to meet the minimum freeway frontage. However, in such cases wall signs on the freeway side of buildings on such parcels are not permitted.

6. For parcels with less than one thousand one hundred feet of freeway frontage and limited or no visibility, not located within large commercial complexes and if other adjacent parcels within one thousand one hundred feet have freeway visibility, an on-site monument sign on the freeway side is permitted. Such sign shall be considered in addition to the permitted monument sign(s) for the business.

7. The design of any sign permitted under this section must be approved by the city and be in keeping with the design of structures on the parcel(s).

8. Any sign permitted under this section must comply with the size and height standards in this chapter.

9. Any sign permitted under this section must be reviewed by the site plan review committee and approved only with a finding that the above criteria are met.

16.75. 130 Variances. Variances from provisions of this chapter may be granted by the hearings examiner in accordance with Chapter 2.40 of the Lacey Municipal Code.

16.75.140 Legal nonconforming signs.

A. Continuance. Subject to the abatement requirements of subsection B. of this section, legal nonconforming signs may remain in use under the following conditions:

1. No such sign shall be changed in any manner that increases the noncompliance of such sign with the provision of ordinance codified in this chapter established for signs in the district in which the sign is located.

2. The burden of establishing a sign to be legally nonconforming under this section rests upon the person or persons, firm or corporation claiming legal status for a sign.

3. "Structural alteration" means any action that changes the height, size, or shape of the sign or any action that affects the base or support(s) of the sign. When a sign is structurally altered, it ceases to be a legal nonconforming sign and must conform with the provisions of this chapter.

4. When a business or activity containing a legal nonconforming sign is enlarged or remodeled to a value of fifty percent or more of existing value of real property improvements, then such sign must be brought into conformity with this chapter.

5. When a business or activity containing a legal nonconforming sign changes the type of the business, then such sign must be brought into conformance with this chapter.

6. By Violation of the Chapter. Any violation of this chapter shall terminate immediately the right to maintain a nonconforming sign.

B. Abatement.

1. Any sign which is nonconforming in that it does not conform to the regulations in this chapter shall either be removed or brought into compliance with the chapter requirements within the time period prescribed herein.

a. Any sign existing within the city on September 11, 1980, the date of adoption of Ordinance No. 589 which created the previous sign ordinance, that does not comply with this chapter must be removed or brought into compliance by December 31, 2002. However if such sign complies with the standards contained in Ordinance No. 589, then it must be removed or brought into compliance by December 31, 2010.

b. Any sign erected or installed within the city after September 11, 1980, must be removed or brought into compliance by December 31, 2010.

c. Any nonconforming sign in an area subsequently annexed into the city of Lacey shall have until December 31, 2002, or ten years after the effective date of the annexation, whichever period is longer, to be removed or brought into compliance with this chapter.

2. To encourage the removal/abatement of nonconforming signs, the city establishes an incentive program to assist the owners of such signs.

3. The city will make available, on a competitive application basis, the sum of \$10,000 per annum to assist owners of nonconforming signs to replace such signs with conforming signs. Such awards will be limited to a maximum of \$2,000 per applicant and no more than five such awards will be given out in any calendar year. To be eligible, applications for awards must be received by the city at least three years prior to the dates detailed above for compliance.

a. The city will waive sign permit fees for new sign permits to replace nonconforming signs.

16.75.150 Illegal Signs.

A. Termination of Illegal signs. The right to maintain any sign shall terminate and shall cease to exist whenever the sign is:

1. Abandoned. No persons shall maintain or permit to be maintained on any premises owned or controlled by him any sign which has been abandoned.

2. Damaged or destroyed beyond fifty percent. The determination whether a sign is damaged or destroyed beyond fifty

percent shall rest with the code administrator and shall be based upon the actual cost of replacing said sign; and/or

3. Structurally substandard under any applicable ordinance of the city to the extent that the sign becomes a hazard or a danger.

B. Removal of unlawful signs.

1. Any unlawful permanent type sign which has not been removed within thirty days after conviction of violation or imposition of civil penalty may be removed by the city and the costs charged to the violator. If removal costs have not been paid and the sign reclaimed within thirty days of its removal by the city, the city may sell or otherwise dispose of the sign and apply the proceeds toward costs of removal. Any proceeds in excess of costs of removal shall be paid to the owner of the sign.

2. Signs which the administrator finds upon public streets, sidewalks, right-of-way or other public property or which wherever located present an immediate and serious danger to the public because of their unsafe condition may be immediately removed by the administrator without prior notice.

3. Any unlawful temporary or portable type sign located on private property which has not been removed after twenty-four hours from notification may be removed by the city. The sign may be reclaimed by the owner after a civil penalty of \$100 has been paid. If the sign has not been reclaimed within thirty days of its removal by the city, the city may sell or otherwise dispose of the sign and apply the proceeds toward costs of the removal. Any proceeds in excess of costs of the removal shall be paid to the owner of the sign.

4. Neither the city nor any of its agents shall be liable for any damage to the sign when removed under this section.

C. Violation--Penalty.

1. Violation of the provisions of this code or failure to comply with any of its requirements shall constitute a misdemeanor and such violation shall be punished as provided by the statutes of the state of Washington for the commission of a misdemeanor. Each day such violation continues shall be considered a separate offense.

2. The erector, owner or user of an unlawful sign or the owner of the property on which an unlawful sign is located and who maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

16.75. 160 Administrator

A. Appointment--Powers and duties generally. The administrator of this code shall be appointed and removed by the city manager. The administrator is authorized and directed to enforce and carry out all provisions of this code, both in letter and spirit, with vigilance and with all due speed. To that end, the administrator

is authorized to formulate procedures consistent with the purposes of this code. The administrator is further empowered to delegate the duties and powers granted to and imposed upon him under this code. As used in this code, "administrator of this code" or "administrator" shall include his authorized representative.

B. Inspection authority. The administrator is empowered to enter or inspect any building, structure or premises in the city upon which, or in connection with which, a sign, as defined by this code, is located, for the purpose of inspection of the sign, its structural and electrical connections and to insure compliance with the provisions of this code. Such inspections shall be carried out during business hours, unless an emergency exists.

16.75.170 Conflict and severability. If any provision of this code is found to be in conflict with any other provision of any zoning, building, fire, safety or health ordinance or code of the city, the provision which establishes the higher standard shall prevail.

16.75.180 Visual quality. The administrator is empowered to prepare graphic materials such as photographs and drawings of sign types and styles acceptable to the city, and to disallow proposed signs that do not comply with the general types and styles represented by these graphic materials. Appeals of such administrator decisions shall be to the land use hearing examiner as specified in Lacey Municipal Code Chapter 2.40.

Section 7. The summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 27th day of February, 1997.

CITY COUNCIL


By: 

Mayor

Attest:


City Clerk

Approved as to form:


City Attorney

Published: March 3, 1997
Monday

Table 16.T21 - A

Permitted Sign Categories by Land Use Zone

Zones & Land Use Types	Monument	Wall	Low Profile Monument	Awning	Informational	Internal Circulation
Residential						
a Single family subdivision		P	P			
b Multi-family complex		P	P			
c Home Occupations		P*				
* See section 16 75 120(A)2						
d Non-residential use (i e Church)	P*	P				
e Mobile Home Subdivisions & Parks		P	P			
Commercial, Retail, Industrial uses in all zones where permitted						
a Single occupancy building (not in a multiple building complex)	P	P	P**	P		P
b Multiple-occupancy building	P	P	P**	P		P
c Multiple-building complex	P		P**			P
d Uses within multiple-bldg complex		P		P		
Regional Shopping Center	P***					P
Commercial Subdivisions, Business Parks, Planned Industrial Dev.	P				P	
a Uses within Commercial Subdiv , business parks & planned indust	P	P		P		P

* Non-residential uses in residential zones are permitted one monument sign - Maximum 32 sq ft , max 5 ft high

** These uses may be permitted EITHER a monument sign OR a low profile monument sign, but not both

*** See Sec 16 75 120 B 4

Table 16. T21 - B

Permitted Sign Sizes - Monument Signs*

Total ROW Frontage of Parcel (on all streets)	Allowable Sign Area	Allowable Sign Structure Size	Maximum Height	Number Permitted
< 200 Feet	24 sq ft	40 sq ft	5 feet	1
200 - 399 Feet	36 sq ft	54 sq ft	6 feet	1
400 - 599 Feet	50 sq ft	70 sq ft	7 feet	1
600 - 799 Feet	60sq ft	80 sq ft	7 feet	1 @ entrances/ 2 max
800 - 999 Feet	66 sq ft	88 sq ft	8 feet	1 @ entrances/ 2 max
1000 Feet and >	72 sq ft	96 sq ft	8 feet	1 @ entrances/ 2 max

Monument Sign Notes.

- 1 Monument sign width may not exceed 15 feet
- 2 If corner parcel with two arterial street frontages and entrances on both streets and multi-building complex
 - a. A two- or three-faced sign may be placed at the corner of the property; or,
 - b. Regular monument signs are permitted at each entrance
- 3 Setback = greater of five ft from property lines OR minimum sight distance requirements
- 4 Single or multiple occupancy buildings whose premises extend through a block to face on two parallel streets with customer entrances on each street are permitted monument signs per street frontage, provided that each sign is located on different street frontages and are separated by more than 100 feet measured in a straight line between the signs.

Table 16.T22 - A Wall Sign Sizes

The surface area of any building-mounted sign or canopy-mounted sign shall not exceed the figures derived from the following schedule:

Architectural Building Elevation Wall Area	Maximum Sign Surface Area (for that wall area)
Below 100 square feet	26 square feet
100 - 199 square feet	26 sq. ft. + 11% of facade area over 100 sq. ft.
200 - 499 square feet	38 sq. ft. + 12% of facade area over 200 sq. ft.
500 - 999 square feet	75 sq. ft. + 11% of facade area over 500 sq. ft.
1000 - 1499 square feet	131 sq. ft. + 7.5% of facade area over 1000 sq. ft.
1500 - 2999 square feet	169 sq. ft. + 3% of facade area over 1500 sq. ft.
Over 3000 square feet	214 sq. ft. + 3% of facade area to a maximum of 400 sq. ft.

Table 16.22 - B Permanent Signs - Examples of Common Sign Types

Fig. 1. Monument Sign

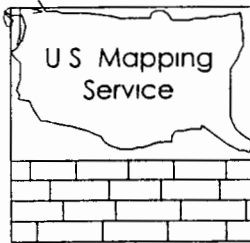


Fig. 2. Low Profile Monument Sign

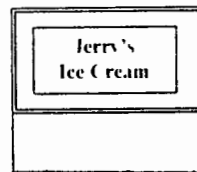


Fig. 3. Wall Sign

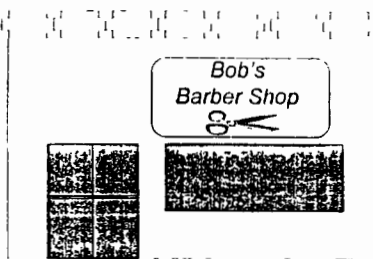


Fig. 4. Awning



Fig. 5. Informational Sign

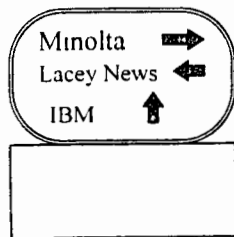


Fig. 6. Internal Circulation Sign



SUMMARY FOR PUBLICATION

ORDINANCE 1053

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on FEBRUARY 27, Ordinance No. 1053 entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO ON PREMISES SIGN REGULATIONS, REPEALING CHAPTER 16.75 OF THE LACEY MUNICIPAL CODE, ADDING A NEW CHAPTER 16.75 TO SAID CODE AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the ordinance are described as follows:

1. The ordinance adopts a new chapter relating to on premise signs to replace the existing on premise sign ordinance of the city. Most of the prior ordinance provisions are maintained by being re-adopted in this ordinance. However, there is some reorganization of sections and also additions and modifications which are set forth in this summary.

2. The ordinance adds definitions and makes provisions for:

(a) directional signs erected by the city on arterial streets directing the public to public, civic or non-profit facilities,

(b) informational signs within a business park or commercial subdivision indicating only the name of a particular use and the direction in which it is located,

(c) internal circulation signs used to aid customers in circulation within parking lots of commercial uses, and

(d) seasonal sale signs used to advertise a sale of merchandise or other items during a particular holiday season.

3. The types and conditions under which free standing signs may be placed are modified and clarified by the new ordinance.

4. Newly approved subdivisions will be allowed to erect flagpole clusters to advertise the new development.

5. The size of low profile monument signs is reduced.

6. The use of informational signs within commercial subdivisions, planned industrial developments, planned communities and business parks is detailed in the new provisions.

7. Freeway oriented businesses with certain site configurations are allowed an additional on-site monument sign on the freeway side under the new regulations.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: March 3, 1997.

Monday

Charlytte M. Taylor
Lacey City Clerk