ORDINANCE NO. 1454

CITY OF LACEY

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

WHEREAS, the City Council previously identified the update of the City's sign ordinance as a priority to better reflect the current business and aesthetic needs of the community; and

WHEREAS, to help with this update the city enlisted the assistance of a signage committee with representation from businesses, community groups, citizens and the City itself; and

WHEREAS, the signage committee met a total of seven times which included three public meetings/workshops; and

WHEREAS, at each meeting, the members of the appointed signage committee facilitated discussions with members of the business community and public on the various signage issues and proposed solutions; and

WHEREAS, at the conclusion of their meetings the signage committee recommended draft regulations which were forwarded to the Planning Commission; and

WHEREAS, on November 18, 2014 the Planning Commission held a public hearing to receive public comments on the draft regulations; and

WHEREAS, based on comments received from the public hearing the Planning Commission made modifications to the draft regulations; and

WHEREAS, at their December 2, 2014 meeting the Planning Commission voted unanimously to recommend the adoption of the draft regulations to City Council; and

WHEREAS, on January 12, 2015 the City Council held a work session on the draft regulations and recommended forwarding the draft regulations to the full council for adoption; and

WHEREAS, the City Council finds it is in the best interest of the citizens of Lacey to adopt the proposed regulations.

NOW, THEREFORE, 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 Chapter 16.75 of the Lacey Municipal Code is hereby repealed.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 adopted a new Chapter 16.75 of the Lacey Municipal Code to read as follows:

16.75.010 Intent.

The intent of this chapter is to promote public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and non-discriminatory sign standards and requirements, including the following purposes:

A. Promote the goals and policies of the Comprehensive Plan;

B. Promote economic vitality of the city's business districts and corridors;

C. Ensure that signs are compatible with the desired character and identity of Lacey and its various districts and corridors;

D. To recognize free speech rights by regulating signs in a content-neutral manner;

E. To promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, and/or illegible signage;

F. To prevent property damage, personal injury, and litter from signs which are improperly constructed, poorly maintained, or of flimsy materials;

G. To protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape;

H. To provide consistent sign design standards;

I. To promote signs that are designed appropriate to the site's existing and planned context, including the size and characteristics of the site, the speed limit of the fronting street, and the envisioned character of the applicable area per adopted plans;

J. To provide an improved visual environment for the citizens of and visitors to the City and to protect prominent view sheds within the community; and

K. To enable the fair and consistent enforcement of these sign regulations.

16.75.020 Definitions and abbreviations.

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

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

B. "Banner" is a flexible substrate on which copy or graphics may be displayed. For the definition of a projecting banner, see subsection (EE) below.

C. "Billboard" is a sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other then the premises on which the sign is located.

D. "Bulletin board" 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.

E. "Business sales event" means a special sales event put on by a private business. Examples could include a special seasonal or holiday-oriented sales event or a once a year sales event. See LMC 16.75.100.C.2 for signage associated with business sales events.

F. "Canopy" means an overhead structure attached to a building that provides weather protection for pedestrians. Awnings and marquees (defined herein) are different types of canopies.

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. "Copy" means the graphic content or message of a sign.

I. "Departure" means a City approved alternative way to meet specific design standards set forth in this chapter. See LMC 16.75.040(C) for general information and procedures associated with departures.

J. "Digital sign" means a changeable copy sign that uses a matrix of illumination elements, such as light emitting diodes, (LED), liquid crystal display (LCD), plasma display, individual light bulbs, or other digital or analog electronic media to display or project copy which can be modified by electronic processes.

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

L. "Dwell time" means the amount of time a particular image is on display.

M. "Fade" means a mode of message transition on a digital sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

N. "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 signs.

O. "Feather sign" means a vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.

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

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

R. "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.

S. "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.

T. "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.

U. "Internal way-finding sign" means a sign used to aid customers in circulation within parking lots of commercial uses.

V. "Legal nonconforming sign" means a sign which 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 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.

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

X. "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 signs mounted upon the tops of vehicles.)

Y. "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.

Z. "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.

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

BB. "Nit" means a photometric unit of measurement referring to luminance. One nit is equal to one cd/m².

CC. "Off-premises sign" means a permanent sign not located on the premises of the use or activity to which the sign pertains.

DD. "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.

EE. "Projecting sign" means a sign attached to a building or other structure and projecting away from the structure more than 12 inches.

FF. "Projecting banner sign" means a banner as defined in paragraph (B) above that is supported by poles or brackets which project away from a structure more than 12 inches.

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

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

II. "Sandwich Board Sign" means a temporary sign made of metal, wood, chalkboard, or white board that is not permanently attached to the ground and generally oriented to pedestrians.

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

KK. "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.

LL. "Sign area" means the entire area of a sign on which copy is to be placed, as set forth in LMC 16.75.050.E.

MM. "Special event signs" means temporary signs used to announce a public special event, such as a circus, a carnival, or festival, or a business sales event. See LMC 16.75.100.C for applicable standards.

NN. "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 and banners included in this category are: construction, grand opening displays, real estate, special event, political, sandwich board, and garage sale.

OO. "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.

PP. "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 Applicability.

A. Applicability. This chapter applies to all signs, of whatever nature and wherever located, within the City.

B. Interpretation. This chapter is not intended to, and does not restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this chapter that permits speech by reason of the type of sign, identity of the sign user, or otherwise, shall also be interpreted to allow non-commercial speech on the sign. No part of this chapter shall be construed to favor commercial speech over non-commercial speech. To the extent any provision of this chapter is ambiguous, the term shall be interpreted not to regulate on the basis of the content of the message.

C. 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:

1. 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 building permit for structural review and are limited to the maximum height restrictions of the underlying zoning district.
2. 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.
3. Traffic or other municipal signs, signs required by law or emergency, railroad crossing signs, legal notices, and any temporary, or non-advertising signs as are authorized under policy approved by the city council.
4. 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.
5. 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.
6. 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.
7. Decorations or such signs in the nature of a decoration, clearly incidental and customary and commonly associated with any national, local or religious holiday.
8. 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 a sign permit unless a structural change is made.
9. Sculptures, fountains, mosaics and design features which do not incorporate advertising or identification.
10. 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.
11. 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. In addition, the City may allow the erection of directional signs as are necessary to designate commercial areas or significant tourist sites within the city, consistent with the City's way-finding program.

12. Kiosks and other related informational signs that are placed along internal walkways that are designed specifically to be viewed by pedestrians and not intended to function as advertising to motorists on nearby public streets.

16.75.040 Administration.

A. Permits & Fees Required.

1. Subject to the exemptions set forth in LMC 16.75.030(C), no sign governed by the provisions of this code shall be erected, altered or relocated by any person, firm or corporation without a permit issued by the city.
2. Fees for sign permits shall be established by resolution of the city council.
3. Sign permits are subject to limited administrative review pursuant to Section 1C of the Development Guidelines and Public Works Standards (TO ADD LINK). Exception: For applications that include a departure, see subsection (C) below.

B. 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 should be acted on within two weeks unless there is a requirement for further time associated with an underlying land use application.

C. Departures. This chapter provides for a number of specific departure opportunities to sign design standards. The purpose is to provide applicants with the option of proposing alternative design treatments provided such departures meet the applicable departure criteria set forth for the applicable particular departure opportunity. Specifically:

1. Departures are voluntary. This provision allows the flexibility for applicants to propose alternative designs on a voluntary basis.
2. Applicability. Departure opportunities are available only to specific standards that allow for departures.
3. Procedures. Permit applications that include departure requests are subject to limited administrative review pursuant to Section 1C of the Development Guidelines and Public Works Standards. Departure requests, at the discretion of the Administrator, may be referred to the Hearing Examiner.

4. Approval criteria. Project applicants must successfully demonstrate to the administrator how the proposed departure meets the applicable criteria that applies to the specific standard.
5. Documentation. The administrator shall issue a written decision including findings documenting how the departure meets or exceeds the applicable criteria.

D. Administrator.

1. Appointment--Powers and duties generally. The administrator of this code shall be the Director of Community Development. 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 the Director of Community Development under this code. As used in this code, "administrator of this code" or "administrator" shall include the Director of Community Development's authorized representative.
2. 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.

16.75.050Prohibited Signs.

A. Sign Location Restrictions. Except where specifically authorized by this chapter, signs are prohibited in the locations set forth below. 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.

1. Any temporary or permanent freestanding sign located within or projecting over a City right-of-way or within 5 feet of a City right-of-way. Sandwich board signs and feather signs meeting the provisions of LMC 16.75.100(H) and (I) are an exception.
2. Any sign attached to any public utility pole, structure or street light, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, statue, memorial, or other location on public property, except those signs approved as part of a special event permit on City property or banner signs permitted by the City on light poles in certain zones within the City. Nothing in this Section shall be construed to prohibit a person from holding a sign while located on City property so long as the person holding the sign is located on public property determined to be a traditional public forum and does not block ingress and egress from buildings or create a safety hazard by impeding travel on sidewalks, bike and vehicle lanes, and trails;

3. Any sign, which by reason of its location, will obstruct the view of any authorized traffic sign, signal, or other traffic control device or which by reason of shape, color, or position interferes with or could be confused with any authorized traffic signal or device;
4. Any sign that interferes with safe sight distance at an intersection;
5. Any sign which is placed so as to prevent or inhibit free ingress to or egress from any door, window, or any exit way required by the Building and/or Fire Code currently in effect;
6. Any commercial, advertising, or business sign that is not located on the premises of the business to which it refers.
7. Signs located on roofs, except that **Departures** per LMC 16.75.040(C) will be considered where signs are placed in an architectural space that is specifically incorporated into the roof design and does not project higher than the peak of the roof; and
8. Any sign mounted, attached, or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on private premises in a manner intended to attract attention of the public for the purpose of advertising or identifying the business premises. This provision excludes signs indicating the name of the owner or business that are permanently painted or wrapped on the surface of the vehicle, adhesive vinyl film affixed to the interior or exterior surface of a vehicle window, or signs magnetically attached to motor vehicles or rolling stock that are actively used in the daily conduct of the business. Such vehicles shall be operable and parked in a lawful or authorized manner.

B. Sign Display Restrictions.

1. Purpose. The purpose of this Subsection is to regulate the manner in which signs convey their messages by specifying prohibited display features that create distractions to the traveling public and create visual clutter that mar the natural and architectural aesthetics of the City.
2. Applicability. The display features set forth below are prohibited. 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.
    a. Any digital sign except for those associated with freestanding signs per LMC 16.75.080(A)(7);
    b. Any sign or lighting device, whether on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel, or from any public right-of-way, with intermittent, flashing, rotating, blinking or strobe light illumination;

c. Any sign with an exposed light source, except for neon incorporated into the design of the sign;

d. Any sign which emits sound, odor, smoke, laser or hologram lights, or other visible matter, including any sign that uses motion picture projection;

e. Any sign animated by any means, including fixed aerial displays, balloons, pennants, spinners, including strings of flags, streamers, tubes, or other devices affected by the movement of the air or other atmospheric or mechanical means, except when used for a Grand Opening Display or Special Event Signage per LMC 16.75.100(B) or (C);

f. Any sign in which the sign body or any portion of the sign rotates, moves up and down, or any other type of action involving a change in position of the sign body or any portion of the sign, whether by mechanical or any other means, except when used for a Grand Opening Display or Special Event Signage per LMC 16.75.090(B) or (C);

g. Changeable copy signs, except as provided for in LMC 16.75.030(C) for exempt signs and 16.75.080(A)(7) for freestanding signs; and

h. Mannequins holding a sign or displaying advertising, whether stationary or animated.

C. Other 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:

1. Mobile signs;
2. Strings of banners, pennants, and other graffiti-like material;
3. Freestanding signs except where permitted in LMC 16.75.080(A), 16.75.090, or 16.75.100; and
4. Billboards.

16.75.060 General Sign Provisions.

A. Sign Message. Any permitted sign may contain, in lieu of any other message or copy, any lawful non-commercial message, so long as the sign complies with the size, height, area, location, and other requirements of this Division.

B. Sign Area. Sign area for all sign types is measured as follows:

1. 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.
2. Only one side of a double-faced or three-faced sign shall be included;

3. Four or more faced signs, spherical, free-form, sculptural or other non-planar sign area is measured as 50 percent of the sum of the areas using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure, as shown in Figure 16.75.060(B). Signs with greater than four polyhedron faces are prohibited.

Figure 16.75.060(B). Clarifying sign area measurement.

F. Sign 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.

C. Sign Structure and Installation.

1. Structural requirements. The structure and erection of signs or flag poles within the city shall be governed by the city's adopted Building Code. Compliance with the Building Code shall be a prerequisite to issuance of a sign permit under this code.
2. 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.

D. Sign Maintenance and Inspection.

1. 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 administrator. Where a sign is determined to be an immediate hazard by the administrator, the sign is subject to immediate repair or removal. The premises surrounding a free-standing sign shall be free and clear of rubbish and landscaping area maintained in a tidy manner.

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

16.75.070 Permitted Signs

This section identifies the permitted types of signs by use and/or district.

A. Permitted types of signs by use and/or district.

Table 16.75.070. Permitted types of signs by use and/or district. An "X" in the table indicates that the particular type of sign is allowed for the applicable land use and/or zone. See applicable sign type provisions in Section 16.75.080 for possible exceptions to the provisions below.

	SIGN TYPE					
Land Use and/or Zone	**Free-standing** 16.75.080(A)	**Wall Sign** 16.75.080(B)	**Marquee/ Awning** 16.75.080(C)	**Projecting Sign** 16.75.080(D)	**Under Canopy** 16.75.080(E)	**Internal Way-finding** 16.75.080(F)
Non-Residential Uses						
Any non-residential use	X	X	X	X	X	X
Multi-occupancy building	X	X	X	X	X	X
Multi-building complex	X	X	X	X	X	X
Large Shopping Center	X	X	X	X	X	X
Freeway Oriented Business	X	X	X	X	X	X
Residential Uses						
Single Family Subdivision	X					
Mixed Residential or Multi-family Complex	X					
Home		X				

	SIGN TYPE					
Land Use and/or Zone	**Free-standing** 16.75.080(A)	**Wall Sign** 16.75.080(B)	**Marquee/ Awning** 16.75.080(C)	**Projecting Sign** 16.75.080(D)	**Under Canopy** 16.75.080(E)	**Internal Way-finding** 16.75.080(F)
occupation						
Mobile home subdivisions & parks	X	X				

X = Permitted sign

B. One bulletin board limited to 50 square feet in area is allowed for each public, charitable or religious institution where the same are located on the premises of said institution. A sign permit is required.

16.75.080 Sign Type Standards.

A. Freestanding Signs.

1. Visualization required. All applicants for freestanding signs associated with multi-tenant commercial centers and individual non-residential uses over 5,000 square feet shall include a photo simulation of the proposed sign from at least two prominent public viewpoints. Applicants may use photographs or Google Earth or other clearly legible online street view resource to superimpose their proposed sign. See Figure 16.75.080(A)(1) below for an example.

Figure 16.75.080(A)(1). Examples of the types of sign visualizations that are useful to determine compliance with the standards herein. The left image uses Google Earth as a base to which to illustrate the proposed sign. The right image uses an actual photograph and superimposes the proposed sign.

2. Sign form. Freestanding signs shall be designed so they appear firmly anchored to the ground. This includes:
   a. Monument signs, as defined in 16.75.020(Y).
   b. Signs where the base (where the sign structure meets the ground plane) is at least 40 percent of the width of the total sign width. **Departures** per LMC 16.75.040(C) will be considered provided the sign includes design features that visually anchor it to the ground and the design of the sign meets other applicable standards.

Figure 16.75.080(A)(2). Minimum ground anchoring provisions for free-standing signs.

3. Permitted number of signs. One sign is permitted per frontage, per property. Additional freestanding signs shall be permitted per Table 16.75.080(A)(3) below.

Table 16.75.080(A)(3). For properties with more than 500 feet of frontage, additional freestanding signs are permitted per the separation standards below.

Applicable Speed Limit	Minimum Separation
Less than 35 mph	150'
35-45 mph	200'

Figure 16.75.080(A)(3). An example of a shopping center with a large frontage where multiple freestanding signs are allowed. The fronting street has a posted speed limit of 35 miles per hour, which requires a minimum sign separation of 200 feet.

4. Materials and design. Freestanding signs shall be designed as an integrated architectural feature of the site. Specifically:

   a. Framing. Freestanding sign must include design elements that effectively frame the sign on both sides [see Figure 16.75.080(A)(4)(c-1) and (c-2) for acceptable

examples]. Alternatively, signs that have a substantial framing element on one side, as illustrated in the examples in Figure 16.75.080(A)(4)(c-3), will meet this provision. **Departures** per LMC 16.75.040(C) will be considered provided the design meets other provisions herein, integrates a distinctive, one-of-a-kind design that contributes to the visual character of the area.

b. Materials and design. Freestanding signs shall include durable high quality materials and a design that relates to and/or complements the design of on-site buildings and/or is coordinated with other site design elements (such as distinctive lighting, monuments, way-finding signs). Figures 16.75.080(A)(4)(c-1-3) below all meet this requirement.

c. Top/middle/bottom. Freestanding signs shall integrate a top, middle, and bottom element. The top could include a distinctive sign cap and/or include the name of a multi-tenant center. The middle can include a consistent framing technique for an individual sign or multiple signs in a multi-tenant center. The bottom could include a distinctive base design with special materials and/or design. See the figures below for examples that meet this requirement. These components are less critical for signs less than 6 feet tall, and thus exempt from this provision.

Figure 16.75.080(A)(4)(c-1). Illustrating acceptable and unacceptable freestanding sign examples. The left image utilizes a clearly identifiable top, middle, and bottom elements and meets the framing provision. The middle image includes a base, but insufficient top or framing element. The shorter sign to the right includes framing but is exempt from the top, middle, and bottom elements.

Figure 16.75.080(A)(4)(c-2). Each of these three signs includes a frame, top/middle/bottom components, and feature high quality materials that relate to and/or complement the design of on-site buildings and/or is coordinated with other site design elements.

Figure 16.75.080(A)(4)(c-3). These signs feature substantial framing elements on one side, and thus meet the design provisions herein.

Figure 16.75.080(A)(4)(c-4). Unacceptable signs. The far left sign includes a base and a frame, but no identifiable top. The middle and right signs fail to meet any of the design provisions above.

5. Location and landscaping.

   a. Setback. All freestanding signs shall be located at least 5 feet from a public ROW unless a greater setback is specified herein.

   b. Landscaping. All signs shall include landscaping around the base of freestanding signs to enhance the character of street frontages. Specifically, at least one square foot of landscaped area shall be provided per 1 square feet of sign area. Utilize plants and a maintenance program to minimize conflicts with the sign.

   c. Base height provision. The copy of all signage shall be at least 1-foot above grade. The purpose is to allow vertical space for the required landscape elements and enhance the visibility of sign copy. See Figure 16.75.080(A)(5).

Figure 16.75.080(A)(5). Minimum base height for sign copy.

6. Maximum size and height. Table 16.75.080(A)(6) illustrates the maximum allowable sign area and height for all freestanding signs, except such signs for freeway-oriented businesses, as set forth LMC 16.75.080(A)(10).

Table 16.75.080(A)(6). Maximum freestanding sign height and area.

Total ROW Frontage of Parcel (on each streets)	**Allowable Sign Area** (white/very light background)	**Allowable Sign Area** (shaded or dark background)	**Maximum Height** (white/very light background)	**Maximum Height** (shaded or dark background)
< 200 Feet	24 sq. ft.	40 sq. ft.	6 feet	7 feet
200 - 399 Feet	36 sq. ft.	54 sq. ft.	7 feet	8 feet
400 - 599 Feet	50 sq. ft.	70 sq. ft.	8 feet	9 feet
600 - 799 Feet	60 sq. ft.	80 sq. ft.	8 feet	10 feet
800 - 999 Feet	66 sq. ft.	88 sq. ft.	9 feet	12 feet
1000 Feet and >	72 sq. ft.	96 sq. ft.	9 feet	15 feet

Supplemental Freestanding sign provisions:

a. Signs that employ shaded, opaque or dark background and light colored lettering for at least 50 percent of the sign copy are allowed larger sign areas, as they are found to be less visually intrusive than signs incorporating white or very light-colored background. Using a CMYK color chart, signs that employ color numbers that add up to at least 20 (collectively) shall be considered as "shaded". For example:

C=0, M=0, Y=0, K=20 = Shaded

C=10, M=0, Y=0, K=10 = Shaded

C=10, M=0, Y=0, K=0 = Not considered to be Shaded

See Figure 16.75.080(A)(6)(a) below for examples.

Figure 16.75.080(A)(6)(a). The black, dark, and shaded signs above qualify for the extra sign area and height specified in the shaded columns of Table 16.75.080(A)(6). The sign on the right with the white background is allowed (but

doesn't qualify for the "bonus" sign area and height) and subject to the sign area/height in the unshaded columns above in Table 16.75.080(A)(6).

b. Departures. Applicants seeking a larger and/or taller sign may apply for a departure per LMC 16.75.040(C) to allow for sign height and area up to 50 percent greater than specified above. In order to qualify for a departure, signs shall include a distinctive one-of-a-kind design that includes a high quality mixture of materials.

Figure 16.75.080(A)(6)(b). The sign on the left is an example of a sign that meets basic standards, whereas the sign on the right uses a distinctive one-of-a-kind design and would qualify for a departure.

c. Center names for multi-tenant commercial centers (centers that include two or more tenants) are exempt from allowable sign area calculations specified above, provide the center name is distinct from the names of any tenants (for example, Joe's Center would be too closely related to a tenant name Joe's Books). Freestanding signs incorporating center names are allowed 15 percent greater sign height than specified above.

Figure 16.75.080(A)(6)(c). Examples of sign integrating center names (exempt from sign area calculations).

d. For those properties where more than one freestanding sign is allowed on a particular frontage per subsection (3) above, one sign may be installed per standards specified per the Total ROW frontage of the parcel. The size and height of additional signs is based on the separation from the larger primary sign or other supplemental sign. For example, if a second sign is 650 feet from the larger primary sign, then it shall meet the standards for a sign that includes 600-799 feet of Total ROW Frontage of Parcel as set forth in the table above.

e. Large commercial shopping center signs and freeway-oriented signs [see subsections (9) and (10) below] are exempt from the standards above.

7. Digital signage integration. Digital signage elements may be integrated into any freestanding sign permitted in this subsection, subject to the following provisions:

a. Up to 50 percent of allowed sign copy area may be used for digital directory purposes. This would allow a multi-tenant center to rotate the names of businesses used in the freestanding signs, allowing greater visibility opportunities for individual businesses in the center.

b. Up to 33 percent of allowed sign copy area may be used for changing message purposes. For single tenant signs, up to 50 percent of the allowed sign copy area may be used for changing message purposes.

c. Where both a digital directory and changing message signage is included on one freestanding sign, such elements may collectively be used for up to 67% of the total allowed sign copy area.

Figure 16.75.080(A)(7). The sign above features digital directory signage (Tahitian Pearls, which occupies 33% of the sign copy) and digital signage that features changeable messages (bottom 33% of sign copy) The combined digital signage represents the maximum 67% of the total sign copy area.

d. Any form of technology may be used for the sign elements described herein, provided they meet the following provisions:

i. Maintain a 10 second minimum dwell time for the directory and any images. Changes in directory and images shall be a simple fade with a maximum transition time of two seconds. Animation, movement or video imaging is prohibited.

ii. Brightness limits:

- Integrate automatic dimming capability that adjusts to the brightness of ambient light at all times of the day and night;
- Daytime, based on the time from sunrise to sunset as calculated for Lacey, WA: 5,000 maximum nits (a measure of luminance that will keep signage balanced with surrounding landscape); and
- Nighttime, based on the time from sunset to sunrise as calculated for Lacey, WA: 150 maximum nits (a measure of luminance comparable to typical nighttime signage and in-line with the Illuminating Engineering Society of North America (IESNA)

iii. Light trespass standards – adopt a trespass limit of 0.1 foot-candles at the property line of any park or residential property.

iv. Digital imagery may be used provided it meets the provisions of subsection (i) above.

e. Program required. Applicants proposing any forms of signage described above shall submit a program of their sign proposal describing how it will meet the applicable standards.

8. Clutter management standards.

a. Purpose. To reduce visual clutter along commercial corridors and improve sign legibility.

b. Applicability. The following standards apply to non-digital signage. The provisions shall serve as recommendations to be encouraged (not required) for digital signage copy to enhance legibility and minimize visual clutter.

c. Sign information allowances. The provisions herein use the street graphics approach to place limits on the amount of information used on signs based on applicable speed limit of the fronting street. Table 16.75.080(A)(8)(b) below identifies the permitted items of information that are allowed on a sign. Each word or graphic is considered an item of information. Each grouping of numbers is considered an item of information (for example, 867-5309 is considered two items of information). Shopping center names not related to an individual business are exempt from the information limit provisions herein.

Table 16.75.080(A)(8)(b). Sign information allowance table.

	Items of Information				
	Sign Area				
Speed Limit	Up to 24sf	24-35.9sf	36-49.9sf	50-80sf	80sf+

25 mph	18	20	22	26	30
30 mph	14	16	20	22	25
35 mph	12	14	16	18	20
40 mph	10	11	12	14	15
Freeway	10	10	10	10	10

Departures per LMC 16.75.040(C) will be considered allowing up to 33 percent more pieces of information on a sign provided the applicant demonstrates that the design of the sign in its context, is legible and successfully employs techniques to minimize visual clutter.

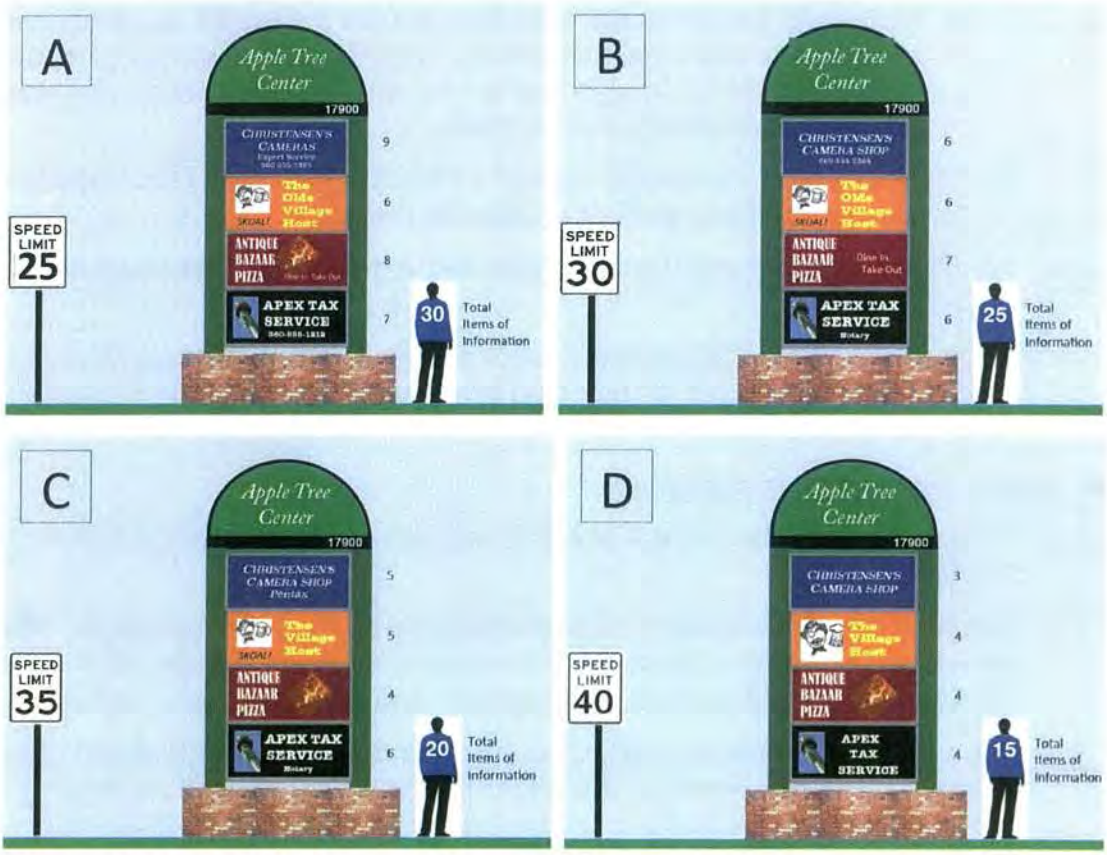

Figure 16.75.080(A)(8)(b-1). Illustrating signs that conform to the sign information allowance provisions.

Figure 16.75.080(A)(8)(b-2). An example of a 24 square foot sign in a 35 miles per hour zone meeting the maximum 12 pieces of information requirement. Note that the center name "Lacey Place" does not count as an item of information.

9. Freestanding signs for large shopping centers. A shopping center or other large commercial complex constituting a commercial subdivision or subject to a binding site plan and being more than 30 acres in size and more than 350,000 square feet in gross floor area of buildings is permitted one shopping center or commercial complex sign not exceeding 30 feet in height and 300 square feet in sign area. If the site has a sign for a freeway oriented business as permitted in LMC 16.75.080(A)(10) that can be seen and provides reasonable identification from all arterial frontages adjacent to the site, that sign shall count as the shopping center or commercial complex sign and no such additional signs shall be permitted. Provided, however, if the administrator determines that the freeway oriented sign does not provide reasonable identification from other arterial streets, both a shopping center or commercial complex sign and a freeway oriented sign may be permitted. Signs under this provision will have a monument style. Provided, the Community Development Director shall have the authority to approve a modified sign design if due to height or other design considerations such a monument sign would be impractical or inappropriate. All such signs must be located at least 20 feet from all property lines and rights-of-way and subject to other applicable freestanding sign provisions above.

10. Freestanding signs for freeway-oriented businesses. Shopping centers and commercial complexes with significant freeway frontage are permitted freeway-oriented signs under the following criteria:

a. Such shopping centers or other commercial complexes must have a minimum of 1,100 feet of frontage along a freeway. A frontage road or other right-of-way between the site and the freeway does not disqualify the site. Further, such shopping center or commercial complex must constitute a commercial subdivision or be subject to a binding site plan and must also be more than 30 acres in size and have more than 350,000 square feet of gross floor area of buildings.

b. Such shopping centers may place one sign on the property for every 1,100 feet of freeway frontage not to exceed three total signs for the individual shopping center.

c. A freeway oriented sign shall not exceed 30 feet in height from the roadway curb elevation or development natural grade, whichever is higher. A freeway oriented sign shall not exceed 300 square feet in sign area. Such sign must be located at least 20 feet from all property lines and rights-of-way.

   Departures per LMC 16.75.040(C) to the size and height of such freeway-oriented signs will be considered provided they meet the following criteria:

   i. Sign incorporates a distinctive one-of-a-kind design that complements the architectural design of the center building(s).

   ii. Sign employs opaque or dark sign background with light colored lettering;

   iii. Sign is generally no taller than is physically necessary to be clearly visible from Interstate 5 traffic given the context of the site utilizing view corridors and gaps in the tree canopy to blend in with the natural and built environment.

d. Signs qualifying as a freeway oriented sign may be in addition to non-freeway oriented signs identifying businesses.

e. Signs shall be fully enclosed with no exposed conduits or switchgear and any transformers associated with the sign shall be landscaped from view by the public.

11. Address Numbers. Legible address numbers are required on all free-standing signs. Such address numbers are exempt from sign area standards.

B. Wall Signs.

1. Permitted number of signs.

   a. Tenants are allowed a maximum of one wall sign per facade that is visible from a street or customer parking lot.

   b. Businesses may include additional smaller signs describing the types of products and/or services that the business offers, provided the sign areas collectively comply with maximum size requirements.

   c. Commercial tenants on upper levels may include a wall sign placed on façade above the business provided the permitted sign area shall be shared with tenant below and the location/design meets the applicable standards in this subsection.

2. Location and design.
   a. Wall signs shall be centered, proportional, and shaped to the architectural features of the buildings. Signage shall not exceed 2/3 of individual storefront dimension. This standard also applies to upper level businesses.
   b. Wall signs shall not cover windows, building trim, an existing building name sign, or special ornamentation features. Preferred areas for installation of wall signs include blank areas above canopies, areas between vertical piers or columns, blank areas on a gabled roof, or upper reaches of a false fronted building.
   c. Stacked words on wall signs are permitted. Generally, the primary business name should be provided on one line (though exceptions are permitted if they meet other applicable standards herein), with additional text on rows above and/or below providing supporting information about the business in smaller fonts.

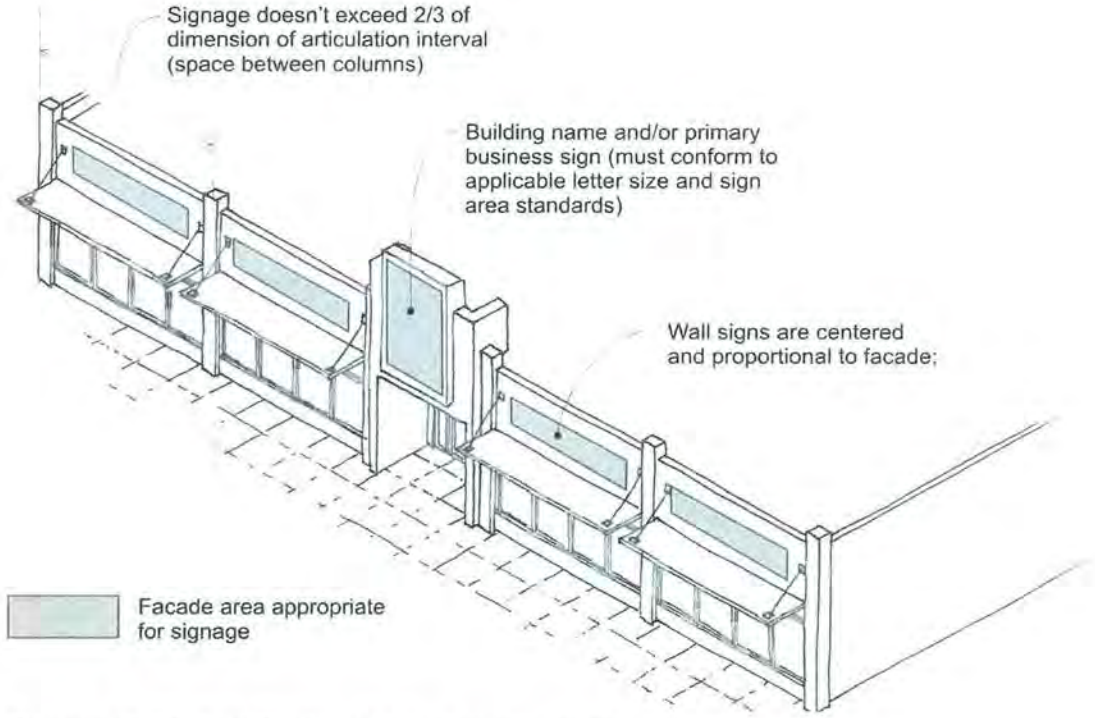

Figure 16.75.080(B)(2). Wall sign standards.

3. Maximum size – individual retailers.

Sign area. Table 16.75.080(B)(3) below provides standards for the maximum amount of wall, canopy, or awning signage on each building elevation. For building elevations that include signage for upper level businesses, the standards shall apply to the entire building elevation.

Table 16.75.080(B)(3). Sign area standards for wall, canopy, or awning signs for each building elevation.

Architectural building elevation wall area	Maximum sign surface area (for that wall area)
Below 200 sf	25% of the facade
200 - 349 sf	22.5% of the facade
350 - 499 sf	20% of the facade
500 - 999 sf	17.5% of the facade
999 - 1499 sf	15% of the facade
1500-1999 sf	12.5% of the facade
Over 2000 sf	10% of the facade

Departures per LMC 16.75.040(C) for larger signs will be considered provided the sign does not feature internal lighting and meets other applicable standards herein.

Figure 16.75.080(B)(3-1). Acceptable wall sign examples. Note the different styles of signs and use of stacked (both left images) and supplemental text (lower left).

Figure 16.75.080(B)(3-2). More acceptable wall sign examples. In the right image, the signs are centered on the articulation elements of the façade.

Figure 16.75.080(B)(3-3). Unacceptable wall sign example. Most or all of these signs clearly exceed 2/3's of the width of their respective individual storefronts.

4. Maximum height. Wall signs may not extend above the building parapet, soffit, the eave line or the roof of the building.

5. Mounting.

   a. Building signs should be mounted plumb with the building, with a maximum protrusion of 1-foot unless the sign incorporates sculptural elements or architectural devices.

   b. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials.

6. Building name signs. Signs that advertise the name of the building and not associated with the name of any individual business are exempt from the sign area standards set forth in Table 16.75.080(B)(3). above. Standards:

   Signs shall be placed near the top of the façade and generally centered on the architectural features of the building. **Departures** per LMC 16.75.040(C) will be considered provided the sign is located in a place that is independent from individual businesses on the building and helps to provide identity for the particular building.

Figure 16.75.080(B)(6). Building name signs. The left image is a good example. The image on the right shows an unacceptable example where new signage blocks the original building name sign (circled on top).

C. **Marquee and Awning Signs.** Marquee or awning signs may be used in place of permitted wall signs (except where otherwise specified herein), provided they meet the following conditions:

1. Permitted number of signs. Tenants are allowed a maximum of one marquee or awning sign per facade that is visible from a street or customer parking lot. Exception: where an individual business uses multiple awnings or marquees, additional signs may be included on these provided they meet other applicable standards herein.
2. Sign area. See Table 16.75.080(B)(3) above for maximum sign area.
3. Sign width. Signage shall not exceed 2/3 of individual awning or marquee width.
4. Letter height. The lettering height shall be proportional to the architectural features of the building. For example, is shall not be so large that it blocks windows or other significant architectural features of the building.
5. Vertical clearance. Signs shall be placed a minimum of 8 feet above the sidewalk or walkway.
6. Location: Marquee signs may be placed on the front, above, or below the marquee.
7. Content: For individual storefronts that include multiple awnings or marquees, secondary business signage may be included on the additional signs. For example, where the primary sign might advertise the name of a bakery, the secondary signs could advertise coffee, ice cream or other types of products sold by the business, provided they are sized smaller than the primary business sign and meet other standards herein.

Figure 16.75.080(C)(6-1). Marquee and awning sign examples & standards.

Figure 16.75.080(C)(6-2). Marquee and awning sign examples.

D. Projecting Signs. Projecting signs meeting the following conditions are allowed for commercial uses adjacent to and facing a street. They may be used in addition to wall, marquee, and/or awning signs provided they meet the applicable standards below.

1. Permitted number of signs.
   a. Projecting signs. Tenants are allowed a maximum of one projecting signs wall sign per facade that is visible from a street or customer parking lot. **Departures** per LMC 16.75.040(C) for additional projecting signs may be permitted along a building elevation provided:
      i. They are separated enough to avoid visual clutter, don't conflict with wall, marquee, and/or awning signs or other significant architectural features of the building.
      ii. Additional sign(s) are noticeably smaller in size than the primary business identification projecting sign.
      iii. Additional sign(s) advertise other products or aspects of the business and are not merely a second business sign.
   b. Projecting banner signs. Multiple projecting banner signs may be integrated on the building provided they are aligned with façade articulation elements (such as vertical columns or piers). See Figure 16.75.080(D-4) for an example.

2. Sign area. Projecting signs are not based on sign area standards, but on the dimensional standards below. Projecting signs may be either vertical or horizontal oriented. Projecting banner signs must all be vertically oriented.
   a. Projection:
      i. Horizontal oriented signs: No more than 8 feet;
      ii. Vertically oriented signs: No more than 42 inches for single-story buildings, no more than 5' for multi-story buildings;
      iii. Signs may project into public rights-of-way for storefront buildings, but shall not extend over the curb into the travel lane.
   b. Height:
      i. Horizontal oriented signs: No more than 3 feet;
      ii. Vertically oriented signs: Shall not extend above the building parapet, soffit, the eave line or the roof of the building, except for theaters, hotels, large scale retail uses (over 50,000sf floor area), place names for large retail centers (over 75,000sf floor area), or places of public assembly.
   c. **Departures** per LMC 16.75.040(C) to the provisions in subsection (a) and (b) above will be considered provided the sign design is compatible with the design of the building in terms of location, scale, and design elements, doesn't create a public safety hazard, and provides a positive contribution to the streetscape.
3. Vertical clearance. Signs shall be placed a minimum of 8 feet above the sidewalk or walkway.
4. Location: Projecting signs shall not be located directly over windows or in conflict with other signs or architectural features of the building.

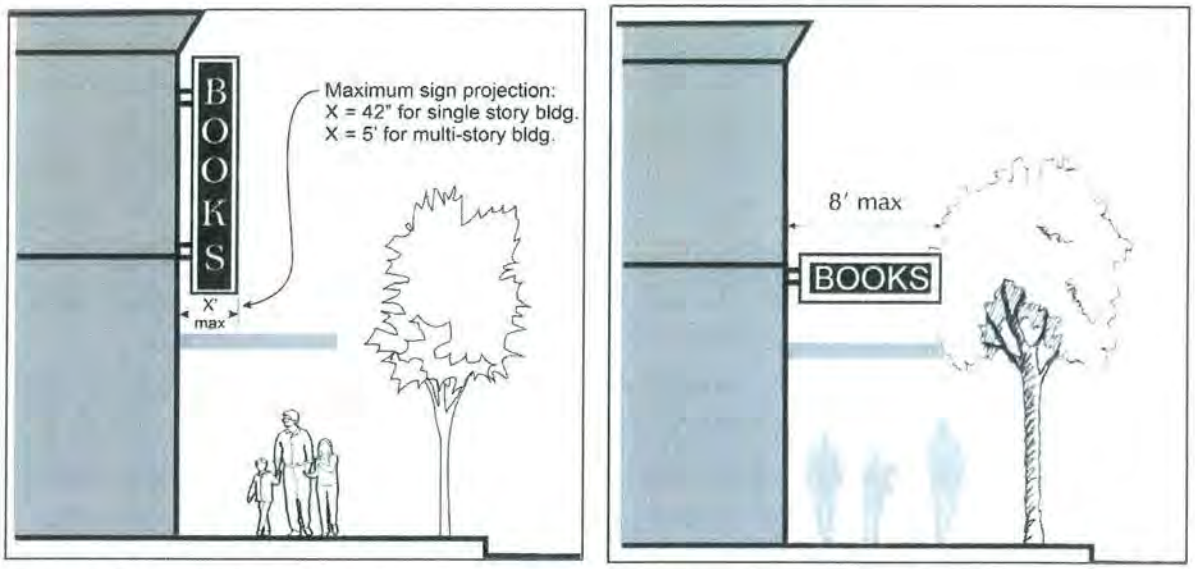

Figure 16.75.080(D-1). Standards for vertical (left) and horizontal-oriented (right) projecting signs.

Figure 16.75.080(D-2). Projecting sign examples. The example on right includes two complementary projecting signs that are separated enough that they don't conflict or cause visual clutter. The second sign is smaller and advertises the lounge that's within the restaurant.

Figure 16.75.080(D-3). Unacceptable projecting signs. Examples both include signs that project over the roofline. In the right example there are far too many signs. The extra signs also conflict visually and create unwanted sign clutter.

Figure 16.75.080(D-4). Projecting banner sign examples. Note how the sign are aligned with the vertical piers of each building and feature consistent bracket design.

E. Under Canopy Signs. Under canopy signs are placed under awnings, marquees or canopies and placed perpendicular to the storefronts and thus oriented to pedestrians on the sidewalk or an internal walkway. Applicable standards:

1. Permitted number of signs. Tenants are allowed a maximum of one marquee or awning sign per facade that is visible from a street or customer parking lot. Exception: For businesses with multiple entries onto a sidewalk or walkway, one under canopy sign shall be permitted for each entrance.
2. Sign width. Under canopy shall have 1-foot minimum between the sign and the outer edge of the marquee, awning, or canopy and between the sign and the building facade.
3. Sign height. Under canopy signs shall not exceed 2 feet in height.
4. Vertical clearance. Signs shall be placed a minimum of 8 feet above the sidewalk or walkway.

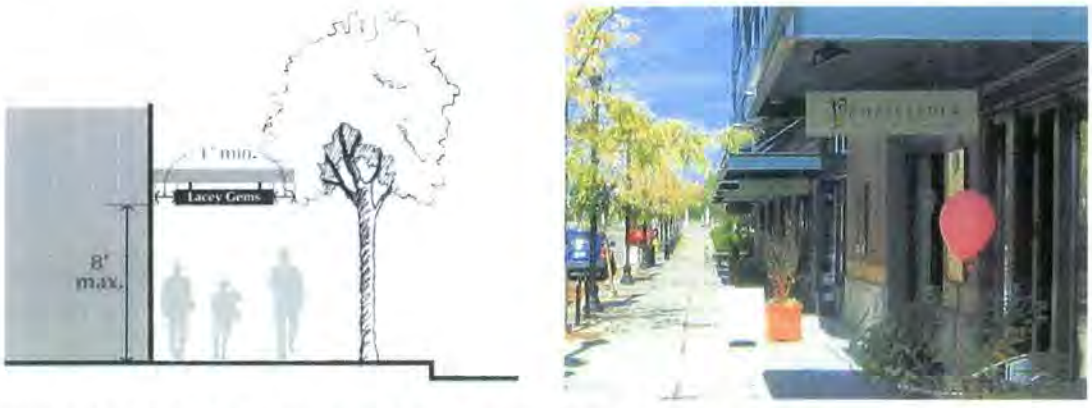

Figure 16.75.080(E). Under canopy standards and example.

F. Internal Way-finding Signs.

1. Purpose. To aid visitors in finding the location of a business, use or building.
2. Sign content. Signs may include only the name of the business, use, or building together with the directional guidance information.
3. Location. Signs may be located on internal walkways or landscape islands provided they don't inhibit pedestrian movement along the pathway.
4. Size. Signs may be up to 5 feet height and contain no more than 15 square feet in sign area.
5. Design. Signs shall be designed in a uniform manner (within individual subdivision or center) using consistent background color typeface colors. Dark

background colors with light colored text are preferred. See Figure 16.75.080(F) for an example.

Figure 16.75.080(F). Internal circulation sign examples. Note the consistent design themes using dark backgrounds with light colored text.

16.75.090 Residential District Sign Standards

A. Nonresidential uses within residential districts. Each use is permitted one monument sign as described in Table 16.75.080(A)(6). Internally lit signs in residential districts are prohibited.

B. 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 2 square feet in area, and cannot be internally illuminated, but may be indirectly illuminated.

C. 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 18 square feet in sign area each and 5 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.

D. Multi-family complex. Each multi-family complex is permitted one sign per entrance from an access street provided said signs do not exceed 24 square feet in sign area each and 6 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 a monument or fence mounted.

16.75.100 Temporary Signs

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

A. 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:

1. 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.
2. 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.

B. 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.

C. Special event signs.

1. Public special event.
   a. Special event signage as defined in LMC 16.75.020.MM is allowed subject to the standards contained in this chapter.
   b. No sign permit is required.
   c. Period of display. Such signs may be displayed 30 days prior to an event and must be removed within seven days after the event's conclusion.
   d. Standards. Such temporary signs shall not be larger than four square feet. Said signs shall not be located in the right-of-way, posted or attached to telephone poles, power poles or other public utility facilities. 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 45 percent from vertical.
2. Business sales event.
   a. A sign permit is required, specifying event periods and other information ensuring conformance with the standards herein.
   b. Period of display: No more than 30 days in a calendar year. This may include up to four events in a calendar year provided the total number of days the sales event signage is displayed for does not exceed 30.

c. Standards: Sales event signage may include posters, banners, strings of lights, clusters of flags, balloons or other air or gas filled figures. Such displays are permitted only in districts where the enterprise so advertised is allowed under district zoning regulations.

D. 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:

1. Residential "for sale" and "sold" signs. Such signs shall be limited to one sign per street frontage not to exceed 5 square feet in sign area, placed wholly on the property for sale, and not to exceed a height of 7 feet.
2. Residential directional "open house" signs. Such signs shall be limited to one sign per street frontage on the premises for sale and 3 off-premises signs. However, if a real estate broker has more than one house open for inspection in a single development or subdivision, he/she is limited to 4 off-premises "open house" signs in the entire development or subdivision. Such signs are permitted only during daylight hours and when the real estate broker is in attendance at the property for sale. No such sign shall exceed five square feet in sign area.
3. 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 32 square feet in sign area and 7 feet in height.
4. 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 10 feet from the building line, the sign shall be placed on the building or in a window. The sign shall not exceed 7 feet in height and, if free-standing, shall be located more than 15 feet from any abutting property line or a public right-of-way line. Said sign shall not exceed 32 square feet in sign area.
5. Undeveloped residential property "for sale" signs. One sign per street frontage advertising undeveloped residential property for sale is permitted not exceeding 32 square feet in sign area. Said sign must be placed more than 30 feet from the abutting owner's property line and may not exceed a height of 7 feet.
6. 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.

E. 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 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/or is subject to the penalties as provided in this code.

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

G. **Banners.** Such signs may be permitted on private property. Banners may be used to advertise a sale, other special events, or for new businesses waiting for a permanent sign. Notification to the city is required prior to hanging the banner. This notification shall include acknowledgement of the banner requirements, the dates the banner will be used and location of the banner. Businesses are only allowed one banner per wall with a maximum of two banners per business at any one time. All banners must comply with the following:

1. Maintenance standards. All banners must be legible, made of durable materials, and must be well maintained.
2. Time limitation. Banners are limited to two, thirty-day placements per calendar year.
3. Location on property. Banners must be located completely on a wall, and tacked down on four corners. Banner size shall be regulated to a maximum of 10 percent of the architectural elevation per wall.

H. **Sandwich Board Signs.** Only businesses that cater to pedestrians such as: restaurants, retail businesses that sell clothing, gifts, accessories, small markets, or other similar uses as determined by the Director of Community Development shall be allowed to have sandwich board signs. Such signs shall only be pedestrian oriented in nature and businesses will only be allowed a maximum of one sandwich board sign. These signs are subject to the following conditions:

1. Notification. Notification to the city is required prior to displaying a sandwich board sign. This notification shall include acknowledgement of the sandwich board sign requirements, list of materials used, and rendering of the sign, including the dimensions. Liability for all sandwich board signs placed in the right-of-way is that of the business placing the sign.
2. Size. The area of the sign shall not exceed 9 square feet per side in size and shall not be wider than 3 feet.
3. Maintenance Standards. Signs shall be constructed out of materials able to withstand typical northwest weather. Such materials may be metal, finished wood, chalkboard, whiteboard or plastic; signs and copy shall be of professional quality.

Owners of sandwich board signs shall be required to keep their signs in a legible, intact, and well maintained manner.

4. Display Time. Signs may only be displayed during business hours. If business hours continue past daylight hours, precautions should be taken to place the sign in a location where it is readily visible after dark. This shall not be construed to allow the wiring of a sign for lighting.
5. Location. Signs may be located no further than 12 feet from the entrance to the business. Such signs shall not be placed in a location which is within the vision triangle or any location which will impede vehicular traffic. Further, such signs shall not be placed in a manner which will block or otherwise obstruct the safe use of sidewalks, building entrances or stairs by pedestrians, including pedestrians who are visually impaired or otherwise handicapped.

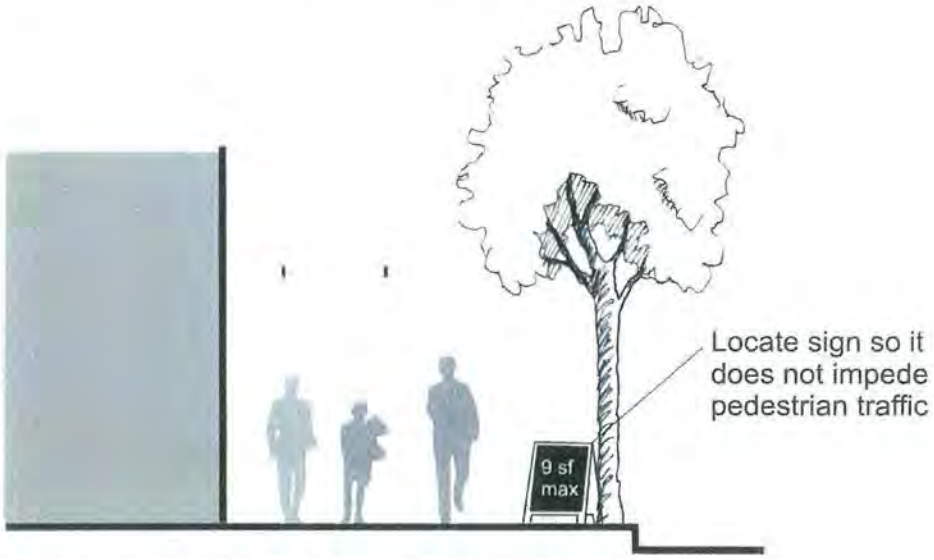

Figure 16.75.100(H-1).Sandwich board sign standards.

Exception. For multi-tenant centers where most businesses are located more than 12 feet from the public ROW, center owners or their representatives may apply for a permit to depart from this standard, provided the following provisions are met:

a. A maximum of one sign per 100 feet of ROW frontage;
b. Signs may be placed in the public ROW on one side of sidewalk in a manner that allows a minimum of 5 feet of horizontal clearance for pedestrians.

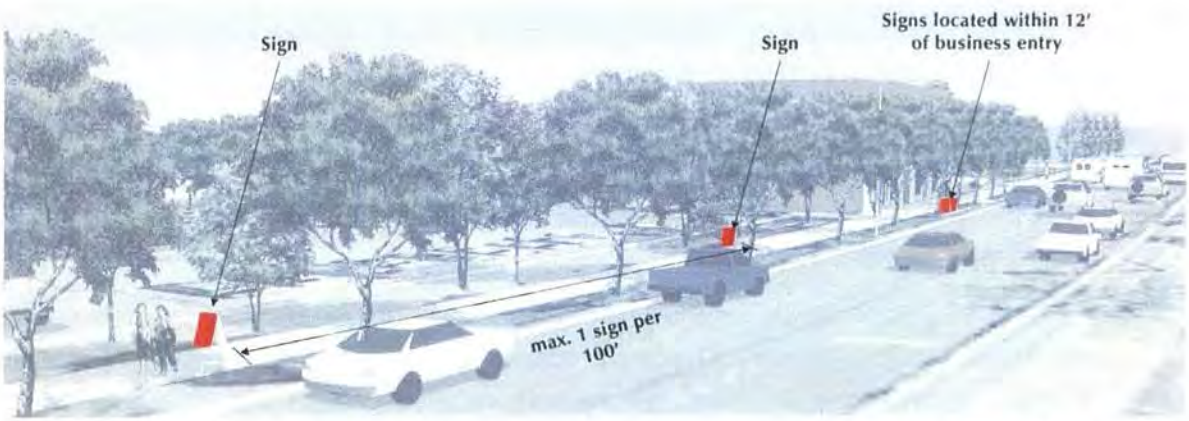

Figure 16.75.100(H-2). Illustrating sandwich board sign provisions. The first two sign on the left are more than 12 feet from their respective business entries, but allowed per the exception provision above. The cluster of sandwich board signs in the distance to the right are all within 12 feet of their respective business entries.

I. **Feather Signs.** Feather signs are prohibited except where used for a Grand Opening Event and/or Business Sales Event [LMC 16.75.080(B) and (C)(2)] or by permit for multi-tenant centers meeting the criteria below.

a. Applicants. Multi-tenant center owners or their representatives.

Number of signs permitted. A maximum of one sign per 100 feet of ROW frontage;

b. Location of signs. Signs may be placed outside the public ROW on the back side of the sidewalk, as shown in Figure 16.75.100(I).

c. Maximum height of signs. 13 feet.

d. The use of consistent size and shape of feather signs are encouraged where more than one sign is permitted.

Figure 16.75.100(I). Where permitted for multi-tenant centers, feather signs shall be placed at intervals of no more than 1 sign per 100 lineal feet of frontage and located behind the sidewalk.

J. **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/or is subject to the penalties as provided in this code.

K. **Seasonal sales.** No sign permit is required. Vendors who receive a temporary business license as defined in LMC 5.12.050 for seasonal or temporary sales activities (e.g. Christmas trees) 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.

16.75.110 Legal Non-Conforming Signs.

Legal nonconforming signs may remain in use only under the following conditions:

A. 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.

B. 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.

C. When a sign is structurally altered, it ceases to be a legal nonconforming sign and must conform with the provisions of this chapter. 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.

D. 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.

E. 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.

F. Violations. Any violation of this chapter shall immediately terminate the right to maintain a nonconforming sign.

16.75.120 Enforcement and Sign Removal.

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 such persons 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 City 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 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.

16.75.130 Severability.

A. If any Section, sentence, clause, phrase, word, portion, or provision of this chapter is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect, impair, or invalidate any other Section, sentence, clause, phrase, word, portion, or provision of this chapter which can be given effect without the invalid provision.

B. The invalidation of the application of any Section, sentence, clause, phrase, word, portion, or provision of this chapter to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall not affect the application of such Section, sentence, clause, phrase, word, portion or provision to any other property or structure not specifically included in said invalidation.

Section 3. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, at a regularly-called meeting thereof, held this 12th day of February, 2015.

CITY COUNCIL

By: _____
Mayor

Approved as to form:

_____
City Attorney

Attest:

_____
City Clerk

SUMMARY FOR PUBLICATION

ORDINANCE NO 1454

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on February 12, 2015, Ordinance No. 1454, entitled "AN ORDINANCE OF THE CITY OF LACEY RELATING TO SIGN REGULATIONS, REPEALING CHAPTER 16.75 OF THE LACEY MUNICIPAL CODE, ADDING 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 amends the sign regulations of the City of Lacey.

2. The Ordinance approves this Summary for Publication.

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: February 16, 2015.