



16720 SE 271st Street, Suite 100 • Covington, WA 98042 • (253) 480-2400 • Fax: (253) 480-2401

The City of Covington is a destination community where citizens, businesses and civic leaders collaborate to preserve and foster a strong sense of unity.

PLANNING COMMISSION AGENDA

July 19, 2018

6:30 PM

CALL TO ORDER

ROLL CALL

Chair Chele Dimmett, Vice Chair David Caudle, Jennifer Gilbert-Smith, Jennifer Harjehausen, Jonathan Ingram, Elizabeth Porter, & Murray Williams

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

C1. Minutes from June 7, 2018

CITIZEN COMMENTS - *Note: The Citizen Comment period is to provide the opportunity for members of the audience to address the Commission on items either not on the agenda or not listed as a Public Hearing. The Chair will open this portion of the meeting and ask for a show of hands of those persons wishing to address the Commission. When recognized, please approach the podium, give your name and city of residence, and state the matter of your interest. If your interest is an Agenda Item, the Chair may suggest that your comments wait until that time. Citizen comments will be limited to four minutes for Citizen Comments and four minutes for Unfinished Business. If you require more than the allotted time, your item will be placed on the next agenda. If you anticipate your comments taking longer than the allotted time, you are encouraged to contact the Planning Department ten days in advance of the meeting so your item may be placed on the next available agenda.*

UNFINISHED BUSINESS – (No Action Required)

1. Review & Status of Proposed Sign Code Amendments (Staff Memo and Attachment A)

PUBLIC HEARING – None

NEW BUSINESS- None

ATTENDANCE VOTE

PUBLIC COMMENT: (Same rules apply as stated in the 1st CITIZEN COMMENTS)

COMMENTS AND COMMUNICATIONS OF STAFF AND COMMISSIONERS

ADJOURN



Planning Commission Minutes

June 7, 2018

City Hall Council Chambers

CALL TO ORDER

The regular meeting of the Planning Commission was called to order at 6:32 p.m. by Chair Dimmett.

MEMBERS PRESENT

Chele Dimmett, Jennifer Gilbert-Smith, Jennifer Harjehausen, David Caudle, and Murray Williams

MEMBERS ABSENT- Jonathan Ingram

STAFF PRESENT

Richard Hart, Community Development Director

Brian Bykonen, Associate Planner and Code Enforcement Officer

Salina Lyons, Principal Planner

APPROVAL OF MINUTES AND AGENDA

- **C1. Commissioner Williams moved and Commissioner Harjehausen seconded to approve the May 3, 2018 minutes and meeting agenda for June 7, 2018. Motion carried 6-0.**

CITIZEN COMMENTS – None

UNFINISHED BUSINESS –

1. Review status of Proposed Sign Code Amendments

Community Development Director, Richard Hart provided an overview of the interim ordinance and status of the interim sign code. He reported that not many cities have completed their sign code to be compliant with the Reed v. Gilbert decision. The Planning Commission is tasked with providing staff feedback regarding the time, placement, and manner for temporary signs in the public right-of-way (ROW).

Associate Planner and Code Enforcement Officer, Brian Bykonen explained Option 1 that is currently outlined in the interim sign code. He described the chart in Agenda Item 1 and how each category of time, place, and manner needs to be evaluated. He also reviewed an alternative as it pertains to real estate

signs. If real estate signs are specifically excluded, the city runs the risk of a legal challenge based on the Reed v. Gilbert decision.

Commissioner Caudle asked about the options and alternatives and how it relates to enforcement and outreach. Mr. Bykonen responded to his questions.

Commissioner Caudle asked about the placement of current temporary signs and whether they are illegal. Mr. Hart responded that the placement of signs is not legal in the ROW, but at the direction of the City Attorney we have not pursued code enforcement unless it relates to life safety.

Commissioner Porter asked if other businesses have called to complain about the interim regulations. Mr. Bykonen and Mr. Hart responded that staff has not heard from the business community.

Commissioner Dimmett asked how the duration of temporary signs will be defined. Mr. Bykonen suggested that the Planning Commission could define the duration as sunrise to sunset.

Commissioner Caudle asked who would submit a temporary sign permit. Mr. Bykonen answered that the permit is required for private property, and can be submitted by the property owner or their agent.

Commission Harjehausen asked how to delineate signs for real estate signs for properties within the ROW. Mr. Hart responded that you can't.

Chair Dimmett polled the Planning Commission to reach a consensus on temporary commercial signs in public ROW. The following responses are based on the majority consensus of the Planning Commission.

Number of Signs: Commission decided on 4 signs.

Type of signs: Commission decided a lawn and a-frame sign.

Duration of Days: Commission decided on 4 days

Duration Time: Commission decided on sunrise and sunset

Size limitations: Commission decided on 12 sq. ft. (2' x 3')

Permits: Commission decided on requirements of a permit.

PUBLIC HEARING - none

NEW BUSINESS - None

ATTENDANCE VOTE

- **Commissioner Caudle moved and Commissioner Williams seconded to excuse the absence of Commissioner Ingram. Motion carried 6-0.**

PUBLIC COMMENTS

Sam Pace, representing Seattle/King County Realtors and the Northwest Multiple Listing Service, provided public comment requesting the Planning Commission consider a provision to allow real estate signs in the public ROW. He provided testimony about how the real estate signs could be regulated.

COMMENTS AND COMMUNICATIONS FROM STAFF AND COMMISSIONERS

Mr. Hart shared that the June 21, 2018 and July 5, 2018 Planning Commission meetings are cancelled. We will have a second meeting in July to discuss the sign code and he anticipates a public hearing will be held in August. He also requested that the Planning Commission read the existing interim sign code and provide staff with any comments.

Commissioner Harjehausen will be out on July 19, 2018.

ADJOURN

The June 7, 2018 Planning Commission Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Kelly Thompson, Planning Commission Secretary



City of Covington
16720 SE 271st St. Suite 100
Covington, WA 98042
City Hall – 253.480.2400
www.covingtonwa.gov

Memo

To: Planning Commission

From: Richard Hart, Community Development Director
Salina Lyons, Principal Planner
Brian Bykonen, Senior Planner/Code Enforcement Officer
Liz Thompson, Contract Planner

Date: July 19, 2018

Re: Discussion of Revised Sign Code (Temporary and Permanent Signs) for Compliance with Supreme Court Decision in *Reed v. Town of Gilbert*

Background

The interim sign code, CMC 18.55, currently in effect through November 9, 2018, was written with the intention to be highly defensible based on the U.S. Supreme Court's ruling in *Reed v. Town of Gilbert*. The more content neutral the sign code is, the less risk the city has of being challenged. Content neutral regulations for temporary signs in the public right-of-way presents the most difficult challenge for writing regulations that are compliant with the *Reed v. Town of Gilbert* decision. These types of signs should only consider the following:

- a. the time or duration the temporary sign can be placed in the ROW
- b. the size of sign
- c. the number of signs
- d. the height of signs
- e. the location in the public right-of-way (ROW) of the temporary signs based upon safety factors; and certain prohibited locations for signs

The current interim code allows all noncommercial message signs, such as signs by political candidates and organizations, religious institutions, philosophical viewpoints, public events, or non-profit agencies to be placed in the public right-of way, subject to limited sign requirements and safety standards. However, the interim code does not allow any temporary commercial signs within public right-of-way (including real estate signs). Planning staff and the commission have been working on methods to handle temporary signs, both commercial and non-commercial in nature, in the revised sign code.

At the most recent planning commission meeting on June 12, 2018, the commission provided city staff with direction on handling temporary commercial signs in the right-of-way, which includes real estate signs for sale and open houses of residential dwellings as well as retail/commercial/office uses.

Purpose of Discussion Tonight

The staff has taken the commission's direction and incorporated those changes into a first draft sign code to replace the interim code that covers both temporary and permanent signs throughout the entire community, both on private property and within the public right-of way. Tonight's discussion is to confirm the commission's intention and desire for the time, place, and manner provisions within the proposed draft code in preparation of the required public hearing before the planning commission currently scheduled for August 2, 2018.

Staff Suggestion for Duration of Temporary Commercial Signs in the Public Right-of-Way (ROW)

At the last planning commission meeting several options were provided for governing the duration of temporary commercial signs, including real estate signs, in the ROW. These options included 1.) specific days of the week such as Thursday through Sunday and Holidays, 2.) any 4 days of the week, or 3. every day of the week. The commission selected option 2.) any 4 days of the week. City staff, after further research and discussion, concluded that this option would be a very difficult enforcement issue, and require substantial investments of staff time and resources to administer and properly enforce, which we do not currently have. Therefore, city staff recommends choosing option 3.) which is every day of the week. Enforcement then becomes very simple on any day of the week. Staff inspects the sign to see if it has the required sticker, and if it does, it's a legal sign. Without the sticker the sign is then illegal. This section appears on page 23, in Section 18.55.190 (1) (b) (iii). Staff would recommend that the Commission reconsider this section and allow the duration for seven (7) days a week for ease of enforcement.

Summary of Major Modified Provisions of Revised Sign Code

Outlined below are the major provisions changed primarily based upon Planning Commission direction.

Issues of Time, Place, and Manner:

Number of temporary commercial signs allowed in the public ROW: 4; p. 22;
Section 18.55.190 (1) (b)

Type of temporary commercial signs allowed in the public ROW: Lawn and Portable (A-frame); p. 22;
Section 18.55.190 (1) (c)

Duration (days) of temporary commercial signs allowed in the public ROW: 4 days a week; p. 22
Section 18.55.190 (1) (b)

Duration (time) of temporary commercial signs allowed in the public ROW: sunrise to sunset; p. 22
Section 18.55.190 (1) (b)

Size of temporary commercial signs allowed in the public ROW: 12 sq. ft. total & 6 sq. ft. per face; p. 22
Section 18.55.190 (1) (h)

Location of temporary commercial signs allowed in the public ROW: ROW except for medians, roundabouts, utility poles, fences, and trees; p. 22
Section 18.55.190 (1) (d) thru (i)

Permit Required: Yes, actual fee for permits to be determined later by city council by resolution; p. 22
Section 18.55.190 (1) (b)

Issues of Banners across Public ROW, on Light Poles, and String Lights:

Page 23; Section 18.55.190 (2) (a)

Staff recommends allowing a non-commercial banner sign erected across 272nd on city poles, by city crews.

Page 23; Section 18.55.190 (2) (b)

Staff recommends allowing a non-commercial banner sign erected on light poles.

Page 23; Section 18.55.190 (2) (c)

Staff recommends allowing non-commercial string lights on trees.

Issue of Permanent Signs on Vacant Lots, Parcels or Tracts:

Page 8; Section 18.55.050 (5)

Staff recommends one of several options. Not allowing such signs, allow one permanent commercial or non-commercial sign on a vacant parcel, or only allowing permanent non-commercial signs on vacant parcels. Allowing permanent non-commercial signs would accommodate a monument city gateway sign under consideration by the city council, and any monument subdivision identification sign. Staff would prefer allowing both commercial and non-commercial signs on a vacant lot, parcel or tract. Enforcement would be easier with this approach.

Issue of New Section for a Master Sign Plan Permit Process:

Page 9-11; Section 18.55.080

Staff has added a new section for a master sign plan and permitting process. It allows a master sign plan to be approved as an alternative to the requirements as set forth in Parts III and VI of the sign code. The master sign plan provision provides a process where special consideration can be given to signs within a development that uses such master sign plan to encourage the integration of signs into the framework of the building or buildings on the subject property. The City may allow deviations from the requirements of this chapter consistent with the criteria listed in subsection (5) of this section.

Temporary Commercial Signs in Public ROW Chart

	Number of signs (Manner)	Sign Type (Manner)	Duration (Day)	Duration (Time)	Size (Manner)	Material (Manner)	Location (Place)	Permit required
Option 1 No Temporary Commercial Signs in ROW (signs for all business and real estate)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Option 2 All Temporary Commercial Signs Allowed in ROW (signs for all business and real estate)	3, 4, or 5	Lawn and A-frame Signs (See below for examples)	Everyday OR Fri, Sat, Sun & Holidays OR # of days a week	No Time Limit OR Sunrise to Sunset OR Set Duration (i.e. 9am -9pm)	8 sq. ft. total w/ no sign face over 4 sq. ft. (2'x2') OR 12 sq. ft. total w/ no sign face over 6 sq. ft. (2'x3') AND no sign over 3' tall	Durable Material Only	Public ROW (not permitted in/on medians, roundabouts, utility poles, fences, etc.)	Do we require Permit? If yes: Staff needs to establish a program and fee.
Alternative 1 Temporary Commercial Signs- Signs Associated with Sale and Lease of Properties (separate regulations)	3, 4, or 5	Lawn and A-frame Signs (See sign examples)	Everyday OR Fri, Sat, Sun & Holidays OR # of days a week	No Time Limit OR Sunrise to Sunset OR Set Duration (i.e. 9am -9pm)	8 sq. ft. total w/ no sign face over 4 sq. ft. (2'x2') OR 12 sq. ft. total w/ no sign face over 6 sq. ft. (2'x3') AND no sign over 3' tall	Durable Material Only	Public ROW (not permitted in/on medians, roundabouts, utility poles, fences, etc.)	Do we require Permit? If yes: Staff needs to establish a program and fee.

Sign Examples



Lawn Signs



Portable (Sandwich Board or A-frame) Signs

Next Steps

Based on tonight's discussion and if the Planning Commission is comfortable with the code provisions as written, city staff will proceed with scheduling the public hearing on August 2, 2018. The commission could then provide any direction to city staff for changes or modifications to be brought back to the commission on August 16, 2018, for final action and recommendation to the city council.

Planning Commission Action Tonight

~Discussion and direction only tonight in preparation for public hearing in August~

****Draft Permanent Sign Code** v.1**
07/19/2018

CHAPTER 18.55
SIGNS

PART I: GENERAL PROVISIONS

- 18.55.010** **Intent and purpose.**
- 18.55.020** **Applicability and exclusions.**
- 18.55.030** **Interpretation.**
- 18.55.040** **Definitions.**

18.55.010 **Intent and purpose.**

(1) Intent. Signs have a strong visual impact on the character and quality of the community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for the community. The City relies upon its physical setting and beauty to attract commerce and aesthetic considerations assume economic value. The intent of this chapter is to protect and enhance both the City's residential character and its economic base using appropriate and aesthetic signage.

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

- (a) Promote and accomplish the goals, policies, and objectives of the City's comprehensive plan and zoning code, and the City council's vision, mission, and goals statement;
- (b) Provide minimum standards to safeguard life, health, property, and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location, and maintenance of signs and sign structures and discouraging excessive numbers of signs;
- (c) Recognize free speech rights by regulating signs in a content-neutral manner;
- (d) Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by or which may be fully or partially attributable to cluttered, distracting, and/or illegible signage;
- (e) Promote a positive visual image of the City and protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics, and scale of the building to which they may be attached; appropriate to the size of the subject property and amount of street frontage adjacent to the subject property; and compatible with adjacent buildings and businesses;

- (f) Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the City's streetscape;
- (g) Provide consistent sign design standards;
- (h) Protect and encourage creative and innovative approaches to signage and signs that are of a quality design, pleasing in appearance, and are appropriate in size, materials, and illumination to the surrounding neighborhood or commercial district;
- (i) Provide an improved visual environment for the citizens and visitors of the City;
- (j) Adopt clear, understandable regulations which will assure equal protection and fair treatment under the law through consistent application of the regulations and consistent enforcement of this chapter;
- (k) Balance both public and private business needs with the specific objectives of creating a community with an unmatched quality of life and a strong focus on economic well-being, aesthetics, community and family, the environment, and public infrastructure;
- (l) Support and enhance the economic well-being of all businesses within the City and recognize the needs of all businesses to identify their premises and advertise their products and services; and
- (m) Recognize that the aesthetic value of the total environment affects economic values and that an unrestricted proliferation of signs detracts from the economic value of the community.

18.55.020 Applicability and exclusions.

- (1) **Applicability.** This chapter applies to all signs within the jurisdictional limits of the City that are visible from any right-of-way or public place, regardless of the type or nature.
- (2) **Exclusions.** The following are exempted from the regulations and requirements of this chapter, but may be subject to regulation under other portions of the CMC:
 - (a) Signs that are not visible from any public right-of-way, public place, or another property.
 - (b) Signs inside a building; however, signs inside windows are not exempt.
 - (c) Signs required by local, state, or federal law if the sign is no more than thirty-two square feet (32 sq. ft.) in an area or is painted directly on a pavement.
 - (d) Signs installed by the City, County, State, or Federal governmental agency for the protection of the public health, safety, and general welfare, including, but not limited to, the following:
 - (i) Emergency and warning signs necessary for public safety or civil defense;
 - (ii) Traffic and/or wayfinding signs erected and maintained by an authorized public agency;

- (iii) Signs required to be displayed by law;
- (iv) Signs showing the location of public facilities; and
- (v) Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety, and general welfare.
- (e) Any sign on a vehicle, unless such vehicle is regularly parked in any prominently visible location from a public right-of-way or other public space for the primary purpose of attracting public attention to the sign, which is prohibited pursuant to CMC 18.55.050.
- (f) Public art, as defined by CMC 18.55.040.
- (g) Utility art/wrap on utility boxes/equipment displaying noncommercial copy only.
- (h) Temporary signs located on fences for screening of a construction site, as long as there is an active land-use, grading, or building permit approval that includes external work or modifications of the site.
- (i) Historic plaques and gravestones.
- (j) String lights on private property.

18.55.030 Interpretation.

1. This chapter is not intended to, and shall not be interpreted to, restrict speech based on its content, viewpoint, or message.
2. No part of this chapter shall be construed to favor commercial speech over noncommercial speech.

18.55.040 Definitions.

The following words, terms, and phrases, when used in this chapter shall have meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any word, term, or phrase used in this chapter that is not defined in this section shall have the meaning ascribed to it in Chapter 18.20 CMC. Any word, term, or phrase used in this chapter that is not defined in this section or Chapter 18.20 CMC shall have their normal dictionary meaning:

- (1) “Abandoned sign” means any sign remaining in place after such sign has not been maintained, or if the activity conducted on the subject property ceases, for one hundred and eighty (180) or more consecutive days.
- (2) “Animated sign” means any sign, or any portion of the sign, affected by the movement of air or other atmospheric or mechanical means, or uses natural or artificial changes of lighting, to depict action or create a special effect or scene. Animated signs include, but are not limited to, flashing signs, inflatable signs, rotating signs, pennants, streamers, balloons, searchlights, spinners, and propellers. Changeable copy signs and electronic changeable copy signs are not considered animated signs for the purposes of this chapter.

- (3) “Athletic field” means facilities used for sporting activities such as softball, baseball, football, soccer, running track, tennis, and other non-motorized sports. Athletic fields may include bleachers, concession stands, lights, restrooms, and other supporting facilities.
- (4) “Awning or canopy sign” means a nonelectric sign that is printed on, painted on, or attached to the vertical surface or flap of an awning or canopy.
- (5) “Banner” means a sign composed of flexible material, such as fabric, pliable plastic, or other similar non-rigid material, with no enclosing framework or electrical components and that is supported or anchored on two (2) or more edges or at all four (4) corners, or along either one (1) edge or two (2) corners with weights installed that reduce the reaction of the sign to wind.
- (6) “Building-mounted signs” means any sign attached to the face of a building, including, without limitation, wall signs, marquee signs, under canopy signs, and projecting signs.
- (7) “Canopy sign.” See “awning or canopy sign.”
- (8) “Changeable copy sign” means a sign with copy that can be changed or altered by manual, electric, electromechanical, or electronic means and without changing or altering the sign frame, sign supports, or electrical parts. A sign on which the copy changes more than eight (8) times in a twenty-four (24) hour period shall be considered an electronic changeable copy sign, and not a changeable copy sign, for the purposes of this chapter.
- (9) “Copy” means the graphic content of a sign surface, including, but not limited to, graphics, letters, numbers, figures, symbols, and trademarks.
- (10) “Electric sign” means a sign or sign structure in which electrical wiring, connections, or fixtures are used.
- (11) “Electronic changeable copy sign” means an electronically activated sign with a copy that is changed, either in whole or in part, more than eight (8) times in a twenty-four (24) hour period by means of electronic programming.
- (12) “Exposed building face” means the building exterior wall of a single occupant building or the building exterior wall of an individual tenant’s leased space in a multi-tenant complex, viewed as a vertical plane between the finished grade and the ridge of a pitched roof above it (e.g. top of the parapet, etc.). This vertical plane will be used to calculate the sign area for building-mounted signs. In the case of an interior business without a separate exterior entrance, the exposed building face will be the vertical plane of the entrance wall measured between the floor and ceiling. As an option, for those businesses having oblique walls, the exposed building face is that area between the finish grade and the ridge or top of the parapet that is shown on the elevation drawing submitted with the required drawings for a building permit.
- (13) “Flag” means any piece of cloth of individual size, color, and design, hoisted on a pole permanently affixed to the ground or displayed via a pole bracket permanently affixed to a building. If any single dimension of a flag is more than three times (3x) greater than any other single dimension, for the purposes of this chapter such a flag is classified and regulated as a banner, regardless of how it is

anchored or supported.

(14) “Flashing sign” means an electric sign or any portion of an electric sign that changes light intensity in sudden transitory bursts, or switches on and off in a constant pattern (e.g. strobe lights). Changeable copy signs and electronic changeable copy signs are not considered flashing signs for the purposes of this chapter.

(15) “Freestanding sign” means a sign on a frame, pole, or other support structure that is not attached to any building.

(16) “Frontage, building” means the length of an outside building wall.

(17) “Frontage, property” means the length of the property line along the public right-of-way or private street on which it borders.

(18) “Graffiti” means writing or drawings scribbled, scratched, or sprayed illicitly on a wall or other surface in a public place.

(19) “Height” means the vertical distance measured from the highest point of the sign to either the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

(20) “Illuminated sign” means a sign with an artificial light source incorporated internally or externally for illuminating the sign.

(21) “Inflatable sign” means any object enlarged or inflated which floats, is tethered in the air, is activated by air or moving gas, or is located on the ground or on a building with or without a copy or other graphics. These signs include large single displays or a display of smaller inflatable items, such as balloons, connected in some fashion to create a larger display.

(22) “Institutional property” means property developed as educational, health, cultural and recreational centers, and places of worship. They may include government owned and operated facilities or be privately owned and operated.

(23) “Kiosk” means a small structure in a public area used for providing information often incorporating an interactive display.

(24) “Lawn sign” means a freestanding sign made of lightweight materials such as cardboard or vinyl that is supported by a frame, pole, or other support structure placed directly in the ground without foundation or other anchors.

(25) “Maintenance” means the cleaning, painting, and minor repair of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

(26) “Marquee sign” means any sign attached to or supported by a marquee, which is a permanent roof-like projecting structure attached to a building.

(27) “Monument sign (ground sign)” means a freestanding sign having the appearance of a solid base which is 100% or greater of the sign face width, made of landscape construction materials such as brick,

stucco, stonework, textured wood, tile, or textured concrete that are harmonious with the materials of the primary structure on the subject property.

(28) “Multi-tenant complex” means a complex containing two (2) or more uses or businesses.

(29) “Neon (outline tubing) sign” means a sign consisting of glass tubing, filled with neon gas, or other similar gas, which glows when an electric current is sent through it.

(30) “Nonconforming sign” means any sign that was constructed, erected, and maintained in conformance with all King County or City of Covington rules and regulations in effect at the time of establishment and no longer conforms to the rules and regulations of this chapter.

(31) “Pedestal sign” means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases shall be of a width equal to or greater than fifty percent (50%) of the sign width.

(32) “Pole or pylon signs” means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases are less than fifty percent (50%) of the sign width.

(33) “Portable sign” means a sign that is not permanently affixed and is designed for or capable of being moved, except those signs explicitly designed for people to carry on their persons or that are permanently affixed to motor vehicles. Portable signs include, but are not limited to, A-frame signs, portable reader boards, and similar signs.

(34) “Projecting sign” means a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign

(35) “Public art” means original artwork which is accessible to the public and/or public employees and has been approved as public art by the City.

(36) “Right-of-way” means land owned, dedicated, or conveyed to the public and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic; and land privately owned and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic, so long as such privately owned land has been constructed in compliance with all applicable laws and standards for a public right-of-way.

(37) “Roadway” means the portion of a street that is improved for motor vehicular or bicycle travel. Roadway includes vehicle travel lanes and on-street parking areas. Roadway does not include an area devoted to curbs, parking strips, or sidewalks.

(38) “Rotating sign” means a sign that revolves on a fixed axis.

(39) “Sign area” means the entire area of a sign on which copy is placed, excluding the sign’s structure, architectural embellishments, and framework. Sign area is calculated by measuring the perimeter enclosing the extreme limits of the module or sign face containing the copy; provided, however, that separated copy using a canopy, awning, or wall as the background and is without added decoration or change in the canopy, awning, or wall shall have a sign area calculated by measuring the perimeter enclosing separate copy and totaling the square footage of all such perimeters included as

part of the sign.

- (40) "Sign face" means the area of a sign on which the copy is placed.
- (41) "String light" means small electric lights spaced evenly along a cable and used for decoration.
- (42) "Temporary sign" means a sign placed on a structure or the ground for a specifically limited period of time.
- (43) "Tenant space" means a portion of a structure occupied by a single commercial leaseholder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.
- (44) "Vacant lot" means any parcel of land that is without a primary use or structure.
- (45) "Wall sign" means either a sign applied with paint or similar substance on the surface of a wall or a sign with no copy on the sides or edges and attached essentially parallel to and extending not more than twenty-four (24) inches from the wall of a building.
- (46) "Window signs" mean all signs located inside and affixed to a window and intended to be viewed from the exterior of the structure.

PART II: ADMINISTRATION

18.55.050	Prohibited signs.
18.55.060	Sign permits—Exemptions.
18.55.070	Sign permits—Temporary signs on commercial properties.
18.55.080	Master Sign Plan.
18.55.090	Sign permits—Permanent signs.
18.55.100	Sign variances.
18.55.110	Maintenance; removal.
18.55.120	Nonconforming signs.
18.55.130	Compliance and enforcement.

18.55.050 Prohibited signs.

Unless otherwise provided for in this chapter, no person shall erect, alter, maintain, or relocate any of the following signs in the City and such existing signs must be removed:

- (1) Animated signs. Any animated sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (2) Nuisance signs. Any signs that emit smoke, visible particles, odors, and/or sound, except that speakers in signs on the premises of a drive-through facility shall be allowed.
- (3) Hazardous signs. Any sign that is dangerous or confusing to motorists and pedestrians on the public right-of-way, including any sign which by its color, wording, design, location, or illumination resembles or conflicts with any official traffic control device or which otherwise impedes the safe and efficient flow of traffic.
- (4) Impediment to access. No sign may impede free ingress and egress from any door, window, or exit way required by building and fire regulations.
- (5) Permanent signs on vacant lots. No permanent sign shall be located on a vacant lot, parcel, or easement, except as allowed by CMC 18.55.240(2). No permanent sign shall be located on a lot, parcel, or easement as the principal use of that lot, parcel, or easement. Signs may only be established as an accessory use to a principally permitted use.
- (6) Certain portable signs. Portable signs on wheels (trailer signs) and outdoor electric portable signs.
- (7) Abandoned signs. Abandoned signs as defined by CMC 18.55.040.
- (8) Certain locations within ROW and public property. Signs on or within medians, roundabouts, utility poles, lampposts, traffic poles and signals, and street trees in the right-of-way or on or within other public property or structures, except as allowed pursuant to CMC 18.55.190.
- (9) Certain parked vehicles. Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of providing signs not otherwise allowed by this chapter.
- (10) Graffiti.

(11) Signs without a proper permit. Signs erected, constructed, or structurally altered that are required to have a permit for such action and that were erected, constructed, or altered without obtaining a permit for such action.

18.55.060 Sign permits—Exemptions.

The following signs, and activities relating to signs, are exempt from the permitting requirements of this chapter:

- (1) Changes to the face or copy of changeable copy signs, digital signs, and electronic copy signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City.
- (2) The normal repair and maintenance of conforming or legal nonconforming signs.
- (3) Temporary signs meeting the requirements in this chapter, except for those required to be permitted pursuant to CMC 18.55.070.
- (4) Any signs required to be posted pursuant to the Covington Municipal Code or any other local, state, or federal regulation.
- (5) Any sign on a vehicle, unless such vehicle sign is prohibited pursuant to CMC 18.55.050.

18.55.070 Sign permits—Temporary signs.

- (1) Permit Required. No person shall erect, alter, or relocate any temporary sign allowed on a commercial property without first receiving an approved temporary sign permit from the City pursuant to the requirements herein, unless the temporary sign is exempt from permitting requirements in accordance with Part III of this chapter.
- (2) Review Type. The review and approval of temporary sign permits is a Type I land use decision that shall be processed pursuant to Chapter 14.30 CMC, as amended.
- (3) Application. Applications for temporary sign permits shall be submitted to the City on forms provided by the City.
- (4) Fee. The applicable permit application fee, pursuant to the City's current fee schedule in effect at the time of application, shall be paid upon submission of each temporary sign permit application.

18.55.080 Master Sign Plan.

(1) Master Sign Plan. A master sign plan may be approved as an alternative to the requirements as set forth in Parts III and VI. The master sign plan is intended to provide a process where special consideration can be given to properties which use a master sign plan to encourage the integration of signs into the framework of the building or buildings on the subject property. The City may allow deviations from the requirements of this chapter consistent with the criteria listed in subsection (5) of this section.

- (2) Applicability. Master Sign Plan may be submitted for the following uses and developments:
 - (a) Multi-tenant building or complex;

- (b) Single-use building over 100,000 sq. ft.;
 - (c) Hospitals, including stand-alone emergency room centers;
 - (d) Approved subarea plans; and
 - (e) Residential subdivisions and short plats where newly constructed dwellings are currently for sale or lease (temporary signs only).
- (3) Review Process. An application for a Master Sign Plan under this section will be reviewed and decided upon by the Community Development Director. Prior to issuing a decision, the Community Development Director may consult, at the applicant's expense, with the City's architectural review consultant.
- (4) Application. Applications for a Master Sign Plan shall be submitted on forms provided by the City. The application shall include a narrative and plans that identify how the Master Sign Plan meets the review criteria in subsection (5).
- (5) Review Criteria. The City may approve a Master Sign Plan under the following criteria:
- (a) Placement. All signs shall be placed where they are visible and legible. Factors to be considered include their location relative to traffic movement and access points, site features, other structures, and orientation relative to viewing distances and viewing angles. Wall signs may be approved on building walls other than the wall of the space occupied by the tenant in commercial centers in which some tenants have little or no visibility from the street.
 - (b) Quantity. The number of signs that may be approved within any development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and wayfinding for the safety of the occupants of vehicles and pedestrians. Factors to be considered shall be vehicular and pedestrian safety for the size of the development.
 - (c) Size. All signs shall be no larger than necessary for visibility and legibility. Factors to be considered in determining appropriate size include topography, volume and speed of traffic, viewing distances and angles, proximity to adjacent uses, and placement of display. In no event shall a Master Sign Plan contain a freestanding sign that exceeds by more than fifty (50) percent any maximum height permitted by this chapter. Consistent with the exemptions set forth in this chapter, there shall be no limit on the height of a freestanding sign placed or oriented to be visible only internally to the development. In no event shall a Master Sign Plan contain a wall sign that exceeds by more than twenty-five (25) percent any maximum size (area) standard permitted by this chapter.
 - (d) Design Features and Materials. Sign design themes and materials shall be compatible with the architecture, colors, and materials of the project.
 - (e) Development Standards. The Community Development Director may not reduce any sign development standard to less than 50 percent of any minimum standard, nor increase any sign

development standard by more than one hundred (100) percent of the maximum standard. The Community Development Director shall not base any decision on the message content of a sign.

(6) Minor Modifications. The Community Development Director may grant a minor modification to the approved Master Sign Plan if:

- (a) The modification does not increase the sign area of the subject property approved in the original Master Sign Plan.
- (b) The modification maintains visual similarity with those elements specifically identified in the original Master Sign Plan as integral to the design theme of the subject property (for example: location(s), color(s), material(s), or type(s)).

(7) Major Modifications. Modifications requested that do not meet subsection (6) of this section shall submit a new Master Sign Plan Application or meet the criteria for the requested sign type as outlined in this chapter.

(8) Appeals. The decision of the Community Development Director in approving or denying a Master Sign Permit under subsection (3) of this section or modifications granted under subsections (6) and (7) of this section may be appealed using the Type II land use decision process pursuant to procedures set forth in Chapter 14.45 CMC, as amended.

18.55.090 Sign permits—Permanent signs.

(1) Permit Required. Except as provided for under CMC 18.55.060, no person shall erect, alter, or relocate any permanent sign without first receiving an approved sign permit from the City pursuant to the requirements herein.

(2) Review Type. The review and approval of permanent sign permits is a Type I land use decision that shall be processed pursuant to Chapter 14.30 CMC, as amended.

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

- (a) Application form. A completed permanent sign permit application shall be submitted on a form provided by the City. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign permit application and for the installation/posting of the sign on the property owner's property.
- (b) Building elevation/site plan. Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the location of the sign and drawings or photographs that show the scale of the sign in context with the building. Freestanding signs require a site plan indicating the proposed sign location as it relates to property lines, adjacent streets, and adjacent buildings.
- (c) Scaled design drawing. A colored rendering or scaled drawing, including dimensions of all sign faces, and descriptions of materials to be used, including color samples.

- (d) Scaled installation drawing. A scaled drawing that includes the sign description, proposed materials, size, weight, a manner of construction, and method of attachment, including all hardware necessary for proper sign installation.
 - (e) Lighting. A drawing indicating the location and fixture type of all exterior lighting for the proposed sign. The drawing shall specify wattage and bulb type to ensure compatibility with the lighting standards in this chapter.
 - (f) Fees. The applicable permit application fee, pursuant to the City's current fee resolution in effect at the time of application, shall be paid upon submission of the sign permit.
- (4) Criteria for Approval. Sign permit applications shall be reviewed by the Community Development Director for consistency with the standards in this chapter, according to the sign type and all other applicable regulations. A sign permit shall not be issued unless the Director makes findings that the criteria applicable to each sign type, as well as the general standards in this chapter, are satisfied. Sign permit applications shall be reviewed by the Building Official for consistency with the Building Code.
- (5) Notice of Final Decision. The Director shall issue a Notice of Decision incorporating the decision on the sign permit application not more than one hundred and twenty (120) days after issuance of the Determination of Completeness for the same application.
- (6) Expiration of Permit. A permanent sign approved under a permanent sign permit must be installed within one hundred and eighty days (180) days of issuance of the permit or the permanent sign permit will expire. No sign may be erected if a sign permit has expired.

18.55.100 Sign variances.

- (1) Approval Required. A variance may be granted from the strict application of the regulations in this chapter which apply to:
- (a) sign placement on a parcel or building frontage;
 - (b) sign area; or
 - (c) sign height, as regulated in this chapter.

A variance may not be granted to allow any prohibited signs or prohibited sign features, as included in CMC 18.55.050, or for any other purpose not listed in this subsection (1).

- (2) Review Type. Sign variances under this section shall be processed as a Type II land use decision pursuant to the procedures as set forth in Chapter 14.30 CMC, as amended.
- (3) Need for Sign Permit; Consolidation of Processing. A sign variance application may be submitted before or concurrent with the associated sign permit application. No sign permit application requiring a variance for issuance will be processed without a sign variance application.
- (4) Application Requirements. A complete sign variance application shall consist of the following:

- (a) Application form. A completed sign variance application on a form provided by the City. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner verifying that the property owner has given permission to the applicant for the submission of the sign variance application and for the installation/posting of the sign on the property owner's property.
 - (b) Sign Permit Application. A sign permit application pursuant to CMC 18.55.090; provided, that the applicant may submit a variance application without a sign permit application as provided in subsection (2) above.
 - (c) A narrative report which describes the requested variance in detail. The report shall identify all sections of this chapter from which the applicant is requesting a variance, as well as the nature and extent of the variance.
 - (d) The narrative report shall also include the applicant's description of the manner in which the sign variance satisfies all the variance criteria in subsection (5) below.
 - (e) Fees. The applicable permit application fee, pursuant to the City's current fee schedule in effect at the time of application, shall be paid upon submission of the variance application.
- (5) Criteria for Approval. To approve any sign variance, the Director must make written findings to show that all the following criteria have been met:
- (a) The request for a sign variance is due to unusual conditions pertaining to sign visibility needs for a specific building or lot; and
 - (b) The sign will not create a hazard; and
 - (c) The sign will not violate any state statute or any City Code provision (other than the provisions identified in this chapter relating to signs); and
 - (d) The sign will not negatively affect adjacent property; and
 - (e) The sign will be in keeping with the general character of the surrounding area and the granting of the variance would not result in an alteration of the essential character of the surrounding area; and
 - (f) The proposed variance is consistent with the purposes and intent of the zoning code and the purposes of this chapter; and
 - (g) The variance is consistent with the City's comprehensive plan; and
 - (h) The applicant has established that there are practical difficulties in complying with the provision(s) of this chapter and that the proposed sign is a reasonable use of the property (economic considerations alone do not constitute practical difficulties); and

- (i) The plight of the applicant is due to circumstances unique to the property, which were not created by the applicant or landowner; and
- (j) The variance will not permit any sign or use that is not allowed in the zoning district where the affected land is located, nor will it allow any sign or sign feature prohibited under CMC 18.55.050.

(6) Notice of Final Decision. The Director shall issue a Notice of Decision incorporating the decision on the variance application not more than one hundred and twenty (120) days after issuance of the Determination of Complete Application.

(7) Expiration of Variance. If the sign variance is approved, the sign identified in the variance must be installed within one hundred and eighty (180) days or the variance will expire. No sign may be erected if there is no sign permit for the sign, or if the variance or the sign permit has expired.

18.55.110 Maintenance; removal.

(1) Maintenance Required.

- (a) It is unlawful for any owner of record, lessor, lessee, manager, or other person having lawful possession or control over a building, structure, or parcel of land to fail to maintain any signs on the building, structure, or parcel in compliance with this chapter and any other applicable provisions of the Covington Municipal Code. Failure to maintain a sign constitutes a violation of this chapter and shall be subject to enforcement under the enforcement provisions of this chapter.
- (b) All signs, whether or not in existence prior to the adoption of this chapter, shall be maintained and kept in good repair and in a safe condition at all times. Maintenance of a sign shall include, but is not limited to, periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the sign permit issued for its installation, if required, and the provisions of this chapter.

(2) Removal.

- (a) Every person maintaining a sign must, upon vacating the premises where a sign is maintained, remove or cause to be removed said sign within one hundred and eighty (180) days from the date of vacating the premises. When the Director determines that said sign has not been removed within said period, the Director shall remedy and enforce said violation in accordance with the enforcement provisions of this chapter.
- (b) Any vacant and/or unused sign support structures, angle irons, sign poles, or other remnants of old signs which are currently not in use, or are not proposed for immediate reuse by a sign permit application for a permitted sign, shall be removed.
- (c) In addition to the remedies in Chapter 1.30 CMC, the Director shall have the authority to require the repair, maintenance, or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign

and/or property owner.

- (d) Any sign posted in violation of this chapter on public property or on public rights-of-way shall be subject to summary removal by the City.
- (e) Any person responsible for any sign posting made in violation of this chapter shall be liable to the City for the costs incurred by the City in removal thereof and, in event of failure to pay, for billing and collection charges, including interest and reasonable attorneys' fees.

18.55.120 Nonconforming signs.

- (1) Legally Nonconforming. Except as otherwise provided in this section, signs in existence on the effective date of the ordinance codified in this chapter which do not conform to the provisions of this chapter but which were constructed, erected, or maintained in full compliance with previous regulations will be regarded as legal and nonconforming.
- (2) Compliance Required. Signs in existence on the effective date of the ordinance codified in this chapter that does not comply with provisions regulating any signs prohibited pursuant to CMC 18.55.050 shall be immediately made to comply with the provisions of this chapter or be abated in accordance with the procedure established in Chapter 1.30 CMC.
- (3) Sign Face Change. A sign face or copy change on a nonconforming sign is not allowed when the affected property and sign structure have been abandoned pursuant to CMC 18.55.040.
- (4) Repair; Restoration. Any part of a sign or sign structure may be repaired as normal maintenance, or restored to a safe condition, without loss of legal nonconforming status. Damage from acts of nature or vandalism to a nonconforming sign will keep its nonconforming status if the cost of the repair is less than fifty percent (50%) of the cost of replacing the nonconforming sign with a conforming sign; provided that the replacement sign must be restored to the original design or a more conforming design.
- (5) Alterations; Relocation; Replacement. Except for as provided herein, any legally nonconforming sign that is structurally altered, relocated, or replaced must immediately be brought into compliance with all applicable provisions of this chapter.
- (6) Expansion or Change of Use. Any legally nonconforming sign on a non-residential property must be brought into conformance with all applicable provisions of this chapter prior to any expansion or change in use which requires a site review or conditional use permit. No building permits for new construction may be issued until compliance with this provision is assured.
- (7) Hazardous signs. Any legally nonconforming sign or sign structure on private property, which, consequently, is a hazard to life and property, or which by its condition or location presents an immediate and serious danger to the public, must be removed or otherwise brought into compliance with this chapter pursuant to the enforcement provisions of this chapter.
- (8) Variances. Variances may be granted using the variance procedure of this chapter to alleviate unusual hardships or extraordinary circumstances which exist in bringing nonconforming signs into conformity.

18.55.130 Compliance and enforcement.

- (1) Compliance with Other Codes. All signs erected or altered under this chapter must comply with all applicable federal, state, and local regulations relating to signs, including, without limitation, the provisions of this chapter and the International Building Code. If any provision of this chapter is found to conflict with any Code provision of the City, or any other federal, state, or local regulation, the provision that establishes the more restrictive standard shall prevail.
- (2) Inspection. The Director is empowered to enter or inspect any building, structure, or premises in the City upon which any sign is located for inspection of the sign, its structural and electrical connections, and to ensure compliance with the provisions of this chapter. Such inspections shall be carried out during business hours, unless an emergency exists.
- (3) Bond. The City may require a bond to ensure compliance with any aspect of this chapter.
- (4) Violation – Penalty.
 - (a) It is a violation of this chapter for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any sign or sign structure in the City, or cause or permit the same to be done, contrary to the provisions of this chapter.
 - (b) Each day any person allows a violation of this chapter to continue shall be considered a separate offense.
 - (c) Whenever the City has determined that a violation of this chapter has occurred or is occurring, the City shall remedy said violation as follows:
 - (i) The first violation of this chapter within a twelve (12) month period shall be a civil infraction punishable by a monetary penalty in the amount of \$100.00, not including statutory assessments;
 - (ii) The second violation of this chapter within a twelve (12) month period shall be a civil infraction punishable by a monetary penalty in the amount of \$200.00, not including statutory assessments;
 - (iii) The third or any successive violation of this chapter within a twelve (12) month period shall be a misdemeanor, punishable by up to a \$1,000 fine and/or imprisonment for up to ninety (90) days.
 - (d) Any sign or sign structure that is erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, demolished, equipped, used, or maintained in violation of this chapter is declared to be a public nuisance.
 - (e) All signs abated by the City shall be available for recovery by the owner of a said sign for a period of fourteen (14) calendar days and upon payment of the costs of removal and storage, if any, after which time the sign will be destroyed. The City shall not be responsible for damages or loss incurred during removal and/or storage of any sign.

(5) Additional Remedies. In addition to the other remedies provided by this chapter, the City may abate said public nuisance or seek any other equitable relief authorized by the Chapter 1.30 CMC and the laws and regulations of the State of Washington.

(6) Joint and Several Liability. The property owner(s) and each tenant or occupant shall be jointly and severally liable for violations of any penalties imposed pursuant to this chapter.

PART III: REGULATIONS FOR TEMPORARY SIGNS

- 18.55.140** Temporary signs—General regulations.
- 18.55.150** Temporary signs—Residential properties.
- 18.55.160** Temporary signs—Mixed use properties.
- 18.55.170** Temporary signs—Institutional properties.
- 18.55.180** Temporary signs—Commercial properties.
- 18.55.190** Temporary signs—ROW and public spaces.
- 18.55.200** Temporary signs—Other properties.

18.55.140 Temporary signs—General regulations.

The following provisions apply to all temporary signs placed within the City:

- (1) Sign placement. All temporary signs must be placed totally within the site/property pursuant to the requirements of this chapter, except when allowed to extend into the right-of-way by this chapter.
- (2) Materials; construction. Temporary signs may be made of any durable material, provided that the temporary sign otherwise conforms to the requirements of this chapter. A temporary sign may be of rigid or non-rigid construction.
- (3) Features.
 - (a) Lighted signs. Temporary signs that have either internal or external illumination shall not be displayed from the hours of 11 p.m. to 8 a.m.
 - (b) Audio. Sound generated by any temporary sign shall be regulated and enforced pursuant to the City's noise control provisions under Chapter 8.20 CMC.
- (4) Prohibited placement. In addition to the limitations on the placement of temporary signs within the public right-of-way pursuant to CMC 18.55.190, except as otherwise provided for in this chapter, temporary signs are prohibited from being in the following places:
 - (a) No temporary sign may be placed on a roof of a building or structure.
 - (b) No temporary sign may be placed on fences.
 - (c) No temporary sign shall be so located to physically obstruct any door or exit from a building.
 - (d) No temporary sign shall be located to be hazardous to a motorist's or pedestrian's ingress and egress from buildings or parking areas.
 - (e) No temporary sign shall be in the sight-distance triangle pursuant to the City's Design and Construction Standards adopted pursuant to Chapter 12.60 CMC, or in any other area which may obstruct the vision of motorists to create a safety hazard.
 - (f) Temporary signs shall not be placed within the required setback area from the property line, which shall be not less than five (5) feet from the property line in residential zones and not less than three (3) feet from the property line in all other zones. The distance between a sign and a

property line shall be measured along a straight line representing the shortest distance between the sign and the property line.

18.55.150 Temporary signs—Residential properties.

Except as otherwise provided for in this chapter, temporary signs on residential properties are allowed pursuant to the following regulations:

- (1) Non-commercial. All temporary signs on residential properties shall only display non-commercial copy, except as provided in subsection (5) of this section.
- (2) Sign types; construction; materials. There is no restriction on the type of temporary sign (i.e. the sign construction or materials used) allowed on residential properties, if all other regulations and provisions of this chapter are met.
- (3) Quantity. There is no restriction on the number of temporary signs allowed on residential properties.
- (4) Size.
 - (a) Temporary freestanding signs. No temporary freestanding sign shall be greater than twelve (12) square feet in size, with no sign face exceeding six (6) square feet, and shall not exceed six (6) feet in height.
 - (b) Building-mounted signs. Building-mounted temporary signs attached flush to the face of the building:
 - (i) shall not have a maximum height, provided that no sign shall extend beyond the roofline of the building; and
 - (ii) in aggregate (i.e. the total of all building-mounted temporary signs) shall not cover more than twenty percent (20%) of the building's facade.
 - (c) Window signs. Temporary signs placed on the inside of windows shall, in aggregate, not exceed fifty percent (50%) of the area of the window on which they are displayed.
 - (d) The size requirements of this section shall not apply to a flag(s) placed on a permanent flagpole or bracket.
- (5) Temporary signs for properties actively for sale or lease. One (1) temporary sign displaying a commercial message that does not exceed eight (8) square feet in size can be placed on the property or attached to the dwelling unit when the property is actively for sale or lease.

18.55.160 Temporary signs—Mixed-use properties.

- (1) Residential uses. Residential uses on mixed-use properties shall be subject to the temporary sign regulations pursuant to CMC 18.55.150.

(2) Commercial uses. Commercial uses on mixed-use properties shall be subject to the temporary sign regulations pursuant to CMC 18.55.180.

18.55.170 Temporary signs—Institutional properties.

Except as otherwise provided for in this chapter, temporary signs on institutional properties are allowed pursuant to the following regulations:

- (1) Non-commercial. All temporary signs on institutional properties shall display only non-commercial copy.
- (2) Sign types; construction; materials. There is no restriction on the type of temporary sign (i.e. the sign construction or materials used) allowed on institutional properties, if all other regulations and provisions of this chapter are met.
- (3) Quantity.
 - (a) Banners. One (1) temporary banner sign is allowed per each five hundred (500) feet of street frontage, not to exceed four (4) banners per property. Temporary banners may be placed on fences on the property.
 - (b) All other temporary signs. There is no restriction on the number of all other temporary signs allowed on institutional properties.
- (4) Size.
 - (a) Banners. Banners shall not be greater than five (5) feet in height, unless attached to the face of the primary structure on the property, in which case there is no maximum height restriction so long as the banner does not extend above the roofline of the building. Any banner shall not be larger than a total of thirty-two (32) square feet in size.
 - (b) All other temporary signs displayed on an institutional property shall each not be greater than three (3) feet in height and shall not be greater than six (6) square feet in size.
 - (c) Window signs. Temporary signs placed on windows shall, in aggregate, not exceed fifty percent (50%) of the area of the window on which they are displayed.
 - (d) The size requirements of this section shall not apply to a flag(s) placed on a permanent flagpole or bracket.

18.55.180 Temporary signs—Commercial properties.

Except as otherwise provided for in this chapter, all temporary signs placed on commercial properties shall conform to the following provisions:

- (1) Permit Required. Only temporary banner signs placed on commercial properties require a permit issued by the City pursuant to CMC 18.55.070.
- (2) Commercial and non-commercial signs. Temporary signs on commercial properties may be commercial or non-commercial in their messaging.

- (3) Features. No temporary sign on a commercial property may have direct or internal illumination, changing image sign features, or electronic elements.
- (4) Banners. Temporary banner signs on commercial properties shall be limited to the following:
- (a) Quantity.
 - (i) One (1) temporary banner sign is allowed per tenant space on the property.
 - (ii) The property owner (or landlord), if not also a tenant, may be allowed one (1) temporary banner sign.
 - (b) Size. The maximum size of a banner shall be thirty-two (32) square feet.
 - (c) Placement. A banner shall be attached to the face of the building and may not extend above the roofline.
 - (d) Duration. Each tenant space, or the property owner pursuant to subsection (4)(a)(ii) above, shall be allowed to display a temporary banner for no more than a total of one hundred and twenty (120) days in a calendar year.
- (5) Portable signs.
- (a) Quantity. One (1) temporary portable sign is allowed per tenant space on the property.
 - (b) Size. The sign shall be no more than twelve (12) square feet in size, with no single sign face larger than six (6) square feet. No portable sign face shall be greater than four (4) feet in height.
 - (c) Placement. Portable signs must be placed entirely on private property.
 - (d) Duration. Portable signs may be placed from sunrise to sunset, 365 days a year.
- (6) Window signs. Temporary signs placed on the inside of windows shall, in aggregate, not exceed fifty percent (50%) of the area of the window on which they are displayed.
- (7) Temporary freestanding sign. Where a commercial property, either in whole or in part, is actively listed for sale or lease, one (1) additional temporary freestanding sign for each street frontage on the site is allowed pursuant to the following:
- (a) The sign shall be no more than thirty-two (32) square feet in area. Temporary freestanding signs may have an additional face up to thirty-two (32) square feet in size if the angle between the sign faces is less than ninety (90) degrees. The sign shall not exceed seven (7) feet in height;
 - (b) The sign must be placed totally on private property; and
 - (c) The sign must be immediately removed upon the deactivation, sale, or lease of any listed property or tenant space.

18.55.190 Temporary signs—ROW and public spaces.

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

- (a) Non-Commercial Copy. All temporary non-commercial copy signs in public right-of-way shall abide by subsections (c) through (j) of this section, and shall not be limited in quantity or duration:
- (b) Commercial Copy. All temporary commercial copy signs in public right-of-way shall abide by subsections (c) through (j) of this section, and shall:
 - (i) Be limited in quantity to no more than four signs per open house, business, or event at any time;
 - (ii) Be limited for display from sunrise to sunset, only when an owner, agent, or employee is on-site and the open house, business, or event location is open to the public;
 - (iii) Be limited for display only four days a week. The four days of display per week may be distributed between any day of the week;
 - (iv) Require a temporary sign permit. The temporary sign permit for temporary commercial signs displayed in public ROW shall be valid for 365 days from the date of sign issuance.
- (c) Only temporary lawn and portable signs are allowed;
- (d) The sign must not be placed in medians, traffic islands, roundabouts, or other areas within the roadway;
- (e) The sign must not obstruct pedestrian or wheelchair access to the sidewalk;
- (f) The sign must not be placed in parking spaces, pedestrian pathways, or bicycle paths;
- (g) The sign must be placed entirely outside of the sight-distance-triangle of a right-of-way corner, curb-cut, or drive entrance pursuant to the City's Design and Construction Standards adopted under Chapter 12.60 CMC. Where no curb exists, the sign must be placed outside the roadway at least five (5) feet from the edge of the roadway.
- (h) The sign shall be no larger than twelve (12) square feet in size, with no single sign face larger than six (6) square feet in size, and no portion of the sign shall exceed three (3) feet in height; and
- (i) The sign must remain portable and may not be attached or anchored in any way to trees or to public property including, but not limited to, utility or light poles, utility boxes, street signs, parking meters, fences, or pavement.

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

- (a) Banners across public right-of-way. All temporary banner signs located over public right-of-way shall:
 - (i) Only be allowed across SE 272nd Street on permanent sign poles designed specifically to display banners;
 - (ii) Display non-commercial copy only;
- (b) Banners placed on street light poles. All temporary banner signs displayed on street light poles in public right-of-way shall:
 - (i) Only be allowed in the (TC) Town Center, (MC) Mixed Commercial, (GC) General Commercial, (MHO) Mixed Housing/Office (MHO), and RCMU (Regional Commercial Mixed Use) zoning districts;
 - (ii) Only be attached to street light poles with brackets for the display of signs;
 - (iii) Display non-commercial copy only;
 - (iv) Require a temporary sign permit;
 - (v) Be limited in duration to 365 days per permit;
 - (vi) Be limited in quantity to 75 banners per applicant;
 - (vii) Be installed and maintained by city staff or the street light pole owner only with all installation, maintenance, and removal costs paid by the applicant;
- (c) String lights on street trees: All temporary string lights placed in public right-of-way shall:
 - (i) Only be placed on street trees that have an electrical outlet at the base of the tree. Electrical cords or string lights shall not cross any roadway, sidewalk, planter strip, or undeveloped right-of-way, and shall not be strung from tree to tree or from a tree to any structure or private property;
 - (ii) Shall not flash or blink;
 - (iii) Shall be outdoor rated string lights only;
 - (iv) Shall only be allowed with the approval of the adjacent property owner;
 - (v) Shall require a Right-of-Way Use permit if placement or removal of the string lights will affect street traffic;
 - (vi) Shall only be displayed from October 1 through January 31 of the next year.

(3) Public spaces. Temporary signs shall not be placed in any public park, trail, open space, or other public space, except for those signs placed by the City. All temporary signs in public spaces shall only display non-commercial copy.

18.55.200 Temporary signs—Other properties.

Properties with primary uses other than those regulated under CMC 18.55.150 (Residential properties), 18.55.170 (Institutional properties); 18.55.180 (Commercial properties), or 18.55.190 (ROW) shall be subject to the temporary sign regulations in CMC 18.55.180 (Commercial properties).

PART IV: PERMANENT SIGNS—REGULATIONS

- 18.55.210** Permanent signs—Structural components.
- 18.55.220** Permanent signs—Placement.
- 18.55.230** Permanent signs—Design criteria.
- 18.55.240** Permanent signs—Residential properties.
- 18.55.250** Permanent signs—Nonresidential properties—Freestanding signs.
- 18.55.260** Permanent signs—Nonresidential properties—Building-mounted signs.

18.55.205 Permanent signs—Applicability of regulations.

Sections 18.55.210 to 18.55.230 of this chapter shall apply to all permanent signs within the City.

18.55.210 Permanent signs—Structural components.

To the maximum extent possible, signs should be constructed and installed so that angle irons, guy wires, braces, and other structural elements are not visible. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or wood.

18.55.220 Permanent signs—Placement.

(1) Obstructing and hazardous placement prohibited. No sign shall be so located to physically obstruct any door or exit from a building. No sign shall be located to be hazardous to a motorist's or pedestrian's ingress and egress from buildings or parking areas.

(2) Sight distance triangle. No sign shall be in the triangular area(s) measured fifteen (15) feet by fifteen (15) feet where a driveway enters onto a street, or in any other area which may obstruct the vision of motorists to create a safety hazard. Additionally, all signs are subject to the current City of Covington Design and Construction Standards regarding sight distances, pursuant to CMC 12.60, as amended.

(3) Sign Setback Requirements. The required setback from the property lines for all signs shall be not less than five (5) feet from the property line in residential zones and not less than three (3) feet from the property line in all other zones. Kiosk freestanding signs shall be setback one hundred (100) feet from all property lines. The distance between a sign and a property line shall be measured along a straight line representing the shortest distance between the sign and the property line.

18.55.230 Permanent signs—Design criteria.

(1) Sign Base. The base of the sign must be done in landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete, or materials that are similar with the character of the primary structures on the property and subject to the Director's approval. No visible gap shall be allowed between the sign base and the finished grade.

(2) Sign Face. The color, shape, material, and other architectural details of the sign face must be consistent with the character of the primary structure.

(3) Landscaping around freestanding signs. To improve overall appearance of the sign and to reduce the risk of motor vehicles hitting the sign or supports of the sign, an area adjacent to the base of each freestanding sign must be landscaped equal to the sign area; provided, however, that the City will not require more than two-hundred (200) square feet of landscaped area. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases as evidenced in plazas, patios and other pedestrian areas, planter boxes, pole covers, or decorative

framing.

(4) Illumination. No sign may contain or utilize any of the following (does not apply to neon signage):

- (a) Any exposed incandescent lamp with a wattage more than twenty-five (25) watts.
- (b) Any exposed incandescent lamp with an internal or external reflector.
- (c) Any continuous or sequential flashing device or operation.
- (d) Except for electronic changeable copy signs, any incandescent lamp inside an internally lighted sign.
- (e) External light sources directed towards or shining on vehicular or pedestrian traffic or on a street.
- (f) Internally lighted signs using 800-milliamp or larger ballasts if the lamps are spaced closer than twelve (12) inches on center.
- (g) Internally lighted signs using 425-milliamp or larger ballasts if the lamps are spaced closer than six (6) inches on center.

(5) Design consistency. Where more than one (1) sign is allowed for a property, all signs for that property shall be consistent in design, style, color, and method of illumination.

18.55.240 Permanent signs—Residential properties.

(1) Generally. No sign permit shall be issued for any permanent sign in a residential zone unless such sign complies with the sign type, maximum number, maximum sign area, maximum height, location, duration, and all other allowances and limitations for those uses as required by this chapter.

(2) Residential developments. Residential subdivision, short plat, multifamily complex, and manufactured home park developments are allowed signs pursuant to the following:

- (a) Two monument signs only are allowed per development entrance from a public right-of-way,
- (b) No sign shall exceed five feet in height and 32 square feet in size;
- (c) Any sign shall be contained in a tract specifically created for a sign;
- (d) Illumination is not allowed;
- (e) The area around the sign shall contain a minimum of one-hundred (100) square feet of landscaped area.
- (f) Only non-commercial copy is allowed.

(3) Properties issued a business license. On residential properties for which the City has issued a valid City business license for a home occupation or home industry, one (1) permanent sign is allowed pursuant to the following:

- (a) The sign must be a wall sign placed on the façade of the primary structure; the sign may be of a commercial or non-commercial nature.
- (b) The maximum sign size shall not be greater than four (4) square feet in size.
- (c) Where a sign placed on the building's façade cannot be seen from a public street due to the distance the building is setback from the street, the Director may approve an alternative sign size, type, or location.
- (d) The sign shall not cover or obscure important architectural details of a building, such as stair railings, windows, doors, decorative louvers, or similar elements, intended to be decorative features of a building design.
- (e) The sign must appear to be a secondary feature of the building façade.
- (f) The sign shall not project above the roofline of the exposed building face to which it is attached.
- (g) The sign shall be installed to appear flush-mounted.
- (h) Illumination is not allowed.

18.55.250 Permanent signs—Nonresidential properties—Freestanding signs.

All nonresidential properties shall be designated as either qualifying for a high-profile, medium-profile, or low-profile freestanding sign based upon the following criteria:

- (1) Freestanding signs—High-profile.
 - (a) A commercial property meeting all the following criteria is allowed a high-profile freestanding sign:
 - (i) A zoning designation of GC (General Commercial) or MC (Mixed Commercial);
 - (ii) A minimum of two-hundred fifty (250) feet of frontage on one public right-of-way;
 - (iii) Multi-use complex; and
 - (iv) A minimum site of fifteen (15) acres.
 - (b) Sign Types. A freestanding high-profile sign may be a pedestal sign, monument sign, or kiosk sign.
 - (c) Sign Features. A freestanding high-profile sign may be an electric sign, illuminated sign, neon sign, electronic changeable copy sign, or changeable copy sign.

- (d) Sign Height. Pedestal or monument signs shall not exceed twelve (12) feet in height. Kiosk signs shall not exceed seven (7) feet in height.
- (e) Sign Area. Pedestal or monument signs shall not be larger than 160 square feet for the total of all sign faces, with no one face exceeding 80 square feet. Kiosk signs shall not be larger than 60 square feet per sign, with no one sign face exceeding 30 square feet.
- (f) Number of Signs. A property qualifying for a freestanding high-profile sign may have the following maximum number of signs:
 - (i) Pedestal or monument signs: one per street frontage. In addition, two monument signs are allowed per entrance from a public right-of-way, not to exceed five feet in height and 40 square feet in size per sign; and
 - (ii) Kiosk signs: one for 15 or fewer tenant spaces. An additional kiosk sign is allowed for every additional 15 tenant spaces.
- (2) Freestanding signs—Medium-profile.
 - (a) Criteria. Except as provided for in CMC 18.55.250, a GC (General Commercial) or MC (Mixed Commercial) zoned property that does not qualify for a freestanding high-profile sign pursuant to Subsection (1) of this section or is zoned I (Industrial), MHO (Mixed Housing/Office), TC (Town Center), or RCMU (Regional Commercial Mixed Use) is allowed a medium-profile freestanding sign.
 - (b) Sign Type. A freestanding medium-profile sign may be a pedestal sign, monument sign, or kiosk sign:
 - (c) Sign Features. A freestanding medium-profile sign may be an electric sign, illuminated sign, neon sign, electronic changeable copy sign, or changeable copy sign.
 - (d) Sign Height. Pedestal or monument signs shall not exceed twelve (12) feet in height for a public street frontage more than two-hundred (200) feet in length. Pedestal or monument signs shall not exceed eight (8) feet in height for a public street frontage less than two-hundred (200) feet in length. Kiosk signs shall not exceed seven (7) feet in height.
 - (e) Sign Area.
 - (i) For signs with public right-of-way frontage more than 200 feet in length, the maximum sign area is 128 square feet for the total of all sign faces on each permitted sign, with no one sign face exceeding 64 square feet.
 - (ii) For signs with public right-of-way frontage 200 feet or less in length, a sign area of 100 square feet for the total of all sign faces on each permitted sign with no one sign face exceeding 50 square feet.
 - (iii) Kiosk signs. 60 square feet per sign with no one sign face exceeding 30 square feet.

- (f) Number of Signs. A property qualifying for a freestanding medium-profile sign may have the following maximum number of signs:
 - (i) Pedestal or monument sign: one per street frontage. In addition, two monument signs are allowed per entrance from a public right-of-way, not to exceed five feet in height and 40 square feet in size per sign; and
 - (ii) Kiosk sign: one sign for up to 15 tenant spaces. An additional kiosk sign is allowed for every additional 15 tenant spaces.
- (3) Freestanding signs—Low-profile.
 - (a) Criteria. A property located in the NC (Neighborhood Commercial) or CC (Community Commercial) zones, and commercial and institutional uses located in the residential zones are allowed low-profile freestanding signs.
 - (b) Sign Type. A freestanding low-profile sign may be a pedestal or monument sign.
 - (c) Sign Features. Any freestanding low-profile sign may be an electrical sign, an illuminated sign, and/or a neon sign.
 - (d) Sign Height. A freestanding low-profile sign shall not exceed eight (8) feet in height.
 - (e) Sign Area. A freestanding low-profile sign shall not exceed 100 square feet per sign with no sign face exceeding 50 square feet.
 - (f) Number of Signs. A property qualifying for a freestanding low-profile sign may have the one per street frontage. In addition, two monument signs are allowed per entrance from a public right-of-way, not to exceed five feet in height and 40 square feet in size.
- (4) Freestanding signs – Drive-up window use.
 - (a) Criteria. A property with a drive-up window use shall be allowed freestanding signs in addition to subsections (1), (2), and (3) of this section.
 - (b) Sign Type. A sign associated with a drive-up window use may be a pedestal or monument sign.
 - (c) Sign Features. Any sign associated with a drive-up window use may be an electrical or illuminated sign.
 - (d) Sign Height. Any sign associated with a drive-up window shall not exceed six (6) feet in height.
 - (e) Sign Area. Any sign associated with a drive-up window shall not exceed forty (40) square feet in size.
 - (f) Number of Signs. A drive-up window use may have two (2) signs per stacking lane.

- (g) Screening. All signs associated with a drive-up window use shall be fully obscured from view from a public right-of-way with a vegetative screen, fence, building, or other methods, as approved by the Director.

(5) Freestanding signs - Athletic field uses.

- (a) An institutional property that has an athletic field may have a freestanding sign in addition to subsections (1), (2), and (3) of this section as follows:
- (b) Sign type. A sign associated with an athletic field may be a pedestal or monument sign.
- (c) Number of signs. One (1) sign is allowed per athletic field.
- (d) Sign Height. Any sign associated with an athletic field shall not exceed twenty (20) feet in height.
- (d) Sign Area. Any sign associated with an athletic field shall not exceed two-hundred (200) square feet in size.
- (e) Sign location. A property qualifying for a sign associated with an athletic field:
 - (i) Shall not be located within 50 feet of a property line;
 - (ii) Shall not face a public ROW or a residential property; and
 - (iii) Shall have a vegetative screen along the backside of the sign

(6) Combined sign package for adjacent property owners. The owners of two or more properties that abut or are separated only by a vehicular access easement or tract may propose a combined sign package through a Master Sign Permit submittal to the City. The City will review and decide upon a combined sign package by reviewing the proposal as if the combined parcels were one development. The City may approve the combined sign package if it will provide more coordinated, effective, and efficient signs. The allowable sign area, sign type, sign height, and the number of signs will be determined as if the applicants were one multi-tenant complex.

18.55.260 Permanent signs—Nonresidential properties—Building-mounted signs.

All nonresidential properties shall be allowed permanent building-mounted signs pursuant to the following criteria:

- (1) Sign Types. The following may be building-mounted signs and are allowed in all nonresidential zoning districts:
 - (a) Awning or canopy signs;
 - (b) Changeable copy signs;
 - (c) Electronic changeable copy signs;

- (d) Marquee signs;
- (e) Window signs;
- (f) Projecting signs; and
- (g) Wall-mounted signs.

(2) Sign Features. Any building-mounted sign may be an electrical sign, an illuminated sign, and/or a neon sign.

(3) Sign Height. No sign shall project above the roofline of the exposed building face to which it is attached.

(4) Sign Area. Except as otherwise provided for in this section, the total sign area of building-mounted signs for each business or tenant, excluding under canopy signs, shall not exceed fifteen (15) percent of the exposed building face to which it is attached; provided, however, that no individual sign shall exceed a sign area of two-hundred forty (240) square feet and every applicant is entitled to a minimum sign area of thirty (30) square feet.

(5) Number of Signs.

- (a) The number of building-mounted signs allowed each user is dependent upon the surface area of the largest single exposed building face of the building as follows:

Largest Exposed Building Face	Maximum Number of Signs
Less than 999 square feet	2
1,000 – 2,999 square feet	3
3,000 – 3,999 square feet	4
4,000 and over square feet	5

- (b) Primary users with more than one business (i.e., a grocery store with a banking facility, cleaner, etc.), which must obtain a business license and without a separate entrance, are allowed one sign for each different business in addition to the number allowed above. The area of such additional signage must not exceed fifteen (15) percent of the exterior wall of the separate business.
- (c) An applicant is not allowed to transfer sign area calculated pursuant to this section from one building face to another but can move allotted signs from one building face to another.
- (d) Each business or use may be allowed under canopy signs in addition to the other allowed building-mounted signs subject to the size and separation requirements set forth in CMC Title 18.

- (6) Window signs.
 - (a) Permanent window signs in buildings with nonresidential uses are limited to painted or vinyl cut-out materials, or a neon signs constructed with or without a solid or opaque background.
 - (b) Permanent signs with solid backgrounds are not allowed in windows to ensure maximum light and visibility through windows.