

ORDINANCE NO 1074

AN ORDINANCE OF THE CITY OF ROSLYN, WASHINGTON, AMENDING CHAPTER 18.50.030, DEVELOPMENT REGULATIONS, BY DELETING SECTION 18.50.030(G), SIGNS, IN ITS ENTIRETY, AND AMENDING CHAPTER 15.25. BY REPEALING THE SAME IN ITS ENTIRETY AND ENACTING A NEW CHAPTER 15.25, SIGNS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Council desires to remove Chapter 18.50.030(G), Signs, from Chapter 18.50.030(G) and amend the same and place it in a new Chapter 15.25, Signs;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSLYN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 18.50.030(G) is repealed in its entirety.

Section 2. Chapter 15.25, Signs, is repealed in its entirety and replaced with a new Chapter 15.25, to read as follows:

Chapter 15.25 Signs

Sections:

15.25.010 Purpose.

15.25.020 Administration.

15.25.030 Definitions.

15.25.040 Standards.

15.25.050 Alternative Historic Standards.

15.25.060 Maintenance and Compliance Standards.

15.25.070 Additional Compliance Standards.

15.25.010 Purpose. The purpose of this Chapter is to establish the standards to guide the location, type, size, and appearance of private signs in the City of Roslyn in accordance with the provisions of the Roslyn Comprehensive Plan.

A. The City of Roslyn is a National Historic District and the preservation of the historic character of the community is of paramount importance. The historic character of the community stems from the 1880's Western Style and is characterized by buildings and signage that is simple, functional, and vernacular in nature. The construction materials employed in the building of Roslyn were of local origin. The specific objectives of this Chapter include:

1. Encourage signage that is consistent with historic practices and that preserves the

- historic character of the community;
2. Protect the public health, safety, welfare, and morals of the community;
 3. Promote an integrated system of signs with common design features and avoids visual clutter;
 4. Provide clear directions to tourists and visitors to the community;
 5. Support local businesses and community events;
 6. Encourage the preservation and use of historic structures; and
 7. Respects constitutionally protected forms of free speech.

15.25.020 Administration. Unless specifically exempted, all private signs must comply with the provisions of this Chapter. The installation of new private signs, the replacement of existing private signs, or the repair of existing private signs as specified in this Chapter must be authorized through the issuance of a Sign Permit.

- A. Exemptions. The following may be determined by the City to be exempt from the provisions of this Chapter. Please consult with the City Planning Department to confirm that the proposed visual is exempt from these regulations before initiating any activities:
1. Temporary, on-site real estate signs;
 2. Temporary political campaign signs not to exceed 8 square feet;
 3. Temporary signs or banners may be displayed for up to seven days provided that they are removed within one day after the event or activity;
 4. Legal notices and official public notices approved by the City;
 5. The display of the flag of the United States or the State of Washington;
 6. Murals that do not contain a commercial message and that present a theme consistent with the historical character of the community;
 7. On-site signs at churches, not to exceed 24 square feet, advertising the dates and times of worship services;
 8. Temporary signs and decorations associated with holiday or seasonal celebrations;
 9. Not more than ten 8 ½" x 11" or smaller paper notices displayed on a site;
 10. Temporary construction signs erected in conjunction with a valid building permit not to exceed a total of 64 square feet excluding approved safety signs;

11. Temporary business signs that otherwise meet the provisions of this Chapter, displayed for less than 45 days pending the installation of a new sign, or the repair or replacement of an existing sign;
12. Routine repair and maintenance activities that does not structurally alter or enlarge a sign, such as painting or replacing letters, etc.;
13. Approved historic markers, memorials, cemetery markers, or interpretative signs;
14. Signs owned and maintained by a federal, state, or local government agency including but not limited to, street and highway signs, signs necessary to protect the public health and safety, directional signs, and/or public information signs; and
15. Signs necessary to the expression of constitutionally protected forms of free speech as determined by the City Attorney.

B. Prohibited Signs. The following signs shall not be permitted:

1. Free standing signs exceeding 12' in height;
2. Signs attached to the roof of a building;
3. Signs that are attached to a building at a point, or that otherwise project, more than 35' above the ground;
4. Advertising signs attached to a structure that is not a building;
5. Portable signs, excluding authorized sandwich board signs;
6. Flashing signs and reader board type signs;
7. Mechanical signs or signs with moving parts;
8. Banners with commercial messages. This shall include, but is not limited to banners hanging on buildings, in windows, on fences, or suspended from poles or buildings;
9. Plastic or vinyl material signs;
10. Illuminated gas or LED signs with decorative pictures or designs;
11. Backlit signs;
12. Off-site private signs, unless specifically authorized in this Chapter; and
13. Signs that do not comply with the provisions of this Chapter.

- C. Administrative Code Interpretation. Wherever the requirements of this Chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants to which the City is a party, the most restrictive or those imposing the higher standards as determined by the City shall govern, provided that:
1. The Mayor or his/her designee is authorized to make such interpretations of this Chapter as may be necessary to promote the streamlined implementation of the Comprehensive Plan, provide efficient development reviews, remove inequities between property and business owners, resolve conflicting requirements, clarify provisions, correct cross references, and/or to avoid unnecessary hardship; and
 2. Any person may request a formal interpretation of the provisions of this Chapter or those municipal codes referenced in this Title. The request shall be in writing, shall reference specific titles, chapters, or code sections that pertain to the desired interpretation.
- D. Enforcement. The City shall notify the owner of non-conforming signs or violations of this Chapter in accordance with RMC Chapter 8.60. Failure to respond in a timely manner may result in the removal of the sign, the initiation of corrective action by the City at the owner's expense, and/or criminal or civil penalties.

15.25.030 Definitions.

A. The following definitions shall apply to this title:

88. **"Sign"** means the specific definitions listed in RMC Chapter 15.25.030. any object, device, display or structure, or part thereof situated outdoors or indoors, that is viewed from the building exterior which is used to attract attention to any activity, service, place, subject, object, person, institution, organization, business, product, service, event, public performance, article, machine or merchandise whatsoever, and includes, without limitation, any medium that has words, letters, figures, designs, symbols, fixtures, colors, numerals, graphic arts, illumination or projected images.

a. **"Back-lit"** sign means a sign with an artificial light source incorporated internally for the purpose of illuminating the sign;

b. **"Banner"** means a sign made of fabric, canvas, plastic, cardboard, or similar materials that is not designed to be permanently attached or displayed.

c. **"Commercial sign"** means any permanent or temporary sign erected for the purpose of advertising or identifying any establishment, product, goods or service.

d. **"Government sign"** means any temporary or permanent sign erected and maintained by the City, County, or State or Federal government *e.g.*, signs for traffic direction or for designation of or direction to a state-licensed or public school, hospital, historic site, or public service, property, or facility.

e. **"Flashing sign"** or "electronic changeable message sign" means a sign of which any portion changes light intensity, switches on and off in a constant pattern, contains

moving parts, creates the impression of movement, and/or whose content is displayed or changed electronically.

f. **"Hanging sign"** means a sign that is suspended parallel to the face of a building and which one or more of the edges is attached to the building.

g. **"Historic sign"** or **"historic marker"** means a sign that is culturally significant due to its relation to the history of a **building** or property is historically significant in its own right.

h. **"Monument sign"** means permanent sign where the entire bottom of the sign is affixed to the ground, not to a building. A monument sign shall not exceed four (4) feet in height measured from the finished grade to the top of the sign.

i. **"Mechanical sign"** means a sign with moving parts.

j. **"Neon sign"** means a sign which is illuminated by the electrification of gas.

k. **"Non-conforming sign"** means a sign which does not meet or conform to the current requirements of this Title.

l. **"Off-premise sign"** means a sign calling attention to a business, product, or activity, which is not located on the property on which the sign is situated.

m. **"On-premise sign"** means a sign related to a lawful use of the premises on which it is located.

m. **"Perpendicular sign"**, **"projecting sign"**, or **"blade sign"** shall mean a sign hung perpendicular to the building façade and attached to the building by a bracket or comparable means.

n. **"Pole sign"** means a sign wholly supported by a pole or poles imbedded in the ground.

o. **"Political sign"** means a temporary sign used in connection with a local, state, or national election or referendum.

p. **"Premise"** means the unit of real estate on which the activity or business is located.

q. **"Private sign"** means a sign that is privately owned.

r. **"Public sign"** means a sign that is owned by a public agency or jurisdiction, such as, but not limited to the City of Roslyn, Kittitas County, the State of Washington, or federal agencies.

s. **"Reader board sign"** means a sign or part of a sign on which the letters or images are readily changeable such that the copy can be changed manually or electronically from time to time at will.

t. **"Sandwich board"** or **"a-frame sign"** means a portable sign consisting of one or two sign faces hinged or attached at the top or otherwise constructed to be self-standing.

- u. “**Temporary sign**” means any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard or other light materials, intended to be displayed for a limited period of time only.
- v. “**Window sign**” means any advertising of products, goods, services or events that are attached to, hung in front or back of, painted on, etched, built into, or otherwise affixed to a window or door.

B. In addition to the specific definitions listed above, the City shall also use the *The City of Roslyn Standards and Guidelines for Preservation, Rehabilitation, Restoration, and Reconstruction of Historic Properties* as adopted or subsequently amended by the City Council following resources to administer this Chapter.

15.25.040 Standards. All signs must comply with the following standards unless specifically exempted:

A. General Standards.

1. All private signs must be located on-site. Off-site signs shall not be permitted unless specifically authorized by this Chapter.
1. All private signs must comply with the standards contained in *The City of Roslyn Standards and Guidelines for Preservation, Rehabilitation, Restoration, and Reconstruction of Historic Properties* as adopted or subsequently amended by the City Council.
3. Signs made of wood or metal are preferred.
4. Vinyl graphics applied to wood or metal may be permitted.
5. Free standing signs mounted to a pole or poles may be permitted provided that the face of the sign does not exceed twelve square feet and the height does not exceed twelve feet.
6. All illumination must be downward facing and shielded in accordance with “dark skies principles”, provided that:
 - a. Signs featuring neon tubes on wood or painted metal, not to exceed 18 square feet, may be permitted; and
 - b. Neon signs consisting solely of simple statements such as open or closed may be permitted in storefronts, provided that they do not feature more than two colors and do not exceed 3 square feet.
7. Temporary banners or signs may be displayed for approved special events for specific periods longer than seven days through a special use permit or related City approval.

B. Specific Standards.

1. Signs may be permitted in the Commercial and Light Industrial Zones in accordance with the following standards:
 - a. Window signs shall not exceed 25% of the window area;
 - b. Signs mounted flush to the building shall not exceed 8% of the building surface;
 - c. Signs painted on the front, rear, side wall, or approved awning of a building shall not exceed 16% of the building surface;
 - d. No one sign may be larger than 36 square feet and the total square footage of signs painted on a building, mounted flush on a building, hanging signs, and window signs shall not exceed 16% of the side or face of the building on which they are displayed.
 - e. If more than one business occupies a building, the requirements of this Chapter shall apply to the building, not each business.
2. In the Commercial and Light Industrial Zones one sign not to exceed eight square feet may be hung perpendicular to the building façade over each building entrance, provided that the bracket conforms to the requirements of the International Building Code and related codes as adopted by the City of Roslyn, provided that:
 - a. The brackets should be screwed into the mortar in brick or sandstone buildings whenever practical.
3. One off-site sandwich board sign may be permitted per business in the Commercial or, Light Industrial Zone subject to the following conditions:
 - a. A right-of-way use or special use permit, or similar approval is obtained from the City;
 - b. The sign may only be displayed during business hours;
 - c. The sign shall not exceed 6 square feet per side; and
 - d. The sign may only be located in a location approved by the City that is in immediate proximity of the business and does not interfere with pedestrian safety, vehicular travel, deliveries, snow removal, or municipal activities.
4. In addition to approved on-site signs, businesses in the Commercial and Light Industrial Zones may purchase an off-site directional sign from the City for installation on a public sign pole.
5. Private signs shall not be permitted in the Residential Zone, unless specifically authorized by the provisions of an overlay zone, or to advertise a permitted home business subject to the following conditions:

- a. Signs must be located on-site unless specifically authorized, provided that the City may require the property owner to provide a survey or other information necessary to verify that the proposed location is on site;
 - c. Signs shall not exceed 6 square feet;
 - d. One sign mounted flush to the building, or one hanging sign, or one perpendicular sign, or one sign suspended from a pole(s) not to exceed six feet in height may be permitted.
 - e. One on-site sandwich board or a-frame sign may be approved provided that it does not interfere with the safe ingress and egress from the building and it is only displayed during approved business hours;
 - f. Window sign(s) not to exceed 25% of a window surface and a total maximum area of eight square feet.
 - g. In addition to approved on-site signs, businesses may purchase an off-site directional sign from the City for installation on a public sign pole.
6. Private signs may be permitted in the Residential Zone in areas that have also been designated with a Commercial Overlay, subject to the following conditions:
- a. No more than one sign per business may be permitted;
 - b. Signs must be located on-site unless specifically authorized, provided that the City may require the property owner to provide a survey or other information necessary to verify that the proposed location is on site;
 - h. Signs shall not exceed 8 square feet;
 - i. One sign mounted flush to the building, or one hanging sign, or one perpendicular sign, or one sign suspended from a pole(s) not to exceed six feet in height may be permitted.
 - j. An on-site sandwich board or a-frame sign may also be approved provided that it does not interfere with the safe ingress and egress from the building and is only be displayed during business hours; and
 - k. In addition to an on-site sign, businesses that do not front SR 903 may purchase an off-site directional sign from the City for installation on a public sign pole.
7. Existing ***back-lit signs*** in existence as of January 1, 2011, that are located on properties located in the Commercial Overlay Zone and that are adjacent to Highway SR 903, shall be allowed to continue as existing ***non-conforming signs***, provided that such sign(s) may be altered as long as such alteration does not increase the extent of non-conformity or exceed 50 percent of the replacement cost of the sign. The routine maintenance or repair of such sign and sign structures is permitted, provided the cumulative repair or maintenance does not exceed 50 percent of the replacement cost of the sign.

15.25.050 Alternative Historic Standards.

- A. Business or property owners in the Commercial or Light Industrial Zone, or in the Residential Zone with a Commercial Overlay, may propose a sign(s) that would be prohibited or that otherwise exceed the specific standards contained in this Chapter provided that:
1. The alternative design is consistent with photographic documentation of historic signage in the City of Roslyn circa 1880-1930;
 2. The alternative design meets all standards of the International Building Code and related codes as adopted by the City of Roslyn;
 3. The proposed sign(s) shall be subject to review and approval by the Planning and Historic Preservation Commission; and
 4. Approval shall be based on a finding that the sign is keeping with the historic character of Roslyn and in the case of buildings on or eligible for inclusion on the Roslyn Register of Historic Places that the sign is in keeping with the historic character of the building.

15.25.060 Maintenance and Compliance Standards.

- A. Business and property owners shall be required to maintain the appearance and condition of their signs in safe and good working order, and shall comply with the provisions of this Chapter at all times.
1. Non-conforming banners or signs shall not be replaced, enlarged, or structurally altered, provided however, that a name change to a sign that does not exceed 50 percent of the replacement cost of the sign, or does not alter the historic character of the building or sign, may be allowed. No such sign shall be moved in whole or in part to any other locations where it would remain non-conforming.
 2. The City shall require as a condition of business license approval or renewal that all signs shall be maintained in a safe condition and in conformance with the provisions of this Chapter. Failure to do so may result in the suspension or revocation of a business license and/or fines to the building owner. Nothing in this provision shall limit the authority of the City to enforce compliance with this Chapter or safety provisions contained in this Chapter or other provisions of the City code against the business owner or owner of a sign.

15.25.070 Additional Compliance Standards.

- A. It shall be unlawful for any person, firm, association or corporation owning or occupying any building or premises within the corporate limits of the city of Roslyn to erect, construct, place, attach to, or maintain on any such building or premises any sign or advertising device of any kind whatsoever to be suspended over or upon any street, sidewalk, or alley, unless such sign or advertising device be securely and firmly attached to such building or premises with iron straps or rods securely bolted, and not less than 10 feet above the sidewalk, and extending not more than five feet from the front of the premises to which such sign or advertising device is attached.

All electric signs shall be wired in conduit and shall be attached to the building or premises with iron straps or rods securely bolted and guy wire cables shall be used in such a way as to ensure the stability of said sign.

It shall be unlawful for any person, firm, association or corporation owning or occupying any building or premises within the corporate limits of the city of Roslyn to attach to or maintain on such building or premises any awning or awnings unless the same shall have strong, well-secured iron or metal framework, all parts of which shall be at least seven feet above the sidewalk.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 22ND DAY OF MARCH, 2011.

CITY OF ROSLYN



Cordy Cooke, Mayor Pro-Tem

ATTEST/AUTHENTICATED:


Amber Shallow, Clerk-Treasurer

Approved as to form:


Margaret King, City Attorney

Filed with the City Clerk: March 22, 2011
Passed by the City Council: March 23, 2011
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