

**CITY OF ROSLYN
WASHINGTON**

ORDINANCE NO. 1095

**AN ORDINANCE OF THE CITY OF ROSLYN,
WASHINGTON, AMENDING ROSLYN MUNICIPAL CODE
CHAPTER 15.25 RELATING TO SIGN REGULATIONS;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING
AN EFFECTIVE DATE**

WHEREAS, signs perform functions that are important for public safety and general welfare including communicating messages and supporting business and community vitality by providing information about goods and services and directing citizens and visitors; and

WHEREAS, the City Council finds that the number, size, design, characteristics, and location of signs within the City directly affects the public safety and welfare; and

WHEREAS, the City Council finds that it is important to maintain, enhance, and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community; and

WHEREAS, the City Council finds that unregulated signs may distract from the historic and scenic character of the City of Roslyn; and

WHEREAS, the City Council recognizes that a person's right to identify his or her business contributes to the economic well-being of the community; and

WHEREAS, responsible regulation of signs may, in fact, improve business opportunity as a result of increased attractiveness of the city's environment; and

WHEREAS, these standards balance the need to protect the public safety and welfare, the need for a well-maintained and attractive community, and the need for adequate identification, communication and advertising; and

WHEREAS, these standards allow and promote positive conditions for sign communication while at the same time avoiding nuisances to nearby properties; and

WHEREAS, these standards allow for adequate and effective signs in residential, commercial and industrial zones while preventing signs from dominating the appearance of the area; and

WHEREAS, the Planning and Historic Preservation Commission reviewed the draft sign code on May 23, 2013; and

WHEREAS, on September 25, 2013, the responsible official issued a determination of non-significance (DNS) under SEPA (Chapter 43.21C RCW) related to this Ordinance and notice of said DNS was published in the NKC Tribune on October 3, 2013; and

WHEREAS, in accordance with RCW 36.70A.106 and WAC 365-196-630, a Notification of Intention to Adopt Development Regulation Amendments was sent to the State of Washington Department of Commerce and to other state agencies on August 14, 2013 for a required 60-day review period; and

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

Section 1. Roslyn Municipal Code Chapter 15.25 (Signs), Repealed and Reenacted.
RMC Chapter 15.25 is hereby repealed in its entirety and reenacted 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.

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:

- A. Encourage signage that is consistent with historic practices and that preserves the historic character of the community;
- B. Protect the public health, safety, welfare, and morals of the community;

C. Promote an integrated system of signs with common design features and avoid visual clutter;

D. Provide clear directions to tourists and visitors to the community;

E. Support local businesses and community events;

F. Encourage the preservation and use of historic structures; and

G. Respect 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. Except as otherwise noted, the following types of signs are exempt from the provisions of this chapter:

1. Temporary, real estate signs;

2. Temporary political campaign signs not to exceed eight (8) square feet;

3. Temporary signs or banners promoting or advertising an event or activity may be displayed for up to thirty (30) days prior to the event or activity; provided, that they are removed within three (3) days after the completion of 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 of thirty-two (32) square feet or less on a structure;

7. On-premise signs at religious worship facilities, not to exceed twenty-four (24) square feet;

8. Temporary signs, A-boards, banners and decorations associated with holiday or seasonal celebrations or events;

9. Advertisements displayed in windows thirty (30) days prior to and for the duration of an event;

10. Temporary construction signs erected in conjunction with a valid building permit not to exceed a total of sixty-four (64) square feet. This limit excludes approved safety signs;

11. Temporary business signs that otherwise meet the provisions of this chapter, displayed for less than forty-five (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 do 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;

15. Signs expressing constitutionally protected forms of free speech as determined by the city; and

16. "Historic signs" that no longer designate a business but fall within the 1890 to 1930 historical period may be exempt from these codes if satisfactory evidence as determined by the Roslyn Planning and Historic Planning Commission is shown. Note: this will not count toward the total square footage limit of allowed signage.

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

1. Free standing signs exceeding eight (8) feet 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 thirty-five (35) feet above the ground;
4. Advertising signs attached to a structure that is not a building;
5. Portable signs, excluding authorized sandwich “A-board” free-standing signs;
6. Signs which have flashing, scrolling or otherwise moving text or graphics and reader board type signs excluding authorized “open” signs;
7. Mechanical signs or signs with moving parts;
8. Banners which shall include, but are not limited to, banners hanging on buildings, in windows, on fences, or suspended from poles or buildings, unless specifically authorized by this chapter;
9. Plastic or vinyl material signs;
10. Illuminated gas or LED signs;
11. Backlit signs;
12. Off-premises signs, unless specifically authorized in this chapter;
13. Signs that do not comply with the provisions of this chapter; and
14. Signs deemed by the City of Roslyn as unsafe or a hazard.

15.25.030 Definitions.

The following definitions shall apply to this chapter.

A. “Sign” means a communication display, device or fixture which incorporates graphics, symbols, or written copy that is intended to promote the sale of a product, commodity, event, message, or service, or provide direction or identification for a premises, business, event, or facility or convey a message. “Sign” does not include stock in trade on display and available for sale. Specific types of signs include:

1. "A-board sign" or "Sandwich board" means a portable sign consisting of one (1) or two (2) sign faces hinged or attached at the top or otherwise constructed to be self-standing.
2. "Back-lit sign" means a sign with an artificial light source incorporated internally for the purpose of illuminating the sign.
3. "Banner" means a sign made of fabric, canvas, plastic, cardboard, vinyl or a similar material that is not designed to be permanently attached or displayed.
4. "Commercial sign" means any permanent or temporary sign erected for the purpose of advertising or identifying any economic interest or promoting a commercial transaction including, but not limited to, advertisement of a business, product, goods or service.
5. "Freestanding sign" means a sign supported permanently upon the ground by poles, pylons, braces or a solid base not attached to any building. Freestanding signs include, but are not limited to, those signs otherwise known as "pedestal signs", "pole signs", "pylon signs", and "monument signs."
6. "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.
7. "Hanging sign" means a sign that is suspended parallel to the face of a building and which one (1) or more of the edges are attached to the building.
8. "Historic sign" or "historic marker" means a sign that is culturally significant due to its relation to the history of a building or property or is historically significant in its own right.
9. "Illuminated sign" is a sign that is self-lit.
10. "LED electronic" means "light emitting diode."

11. "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.

12. "Mural" means graphic art painted directly on an exterior wall with no commercial text, logo, brand, or message with the exception of an artist or sponsor signature.

13. "Mechanical sign" means a sign with moving parts.

14. "Neon sign" means a sign which is illuminated by the electrification of neon or argon gas tubes on wood or painted metal.

15. "Nonconforming sign" means a sign which does not meet or conform to the current requirements of this Chapter.

16. "Off-premises sign" means a sign advertising a business or activity or goods and/or services not located or sold on the same premises.

17. "On-premises sign" means a sign related to a lawful use of the premises on which it is located or advertising goods and/or services sold on the premises.

18. "Open/Closed Sign" shall mean a sign consisting solely of simple statements such as "open" or "closed."

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

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

21. "Political sign" means a temporary sign used in connection with a city, county, state, or national election or referendum.

22. "Premises" means the unit of real estate on which the activity or business is located.

23. "Public 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.

24. "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.

25. "Temporary sign" means any sign, banner, pennant, valance, or advertising display, intended to be displayed for a limited period of time only as designated by this Chapter.

26. "Window sign" means any advertising of products, goods, services or events that is 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 City of Roslyn Standards and Guidelines for Preservation, Rehabilitation, Restoration, and Reconstruction of Historic Properties as adopted or subsequently amended by the city council to administer this chapter.

15.25.040 Standards.

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

A. General Standards.

1. Off-premises signs shall not be permitted unless specifically authorized by this chapter.

2. Except for public signs, all 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 (12) square feet and the height does not exceed eight (8) feet.

6. All illumination must be downward facing and shielded in accordance with dark skies principles.

7. All signs together with their structural supports, braces, and guys shall be maintained in a safe and secure manner,

B. Specific Standards: Commercial and Light Industrial Zones

Signs may be permitted in the commercial and light industrial zones in accordance with the following standards:

1. Each business may have one A-board sign not to exceed forty-eight (48) inches in height with sign faces of a maximum of six (6) square feet located on or off site. In addition to one (1) A-board sign, each business may also have the following signs: one (1) "open/closed" sign, one (1) window sign and one (1) blade, hanging, mounted, pole or painted sign per façade in accordance with the regulations of this chapter.

2. No sign face may be larger than thirty-six (36) square feet.

3. The total combined size of all signs shall not exceed sixteen percent (16%) of the total square footage of the side or face of the building on which they are displayed.

4. Signs up to eight (8) 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; and provided, that the brackets shall be screwed into the mortar in brick or sandstone buildings whenever practicable.

5. Signs mounted flush to the building shall not exceed eight percent (8%) of the side of the building on which the sign is to be displayed, less the windows and doors.

6. Window signs shall not exceed twenty-five percent (25%) of each window area or twenty-five (25%) of the cumulative square footage of all windows on that face of the building.

7. Each business may have one (1) off-premise A-Board subject to the following conditions:

a. A right-of-way use or special use permit, or similar approval shall be obtained from the city;

b. The sign may only be displayed during business hours;

c. The total sign shall not exceed forty-eight (48) inches in height when in a closed position;

d. The sign may only be placed in a location approved by the city that is directly in front of or directly adjacent to the business property or entrance of the business and does not interfere with pedestrian safety, vehicular travel, deliveries, snow removal or municipal activities and is located in accordance with the Americans with Disabilities Act; and

e. Such signs shall be constructed so that they do not present sharp edges or protrusions which would present a hazard to pedestrians. Signs shall not be electrified and shall not have any mechanical or moving parts.

8. In addition to approved on-premises signs, businesses in the commercial and light industrial zones may purchase an off-premises directional sign from the city for installation on a public sign pole.

9. Back-lit signs in existence prior to January 1, 2011, that are located on premises in the commercial, commercial overlay, and/or light industrial zones and that are adjacent to Highway SR 903, shall be allowed to continue as existing nonconforming signs; provided, that such sign(s) may be altered only as long as such alteration does not increase the extent of nonconformity or exceed fifty percent (50%) 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 fifty percent (50%) of the replacement cost of the sign.

10. All illumination must be downward facing and shielded in accordance with dark skies principles; provided that:

a. Neon signs, not to exceed eighteen (18) square feet, may be permitted; and

b. Open/Closed signs may be permitted in storefronts; provided, that they do not exceed three (3) square feet.

11. If more than one (1) business occupies a building, the requirements of this chapter shall apply to each business, not the building except that the maximum square footage per façade shall apply to the building.

12. Murals of greater than thirty-two (32) square feet must be approved by the Roslyn Planning and Historic Preservation Commission.

C. Specific Standards: Residential Zone

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:

1. A licensed business located in the residential zone may have one (1) A-Board sign. It may also have the following signs: one (1) "open/closed sign", one (1) window sign, and one (1) blade, hanging, mounted, pole or painted sign with the following limits:

a. Signs must be located on-premises 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-premises;

b. One (1) sign not more than twelve (12) square feet mounted flush to the building, or one (1) hanging sign, perpendicular sign, or sign suspended

from a pole(s) not to exceed six (6) feet in height may be permitted; and

c. One (1) sandwich board or A-board 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; the text or graphic portion of the sign shall not exceed six (6) square feet; the total sign shall not be more than thirty-six (36) inches in height.

2. All illumination must be downward facing and shielded in accordance with dark skies principles; provided that:

a. Open/Closed signs may be permitted in storefronts; provided, that they do not exceed three (3) square feet.

b. Window sign(s) not to exceed twenty-five percent (25%) of the window surfaces and a total maximum area of eight (8) square feet.

c. In addition to approved on-premises signs, businesses may purchase an off-premises directional sign from the city for installation on a public sign pole.

D. Specific Standards: Commercial Overlay Zone

Signs may be permitted in the residential zone in areas that have also been designated with a commercial overlay, subject to the following conditions:

1. Each business located in the Commercial Overlay Zone may have one (1) A-board sign not to exceed forty-eight (48) inches in height with a face no greater than six (6) square feet. They may also have the following signs: one (1) "open/closed" sign, one (1) window sign, and one (1) blade, hanging, mounted pole or painted sign with the following limits:

a. Signs must be located on-premises 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;

b. One (1) sign no greater than twelve (12) square feet mounted flush to the building, or one (1) hanging sign, perpendicular sign, or sign suspended from a pole(s) not to exceed six (6) feet in height may be permitted; and

c. One (1) on-premise sandwich board or A-board sign may also be approved; provided, that it does not interfere with the safe ingress and egress from the building and is only displayed during business hours and has a signage area of no more than six (6) square feet and a maximum height of forty-eight (48) inches.

2. In addition to an on-premise sign, businesses that do not front SR 903 may purchase an off-premise directional sign from the city for installation on a public sign pole.

3. Back-lit signs in existence prior to January 1, 2011, that are located on premises located in the commercial overlay zone and that are adjacent to Highway SR 903, shall be allowed to continue as existing nonconforming signs; provided, that such sign(s) may be altered as long as such alteration does not increase the extent of nonconformity or exceed fifty percent (50%) 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 fifty percent (50%) of the replacement cost of the sign.

4. All illumination must be downward facing and shielded in accordance with dark skies principles; provided that:

a. Neon signs, not to exceed eighteen (18) square feet, may be permitted; and

b. Open/Closed signs may be permitted in storefronts; provided, that they do not exceed three (3) square feet.

15.25.050 Alternative historic standards.

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 exceeds 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 1890 to 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.

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.

A. Nonconforming banners or signs shall not be replaced, enlarged, or structurally altered; provided, however, that a name change to a sign that does not exceed fifty percent (50%) 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 nonconforming.

B. 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.

C. Administrative Code Interpretation. Wherever the requirements of this chapter are in conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants to which the city is a party, the mayor or his/her

designee is authorized to make such interpretations of this chapter as may be necessary.

D. Enforcement. The city shall notify the person responsible of any violations of this chapter in accordance with Chapter 8.60 RMC. 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.

E. Dispute Resolution. 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, and shall reference specific titles, chapters, or code sections that pertain to the desired interpretation.

15.25.070 Additional compliance standards.

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 ten (10) feet above the sidewalk, and extending not more than five (5) 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. All permits and fees must be paid before such installation. Such installation shall be inspected.

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 (7) feet above the sidewalk. All permits and fees must be paid before such installation, and such installation shall be inspected.

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 October, 2013.**

CITY OF ROSLYN



Geoff Scherer, Mayor Pro-Tempore

ATTEST/AUTHENTICATED:



Brandi Taklo, Deputy Clerk - Treasurer

Approved as to form:

Ann Marie Soto, City Attorney

Filed with the City Clerk: August 13, 2013
Passed by the City Council: October 22, 2013
Date of Publication: October 31, 2013
Effective Date: November 5, 2013