

ORDINANCE NO. C 34390

An ordinance relating to sign standards for the Unified Development Code; and adopting a new chapter 17C.240 to title 17C of the Spokane Municipal Code.

WHEREAS, the Sign Ordinance was identified as one of the development regulations that would be reviewed and updated following adoption of the Comprehensive Plan. The existing Sign Ordinance is in need of modernization to reflect new sign technology and the needs of the business community and the public. The existing Sign Ordinance has not undergone a thorough review since its adoption in the late 1950's; and

WHEREAS, on-premise advertising signs are mentioned in Comprehensive Plan Policy DP 3.13 On-Premise Advertising states: "Ensure on-premise business signs are of size, number, quality, and style to provide identification of the business they support while contributing a positive visual character to the community"; and

WHEREAS, Policy DP 3.13 of the Comprehensive Plan emphasizes that signs should not degrade the visual environment and that signs should not distract motorists; and

WHEREAS, a Sign Code Technical Advisory Committee (TAC) was involved in the review of the draft Sign Ordinance. The TAC included representatives from Scenic America; a local sign company; a church; the Community Assembly; the City Plan Commission; the Spokane Home Builders Association and Spokane Association of Realtors; the Chamber of Commerce; and Property Management and the Downtown Spokane Partnership. The TAC prepared a background "white paper" and has had the opportunity to review and comment on preliminary draft standards for permanent signs in all zoning categories and on sign dimension standards; and

WHEREAS, the Sign Ordinance addresses on-premises signs. On-premises signs are located on the site of the business they serve and are intended to advertise only the business located on the site. These include freestanding signs, wall signs, projecting signs, monument signs and other types of permanent signs; and

WHEREAS, off-premises signs (billboards) advertise businesses and services that are not on the site that the sign is located on. The draft ordinance continues the existing Sign Ordinance provisions which do not allow new off-premises signs. Maintenance of existing off-premises signs is allowed; and

WHEREAS, the Plan Commission held workshops on the draft Sign Ordinance on February 27, 2008, March 26, 2008, May 14, 2008, September 10, 2008, and October 22, 2008, and a public hearing on November 12, 2008; and

WHEREAS, the draft Sign Ordinance which was the subject of the November 12, 2008 Plan Commission public hearing proposed to allow changing image signs subject

to size limitations on size and brightness, minimum spacing requirements and limits on the duration of messages including minimum and maximum length; and

WHEREAS, the Plan Commission continued deliberation on December 10, 2008 and considered a total of twenty-four written and verbal comments received during the public hearing process. Sixteen comments suggested that changing image signs degrade the visual environment and that such signs distract motorists and are detrimental to traffic safety. Four comments favored changing image signs. The Plan Commission, on a 5 to 4 vote, recommends that the changing image signs not be permitted in the proposed sign ordinance; and

WHEREAS, based on written and verbal testimony that is a part of the record and is summarized in the City Plan Commission Recommendation, Findings and Conclusions adopted on January 14, 2009, the Plan Commission explicitly considered and rejected allowing changing image signs; and

WHEREAS, the City of Spokane City Council, after lengthy consideration of the issues and public testimony related to changing image signs (renamed Electronic Message Center signs in the adopted Sign Code Ordinances) finds that with adequate controls, changing image signs may be safely placed and avoid the impacts cited by the Plan Commission in their recommended Sign Code Ordinance; and

WHEREAS, on October 29, 2008, the responsible official issued a determination of non-significance (DNS) under SEPA (Chapter 43.21C RCW) relating to this Ordinance and notice of said DNS was published in the Spokesman Review on October 29, and November 5, 2008.

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 ensure that signs and awnings are designed, constructed, installed and maintained according to minimum standards to safeguard life, health, property and public welfare; 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 reflect and support the desired character and development patterns of the various zones, overlay zones and promote an attractive environment; 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, these standards ensure that the constitutionally guaranteed right of free speech is protected; and

WHEREAS, these standards avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities and the community's appearance; and

WHEREAS, these standards allow for a variety of sign types and sizes for a site; and

WHEREAS, these standards do not ensure or provide for every property or business owner's desired level of visibility for the signs; and

WHEREAS, these standards are intended to allow signs to have adequate visibility from streets and rights-of-way that abut a site, but not necessarily to streets and rights-of-way farther away; --

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That there is adopted a new chapter 17C.240 Signs to Division C of Title 17C of the Spokane Municipal Code to read as follows:

SIGNS

17C.240.010	Purpose.
17C.240.020	Where These Regulations Apply.
17C.240.030	Hierarchy of Regulations.
17C.240.040	Relationship to Approved Land Use Reviews.
17C.240.050	Authority.
17C.240.060	Exemptions.
17C.240.070	Prohibitions.
17C.240.080	General Rules for Reading and Applying the Code Language.
17C.240.090	Sign Permit Required
17C.240.100	Applying the Code to Specific Situations.
17C.240.120	Measurements
17C.240.130	Primary Building Walls.
17C.240.140	Sign Face Area.
17C.240.150	Height of Signs.
17C.240.160	Clearances.
17C.240.180	Diagonal Corner Signs.
17C.240.190	Sign Standards Purpose.
17C.240.200	Official Zoning Maps.
17C.240.210	Uses, Use Categories, and Structure Types.
17C.240.220	Standards in the Residential Zones.
17C.240.230	Standards in the Commercial, and Industrial Zones.
17C.240.240	Additional Standards in All Zones.

17C.240.250	Off-premises signs.
17C.240.260	Additional Standards for Specific Uses.
17C.240.270	Additional Standards in Overlay Zones.
17C.240.280	Nonconforming Signs
17C.240.290	Bonus Allowance for Outstanding Design
17C.240.300	Construction Provisions and Traffic Engineer Review

17C.240.010 Purpose.

These regulations 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. The regulations for signs have the following specific objectives:

- A. To ensure that signs and awnings are designed, constructed, installed and maintained according to minimum standards to safeguard life, health, property and public welfare;
- B. To allow and promote positive conditions for sign communication while at the same time avoiding nuisances to nearby properties;
- C. To reflect and support the desired character and development patterns of the various zones, overlay zones and promote an attractive environment;
- D. To allow for adequate and effective signs in residential, commercial and industrial zones while preventing signs from dominating the appearance of the area;
- E. To ensure that the constitutionally guaranteed right of free speech is protected; and
- F. To avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities and the community's appearance.

The regulations allow for a variety of sign types and sizes for a site. The provisions do not ensure or provide for every property or business owner's desired level of visibility for the signs. The sign standards are intended to allow signs to have adequate visibility from streets and rights-of-way that abut a site, but not necessarily to streets and rights-of-way farther away.

17C.240.020 Where These Regulations Apply.

- A. General.
The requirements of this chapter apply to all signs, sign structures, awnings, and strobe lights located within the City of Spokane, except as specified in subsection B., below.

B. Clarification for rights-of-way.

1. Signs within public rights-of-way are regulated by Spokane Municipal Code chapter 12.02 Obstruction, Encroachment of Public Ways and not by title 17, Unified Development Code except in the following situations where both Titles apply:
 - a. Signs, sign structures, and awnings that extend from private property over rights-of-way; and
 - b. Temporary signs.

17C.240.030 Hierarchy of Regulations.

A. Conflicts within chapter 17C.240 SMC.

In general, an area with base zoning or overlay zoning, is subject to all of the sign regulations of each. When the regulations conflict, unless specifically indicated otherwise, the regulations for an overlay zone supersede regulations for base zones. The regulations for overlay zones also supersede conflicting regulations for a specific use or development unless specifically stated otherwise.

Where there is a conflict between regulations for a specific use or development and the base zone regulations, the specific use or development regulations supersede the base zone regulations.

17C.240.040 Relationship to Approved Land Use Reviews.

The sign-related provisions of any approved land use permit that applies to the site supersede the standards of this code. Examples of land use reviews include PUDs and binding site plans and conditional uses, and other discretionary permits.

17C.240.050 Authority.

A. Responsibility.

This chapter will be administered by the planning director and enforced by the code enforcement division and the street department.

B. Administration.

The director will administer these sign standards as set forth under title 17A SMC. The director may implement procedures, forms, and written policies for administering the provisions of this chapter.

C. Violations.

Violations of this chapter are civil infractions enforced under SMC 1.05.160.

17C.240.060 Exemptions.

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

- A. The flag, emblem or insignia of a nation or other governmental unit or nonprofit organization subject to the guidelines concerning their use set forth by the government or organization which they represent. Flag poles require a sign permit for structural review.
- B. Memorial signs or tablets, names of buildings, stained glass windows and dates of erection when cut into the surface or the facade of the building or when projecting not more than two inches.
- C. Traffic or other municipal signs, signs required by law or emergency, railroad crossing signs, legal notices, and any temporary signs as are authorized under policy approved by the city council.
- D. Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or of public telephones.
- E. Flush mounted wall signs, used to identify the name and address of the occupant for each dwelling provided the sign does not exceed two square feet in sign area.
- F. Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, which signs are designed and located to be viewed exclusively by patrons of such use or uses.
- G. Decorations, such signs in the nature of a decoration, clearly incidental and customary and commonly associated with any national, local or religious holiday.
- H. Painting, repainting or cleaning of an advertising structure or the changing of the advertising copy of message thereon shall not be considered an erection or alteration which requires a sign permit unless a structural change is made.
- I. Sculptures, fountains, mosaics, murals, and design features which do not incorporate advertising or identification.
- J. "No trespassing", "no dumping", "no parking", "private", signs identifying essential public needs (i.e., restrooms, entrance, exit, telephone, etc.) and other informational warning signs, which shall not exceed three square feet in surface area.

- K. Directional signs erected by the city on arterial streets directing the public to public, civic, or nonprofit facilities. Such signs shall be erected at the discretion of the director of public works and shall be subject to city design guidelines. In addition, with the approval of the design review committee, the director of public works may allow the erection of directional signs as are necessary to designate commercial areas or significant tourist sites within the city.
- L. Publicly approved non-illuminated interpretive signs, or historical signs, or tablets displayed by a public, educational non-profit agency, or private development pursuant to SMC 17E.060.830 and SMC 17E.060.840, strictly for the purpose of informing or educating the public.
- M. Illuminated wall highlights.

17C.240.070 Prohibitions.

The following are prohibited and existing ones must be removed:

- A. Signs containing strobe lights;
- B. Abandoned sign structures;
- C. Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of providing signs not otherwise allowed by the code;
- D. Permanent balloon signs;
- E. Temporary signs (except as provided for in SMC 17C.240.240.G. Temporary Signs);
- F. Signs that imitate or resemble official traffic lights, signs or signals or signs that interfere with the effectiveness of any official traffic light, sign or signal;
- G. Signs which are located upon or projecting over public streets, sidewalks, or rights-of-way except as provided for awnings and marquees in SMC 17F.040.140, and sandwich board signs in SMC 17C.240.240.G.9. and signs extending into the right-of-way allowed in SMC 17C.240.240.C.;
- H. Off-premises signs (except as provided for in SMC 17C.240.240.G. Temporary signs such as real estate signs and community banners, SMC12.02.0755 Signs permitted in conjunction with bus bench signs and SMC 17C.240.250 Off-premises signs);
- I. Strings of banners, pennants, and other graffiti-like material with advertising copy except grand opening displays and special event signs as allowed in SMC 17C.240.240.G.;

- J. Signs erected, constructed or structurally altered that are required to have a permit that were erected, constructed or altered without a permit.
- K. It shall be unlawful for any person, except a public officer or employee in the performance of his public duty, to affix, post, paint, nail, fasten, place or locate any sign, card, banner, handbill, poster or advertising or notice of any kind, or cause the same to be done, upon public streets, highways, bridges or upon any curbstone, traffic control device, street sign, utility pole, hydrant, fence, lamp post, guardrail, City-owned structure or City-owned tree or shrubbery in any public place, or to affix the same to a wire or appurtenance thereof, except as may be authorized by the ordinances, laws or regulations, the State of Washington or the United States. City-owned structures include, but are not limited to, bridges, overpasses, retaining walls, fences, street furniture and shelters, among other structures.

The prohibition contained herein shall not apply to political campaign signs, which shall be regulated pursuant to SMC 17C.240.240.G.6.

- L. Flashing signs.

17C.240.080 General Rules for Reading and Applying the Code Language.

- A. Reading and applying the code.
Literal readings of the code language will be used. Regulations are no more or less strict than as stated. Application of the regulations that are consistent with the rules of chapters 17C.240.080 through 17C.240.180 SMC are non-discretionary actions of the planning director to implement the code. The action of the planning director is final.
- B. Situations where the code is silent.
Proposals for signs where the code is silent, or where the rules of this chapter do not provide a basis for concluding that the sign is allowed, are prohibited.
- C. Substitution clause.
Notwithstanding anything herein to the contrary, noncommercial copy may be substituted for commercial copy on any lawful sign structure.

17C.240.090 Sign Permit Required

- A. Permit requirements.
No sign governed by the provisions of this code shall be erected, structurally altered or relocated by any person, firm or corporation after the date of adoption of this code without a permit issued by the city (with the exceptions as noted). No new permit is required for signs which have permits and which conform with the requirements of this code on the date of its adoption unless and until the sign is structurally altered or relocated.

B. Permit applications.

Permit applications shall include a site plan that provides the following information:

1. The location of the affected lot, building(s) and sign(s);
2. The scale of the site plan;
3. A scaled drawing of the proposed sign or sign revision, including size, height, copy, structural footing details, method of attachment and illumination;
4. The location of all existing signs on the site including size and height;
5. For signs subject to spacing regulations, the location of neighboring signs on adjacent properties;
6. Tax parcel number or correct address where proposed sign will be located.

C. Fee schedule.

Fees for sign permits are as provided by SMC 8.02.031.G.

17C.240.100 Applying the Code to Specific Situations.

Generally, while the code cannot list every situation or be totally definitive, it provides guidance through the use of descriptions and examples. In situations where the code provides this guidance, the descriptions and examples are used to determine the applicable regulations for the situation. If the code regulations, descriptions, and examples do not provide adequate guidance to clearly address a specific situation, the stated intent of the regulation and its relationship to other regulations and situations are considered.

17C.240.120 Measurements.

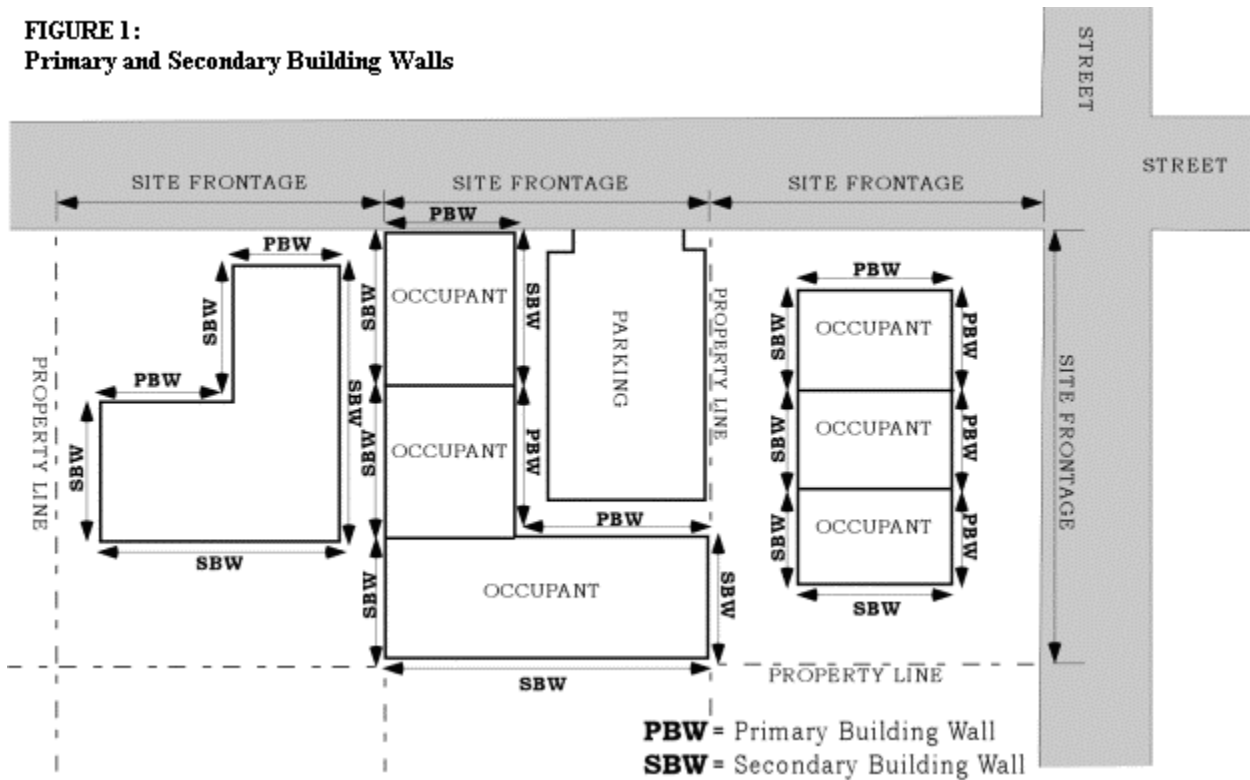
The standards contained in chapters 17C.240.130 through 17C.240.180 SMC address how the signs allowed in the various zoning categories are measured including sign area, height, and other parameters. These standards work in combination with the standards of chapters 17C.240.190 through 17C.240.300 SMC regarding allowed sign size, number, type and other provisions.

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17C.240.130 Primary Building Walls.

The length of a primary building wall is derived for each tenant space's ground floor exterior wall. See Figure 1. When walls are not parallel to a street, they are assigned to the street frontage to which they are most oriented. See Figure 8a. When the primary entrance is located in a building wall that is adjacent to, at an angle from, and shorter than the street-facing wall, the primary building wall will be measured as a combination of the street wall and the wall containing the entrance. Where the angled wall is on the corner of the building between two street-facing walls, the applicant may choose which street facing wall to combine with the wall containing the entrance to be considered the primary building wall. The length of the primary building wall will be measured in a straight line parallel to the street-facing wall. See Figure 8b.

**FIGURE 1:
Primary and Secondary Building Walls**



17C.240.140 Sign Face Area.

- A. Sign cabinets.
The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face. See Figure 2.
- B. Backed signs.
Only one side of a backed sign is counted in determining the area of sign faces. Where the two sides are not of equal size, the larger of the two sides is used for the determination of sign area. See Figure 3.

FIGURE 2
Sign Face Measurement

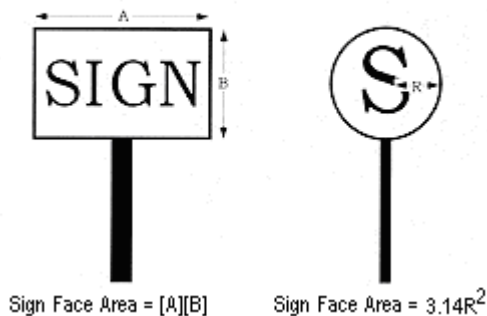
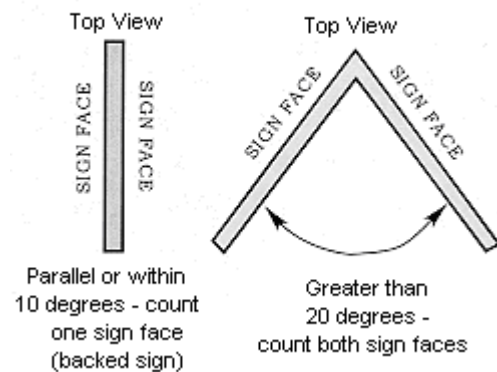


FIGURE 3
Sign Face Measurement



- C. Multiple cabinets.
For freestanding and projecting signs that contain multiple cabinets on one structure and oriented in the same direction, the modules together are counted as one sign face. See Figure 4.
- D. Round signs.
The maximum surface area visible at one time of a round, three dimensional or three or more sided sign is counted to determine sign area.
- E. Signs on a base material.
When a sign is on a background panel and attached without a cabinet, such as a wood board or Plexiglas background panel, the dimensions of the background panel are to be used.
- F. Individual elements.
When signs are constructed of individual elements attached to a building wall, the sign area is determined by calculating the area of an imaginary rectangle drawn around the sign elements. See Figure 5. Sign elements will be measured as one unit when the distance between the elements is less than ~~two~~ times the dimension of the smallest element. See Figure 6.

FIGURE 4
Sign Face Measurements

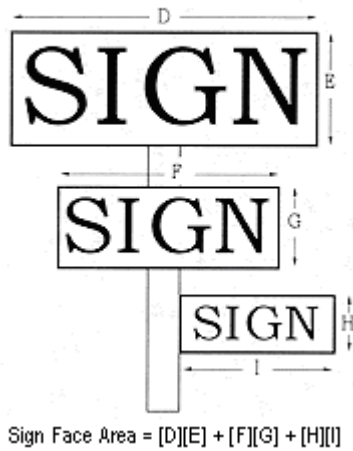
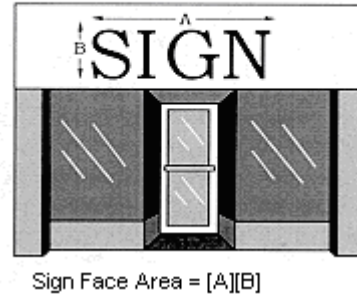


FIGURE 5
Sign Face Measurements



- G. Painted wall signs.
Painted wall signs are measured by drawing an imaginary rectangle around the edge of each of the sign elements. Sign elements will be measured as one unit when the distance between the elements is less than two times the length of each element. See Figure 6. Visible wall area includes windows and doors, but not openings such as loading entrances.
- H. Awnings and marquees.
When signs are incorporated into awnings, the sign area is determined by computing the area of an imaginary rectangle drawn around the sign face. When the ends of awnings or marquees are parallel and contain sign faces, only one side is counted in addition to the sign face area on the front.

17C.240.150 Height of Signs.

The overall height of a sign or sign structure is measured from the finish grade to the highest point of the sign or sign structure. See Figure 7.

17C.240.160 Clearances.

Clearances are measured from the highest point of the ground directly below the sign to the bottom of the sign structure enclosing the sign face. See Figure 7.

17C.240.180 Diagonal Corner Signs.

Diagonal corner signs that face more than one street must be assigned to a street and building frontage by the applicant. The sign must meet all standards for the street and building frontage to which it is assigned. See Figure 8.

FIGURE 6
Multiple Elements in a Painted Wall Sign or Fascia Sign

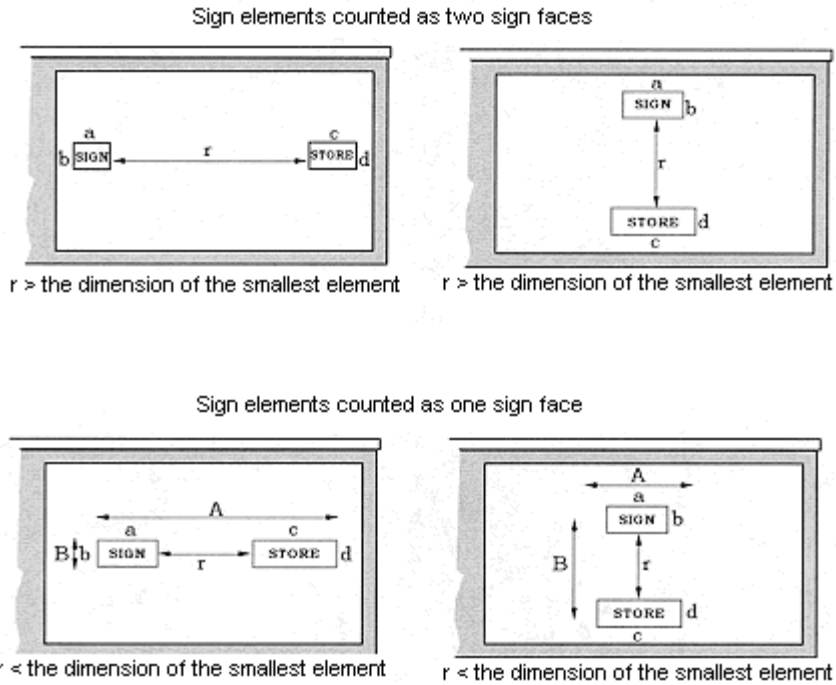


FIGURE 7
Sign Heights and Clearances

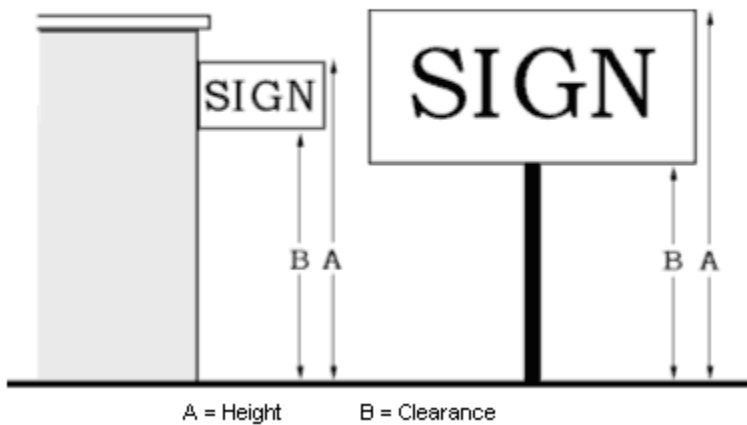
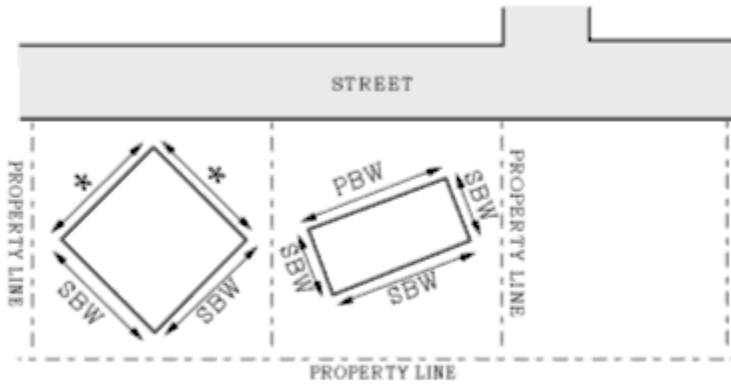


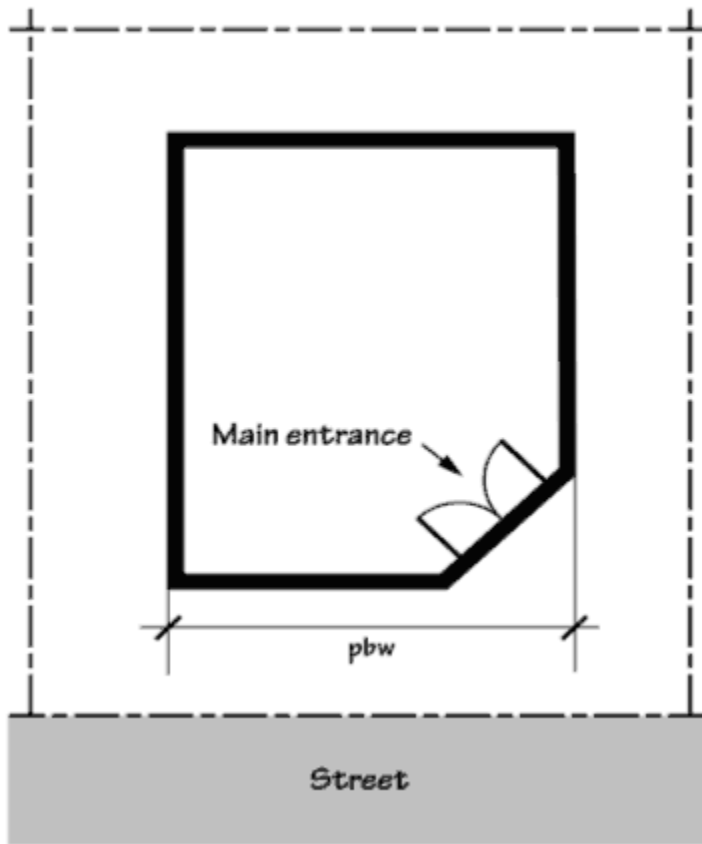
FIGURE 8a
Building Wall Orientation



PBW = Primary Building Wall
SBW = Secondary Building Wall

* Equal orientation - applicant chooses one for primary wall and one for the secondary wall

FIGURE 8b
Primary Building Wall - Angled Entrance



17C.240.190 Sign Standards Purpose.

The regulations contained in chapters 17C.240.190 through 17C.240.300 SMC are sign standards which work in combination with chapters 17C.110 through 17C.130 SMC Land Use Standards, to implement Spokane's Comprehensive Plan.

17C.240.200 Official Zoning Maps.

The boundaries and locations of all base zones, and overlay zones are shown on the City's Official Zoning Maps. See Title 17C. Land Use Standards for additional information.

17C.240.210 Uses, Use Categories, and Structure Types.

In some cases, sign regulations are applied based on the land use or use category of a site, or structure type on the site. All of these are described or defined in Title 17C.

17C.240.220 Standards in the Residential Zones.

- A. General standards. The standards for permanent signs in the RA through RHD zones are stated in Table 1. All signs must conform to the regulations of SMC 17C.240.240.

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Table 1 Standards for Permanent Signs in RA, RSF, RTF, RMF, and RHD Zones [1]					
Use Category/Structure Type [2]	Number of Signs	Max. Sign Face Area	Types of Signs Allowed	Maximum Sign Height	Additional Signs Allowed [3]
Residential Household Living/Houses, Duplexes, Attached Houses	1 per site	3 sq. ft.	Fascia, Painted Wall	Top of wall, or 10 ft. whichever is less	directional signs
			Freestanding	6 ft.	
Residential Household Living/Multi-family Residential Building, Group Living, Day Care, Nonresidential category uses not listed below.	1 per building	15 sq. ft.	Fascia, Painted Wall	Top of wall	directional signs
			Freestanding	10 ft.	
Subdivisions, PUDs, Mobile Home Parks, Agricultural Uses. [4]	1 per entrance	32 sq. ft.	Monument	10 ft.	directional signs
Parks and Open Areas [5]	1 per street frontage	10 sq. ft.	Monument	10 ft.	directional signs
Colleges, Community Services, Medical Centers, Religious Institutions, Schools, Commercial Outdoor Recreation, Major Event Entertainments, nonconforming uses in Commercial and Industrial use categories, uses in the Office use category allowed as a Conditional Use in the RMF and RHD zones.	The sign standards of the NR zone apply. See SMC 17C.240.230.				
<p>Notes:</p> <p>[1] Temporary signs are regulated by SMC 17C.240.240.G. Temporary Signs.</p> <p>[2] See Title 17C. Uses, Use Categories, and Structure Types.</p> <p>[3] These signs are allowed in addition to other signs when they meet the standards of SMC 17C.240.240.</p> <p>[4] These signs are allowed in addition to those for individual buildings.</p> <p>[5] Signs in, or adjacent to and facing, a sports field associated with Parks and Open Areas are subject to the standards of the NR zone. See SMC 17C.240.230.</p>					

- B. Sign features.
Signs in the RA, RSF, RMF and RHD zones, except for those subject to the NR zone sign standards, are subject to the standards of this subsection. Illuminated signs placed in windows are subject to these sign regulations. Extensions into the right-of-way are prohibited.

17C.240.230 Standards in the Commercial, and Industrial Zones.

- A. General standards and sign features. The standards for permanent signs and sign features in the Commercial and Industrial zones are stated in Tables 2 and 3. All signs must conform to the regulations of SMC 17C.240.240.

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Table 2 Standards for Permanent Signs in Commercial, Center and Corridor and Industrial Zones [1]					
CBD, GC, LI & HI		CC2 & CB [2]	O, OR, NR, NMU	CC1 [2]	CC4 [2]
Signs Attached to Buildings					
Size Allocation	1-1/2 sq. ft. per 1 ft. of primary bldg. wall or 15 percent of the primary bldg. wall whichever is greater	<ul style="list-style-type: none"> • 1 sq. ft. per 1 ft. of primary bldg. wall if a freestanding sign is also on the same street frontage • 1-1/2 sq. ft. per 1 ft. of primary bldg. wall if there is no freestanding sign on the same street frontage 	Same	Same	15 sq. ft.
Maximum Number	No limit within size allocation	Same	Same	Same	1
Maximum Area Per Sign	250 sq. ft. In the CBD zones, the maximum area per sign attached to a building is not limited.	100 sq. ft.	50 sq. ft.	50 sq. ft.	15 sq. ft.
Min. Guaranteed Sign Area For A Ground Floor Tenant Space	32 sq. ft.	Same	Same	Same	15 sq. ft.
Types Allowed					
Fascia, Awning, Marquee, Pitched Roof, Painted Wall	Yes	Yes	Yes	Yes	Yes
Projecting	Yes, but no projecting signs if a freestanding sign is also on the same street frontage	Same	Same	Same	Same
Rooftop	Yes	No	No	No	No
Freestanding Signs					
Maximum Number	1 per site or 1 per 300 ft. of arterial street frontage and 1 for each additional 300 ft. or fraction thereof [3].	1 per arterial street frontage [4]	1 per arterial street frontage [4]	1 monument sign per arterial street frontage	1 monument sign per building
When Not Allowed	Not allowed if there is already a projecting sign on the same site frontage, or if existing signs attached to buildings exceed the limit of 1 sq. ft. to 1 ft. of primary building wall	Same	Same	Same	Not allowed if there is already a wall or projecting sign
Size Allocation For All Freestanding Signs	1 sq. ft. per 1 ft. of arterial street frontage. Local street frontage can be used if there are not arterial site frontages.	Same	Same	Same	15 sq. ft.
Size Limit	250 sq. ft.	75 sq. ft. [5]	50 sq. ft. [5]	50 sq. ft.	15 sq. ft.
Maximum Height [6]	35 ft. In the CBD-5 zone, the maximum height is 60 ft.	20 ft.	20 ft.	5 feet	5 feet

Additional Signs Allowed [7]					
Directional Signs, Temporary Signs	See Subsections 17C.240.240.H. and 17C.240.240.G.				
Yes = Allowed No = Prohibited Notes: [1] Temporary signs are regulated under 17C.240.240.H. Temporary Signs. [2] Signs in CC zones are subject to the standards and guidelines contained in the Initial Design Standards and Guidelines for Centers and Corridors. [3] On sites with frontages longer than 300 feet, sign area earned from the first 300 feet may not be used on the second sign. For example, a 350 foot street frontage may have a 200 sq. ft. and a 50 sq. ft. freestanding sign. Interstate freeways, United States highways, state routes that are not also City of Spokane Arterials are not considered arterial streets for purposes of this Title. Sites with frontage on more than one arterial are allowed a freestanding sign on each arterial. The size allocation for each freestanding sign shall be calculated independently using only the length of the arterial frontage adjacent to the freestanding sign. The square footage allowance for freestanding signs for one arterial shall not be transferred to other arterials. [4] Where a site has no arterial street frontage, one freestanding sign is allowed. [5] The maximum sign area may be an additional twenty-five square feet for each additional business on a site having more than one business, up to a maximum area of one hundred fifty square feet. [6] This height limit is for the total height of the combined sign face and sign structure. [7] These signs may be allowed in addition to signs attached to buildings and freestanding signs when they meet the standards of 17C.240.240.H. and 17C.240.240.G.					

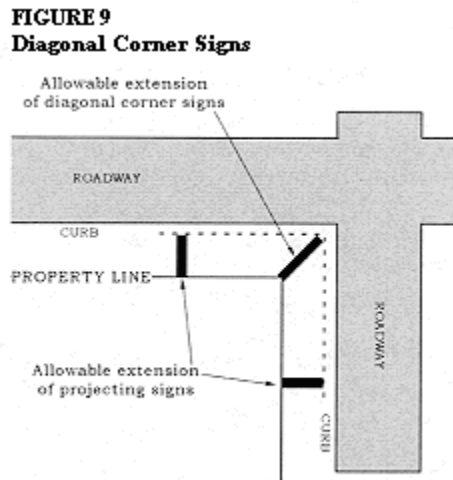
Table 3 Sign Features for All Signs In Table 1 and 2		
	GC, CC2, CBD, CB, LI & HI	O, OR, NR, NMU, CC1 & CC4
Electronic Message Center Sign Features (see 17C.240.240.J)	Yes [1]	Yes [1]. Not permitted in CC4 zone
Lighting	Direct, Indirect, or Internal	Same
Maximum Distance Extending into R-O-W	See SMC 17C.240.240.C.	Same
Maximum Area Extending into R-O-W (see 17C.240.240.C.)	See SMC 17C.240.240.C.	Same
Bonus Allowance for Outstanding Design.	See SMC 17C.240.290	Same
Yes = Allowed No = Prohibited Notes: [1] Electronic Message Center sign features are allowed in the GC, CC2, CBD, CB, LI, HI O, OR, NR, NMU, & CC1 zones if they meet the standards of 17C.240.240.J. Electronic Message Center sign features.		

17C.240.240 Additional Standards in All Zones.

- A. Where these regulations apply.
 These regulations apply to all signs regulated by this chapter.

- B. Sign placement.
All signs and sign structures must be erected and attached totally within the site except when allowed to extend into the right-of-way by this chapter.
- C. Signs extending into the right-of-way.
The standards of this subsection apply to permanent signs that are erected on private property and that extend into the right-of-way and temporary signs that are in the right-of-way.
1. Projecting signs.
Projecting signs that extend into the right-of-way must meet the following standards:
 - a. Distance into the right-of-way.
 - 1) Where allowed, signs may extend into the right-of-way not more than ten feet or within two feet of the curblines, whichever is the smaller projection.
 - 2) Diagonal corner signs may extend into the right-of-way to a point that is determined by extending a line from the maximum points allowed for projecting signs on each street frontage. See Figure 9.
 - b. Maximum sign face area in the right-of-way.
The area of a sign is limited by the amount the sign extends into the right-of-way, as follows:
 - 1) A sign extending more than six feet cannot have a total area of projection in excess of sixty square feet; and
 - 2) A sign extending less than six feet may not exceed one hundred square feet in area.
 - c. Blanketing.
A projecting sign that extends into the right-of-way more than three feet may not be within twenty feet of another projecting or freestanding sign that extends more than three feet into the right-of-way if the new sign is within horizontal lines drawn from the top and bottom of the prior sign.
 2. Awnings and marquees.
Awnings and marquees that contain signs may extend into the right-of-way the same distance as awnings and marquees that do not contain signs. See SMC 17F.040.140, Awnings.

3. Temporary signs.
Temporary signs allowed to be placed in the right-of-way in SMC 17C.240.240.G shall meet the following standards:



- a. The sign is entirely outside the roadway;
- b. The sign is no larger than nine square feet in size. The sign face is no wider than three feet and no taller than thirty-six inches;
- c. The sign is entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face. See Figure 10a;
- d. The sign is entirely outside the area of a sidewalk that is between the lines created by extending the edges of any curb ramp across the sidewalk to the property line;
- e. The sign is within six inches of the curb. See Figure 10b;
- f. The sign does not obstruct a continuous through pedestrian zone of at least six feet in width except in Center and Corridor zones, sandwich board signs which are located on the sidewalk shall be located in such a manner as to leave a pathway at least 4 feet wide that is free of obstructions.
- g. The sign does not obstruct pedestrian and wheelchair access from the sidewalk to any of the following:
 - 1) transit stop areas;
 - 2) designated disabled parking spaces;

- 3) disabled access ramps; or
 - 4) building exits including fire escapes.
- h. Physical attachment to public property.
 Except as allowed for Community Banners, temporary signs placed in the right-of-way must remain portable and may not be attached or anchored in any way to trees or to public property including utility or light poles, parking meters, the ground or pavement.
- i. Additional placement standards for temporary signs.
 Temporary signs placed in the right-of-way must meet the following additional standards:
- 1) Where no curb exists, the sign must be placed outside the roadway at least five feet from the edge of the roadway. Temporary signs may not be placed in medians, traffic islands, or other areas within the roadway.
 - 2) Temporary signs must not be placed in parking spaces, pedestrian pathways, or bicycle paths.
4. Removal of signs.
 The city engineer may require signs extending into the right-of-way to be modified or moved if streets are widened, or other improvements made in the right-of-way, which result in the creation of unsafe conditions. The modification or moving will be at the owner's expense. If a nonconforming sign is moved under this requirement, it may be re-erected on the site without being brought into conformance.

FIGURE 10a
Placement of Portable Signs in the R-O-W

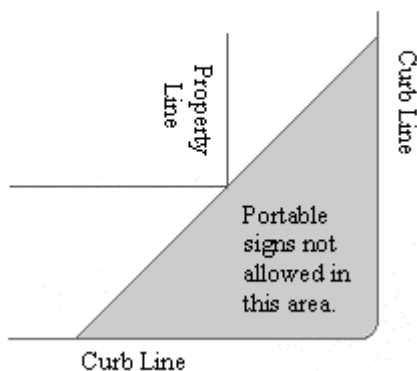
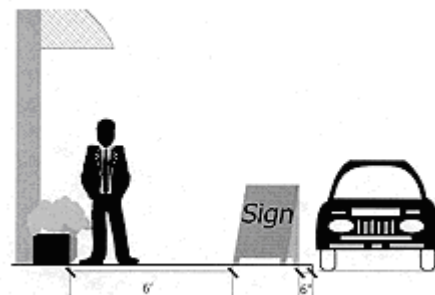


FIGURE 10b
Placement of Portable Signs in the R-O-W



D. Signs attached to buildings or structures.

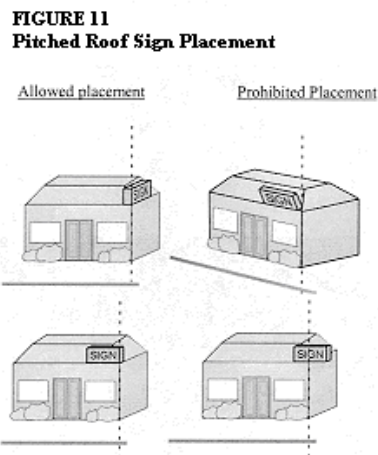
1. Placement. Signs attached to buildings or structures that are based on the sign rights of a primary building wall may be placed on that primary building wall, on a secondary building wall or on another structure. They may not be placed on another primary building wall.
2. Awnings and marquees. Signs attached to an awning or marquee that extends into the right-of-way must comply with the pedestrian clearance and right-of-way extension standards of SMC 17F.040.140 Awnings.
3. Fascia signs.
 - a. Vertical extensions.

Fascia signs may not extend more than six inches above the top of the building wall. Fascia signs attached to other structures may not extend above the top of the structure.
 - b. Horizontal extensions.

A fascia sign may not extend more than eighteen inches out from the wall or structure to which it is attached. Fascia signs may not extend beyond the corner of buildings or other structures.
4. Pitched roof signs.
 - a. Vertical extensions.

The face of pitched roof signs may not extend more than six inches above the roofline.
 - b. Placement and angle.

Pitched roof signs must be parallel to the building face. They may not extend beyond the building wall. See Figure 11.



5. Projecting signs

a. Vertical extensions.

The face of a projecting sign may not extend more than six inches above the roof line.

b. Placement.

Projecting signs that extend over the right-of-way must meet the placement standards of SMC 17C.240.240.C, Signs extending into the right-of-way.

E. Freestanding signs and monument signs.

1. Setbacks.

Freestanding signs are regulated as follows:

a. Residential zones.

i. In residential zones, freestanding signs are allowed in required setbacks, however, in required front setbacks, monument signs exceeding three and one-half feet tall shall be setback 10 feet from the front property line provided, that the requirements of SMC 17C.240.240.F. are met.

ii. Freestanding signs with structural supports less than two feet in width, with copy area placed at a height of seven feet or more above grade, may be located at the front property line; provided, that the requirements of SMC 17C.240.240.F. are met.

iii. Freestanding signs with structural supports of more than two feet shall be set back not less than 10 feet from the front property line; provided, that the requirements of SMC 17C.240.240.F. are met.

b. Commercial and Industrial zones.

In O, OR, NR, NMU, CB, CC-2, GC, LI and HI zones, freestanding signs are allowed in required setbacks for buildings and parking areas. However, freestanding signs are prohibited in the setback between a property line abutting a residentially zoned site and the building line or parking area setback line.

2. Frontages.

Freestanding signs must be placed on arterial street frontages unless there are none. Freestanding signs that are allowed based on the length of one arterial street frontage may not be placed on another arterial street frontage. Frontage on a freeway is not considered arterial street frontage.

3. Extensions into the right-of-way.
Freestanding signs may project into the public right-of-way as follows:
 - a. No more than ten feet beyond the property line; or
 - b. Within two feet of the curblines; whichever is the smaller projection.
 - c. The area of a sign is limited by the amount of projection beyond the property line, as follows:
 - i. A sign projecting more than six feet cannot have a total area of projection in excess of sixty square feet; and
 - ii. A sign projecting less than six feet may not exceed one hundred square feet in area.
 - d. All supports of a freestanding sign must be on private property.

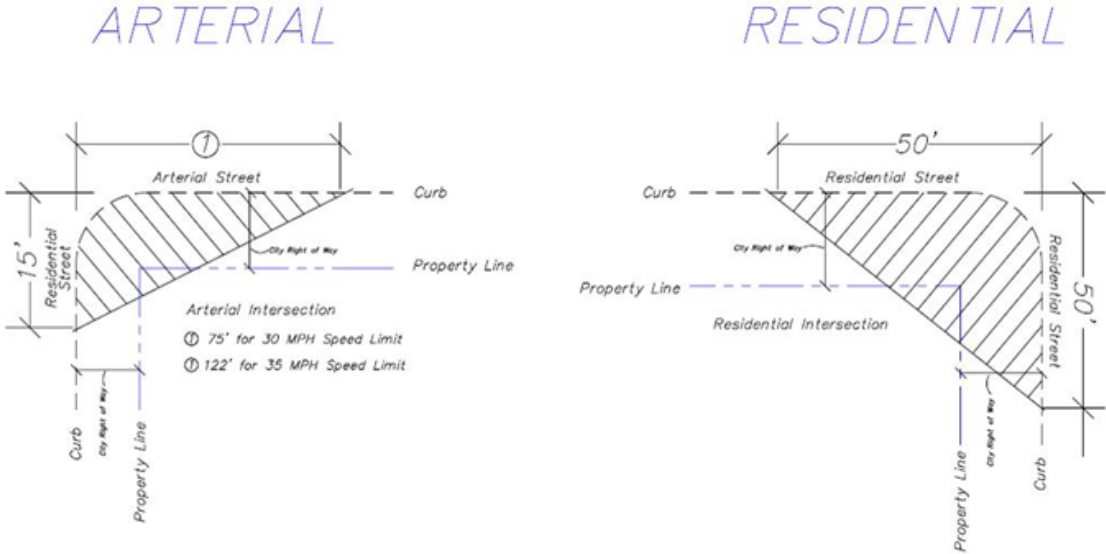
F. Clearances.

1. Vision clearance areas.
 - a. Vision clearance areas.
Vision clearance areas are triangular-shaped areas located at the intersection of any combination of rights-of-way, alleys or driveways. The sides of the triangle extend fifteen feet from the intersection of the vehicle travel areas. See Figure 12a and b. The height of the vision clearance area is from thirty-six inches above the ground to ten feet above the ground immediately below the sign or awning. See Figure 12c.
 - b. Signs in vision clearance areas.
Signs may not be located within a vision clearance area as defined in this paragraph. Support structures for a sign may only be located in a vision clearance area if the combined total width is twelve inches or less and the combined total depth is twelve inches or less.
2. Vehicle area clearances.
In areas outside of rights-of-way, when a sign or awning extends over where vehicles travel or are parked, the bottom of the structure must be at least fourteen feet above the ground. Vehicle areas include driveways, alleys, parking areas, and loading and maneuvering areas.
3. Pedestrian area clearances.
When a sign or awning extends over a sidewalk, walkway or other space used by pedestrians, the bottom of the structure must be at least eight feet

above the ground. Free-hanging valances made of fabric or other non-rigid material hung on signs, awnings, and marquees must be at least seven feet above of a sidewalk, walkway or other space used by pedestrians.

4. Clearances from fire escapes, means of egress or standpipes.
Signs, sign structures and awnings are prohibited from being erected in any manner that interferes in any way with the free use of any fire escape, means of egress or standpipe. Attaching signs, sign structures or awnings to a fire escape is prohibited.
5. Obstruction of windows and ventilation.
Signs, sign structures and awnings are prohibited from being installed in any way that obstructs any building openings to such an extent that light, ventilation or exhaust are reduced to a level below that required by the Building Code.
6. Access to signs.
Access clear of all obstructions must be provided to all signs.

FIGURE 12a
Vision Clearance Area



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FIGURE 12b
Vision Clearance for Driveways

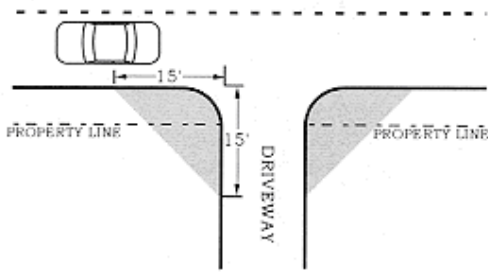
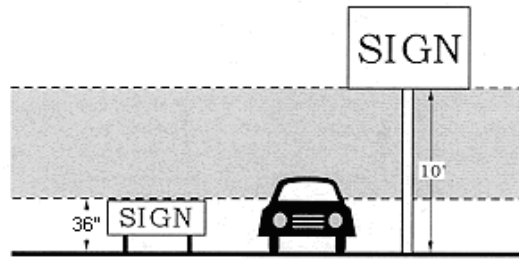


FIGURE 12c
Vision Clearance Area Height



G. Temporary signs.

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

1. Construction signs.

No sign permit is required. Such signs may be placed on the property on which construction is occurring upon private property only and may be displayed only after a building permit is obtained and during the period of construction on the construction site. The applicable limits are as follows:

- a. In all zones other than single-family residential zones, no construction sign shall exceed thirty-two square feet in sign area or ten feet in height.,
- b. In single-family residential zones, no construction sign shall exceed fifteen square feet in sign area

2. Grand opening displays.

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

3. Special event signs.
No sign permit is required. Such temporary signs may be placed upon the premises of the business only and shall not be larger than twenty square feet. Said signs shall not be posted or attached to telephone poles, power poles or other public utility facilities. Such signs may be displayed thirty days prior to an event and must be removed within seven days after the event's conclusion. The event committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this code. Searchlights may be permitted by any business provided the beam of light does not flash against any building or does not sweep an arc of forty-five percent from vertical. All banners must be legible, made of durable materials, and must be well maintained.
4. Balloon signs.
No sign permit is required. Such signs may be placed upon the premises of the business only. One balloon sign is allowed per site for a maximum of one month at a showing twice per calendar year in the Commercial and Industrial zones. Temporary balloon signs may be located on a building rooftop. The vertical dimension of the balloon may not exceed 25 feet.
5. Real estate signs.
No sign permit is required. Such signs may be placed upon private property only. All exterior real estate signs must be of wood or plastic or other durable material. The permitted signs, with applicable limits are as follows:
 - a. Residential "for sale", "for rent" and "sold" signs.
Such signs shall be limited to one sign per street frontage not to exceed five square feet in sign area, placed wholly on the property for sale or rent, and not to exceed a height of seven feet.
 - b. Residential "open house" signs.
Such signs shall be limited to one sign per street frontage on the premises for sale and up to ten off-premises signs spaced not closer than two hundred feet. Such signs are permitted only during daylight hours and when the real estate professional or seller or an agent is in attendance at the property for sale. No such sign shall exceed five square feet in sign area.
 - c. Undeveloped commercial and industrial property "for sale or rent" signs.
One sign per street frontage advertising undeveloped commercial and industrial property for sale or rent. The sign shall not exceed thirty-two square feet in sign area and ten feet in height.

- d. Developed commercial and industrial property "for sale or rent" signs.
One sign per street frontage advertising a commercial or industrial building for rent or sale is permitted while the building is actually for rent or sale. If one face of the building is less than ten feet from the building line, the sign shall be placed on the building or in a window. The sign shall not exceed ten feet in height and, if free-standing, shall be located more than fifteen feet from any abutting property line or a public right-of-way line. Said sign shall not exceed thirty-two square feet in sign area.
 - e. Undeveloped residential property "for sale" signs.
One sign per street frontage advertising undeveloped residential property for sale is permitted not exceeding thirty-two square feet in sign area. The sign must be placed more than thirty feet from the abutting owner's property line and may not exceed a height of ten feet.
 - f. Subdivisions approved after the effective date of this chapter are permitted one cluster of flagpoles (not to exceed five flagpoles) in front of sales offices to advertise the new development.
6. Political Campaign Signs.
All signs which are relating to promoting or publicizing the nomination or election of any individual for a public political office to be voted on in any general or special election or advocating any measure to be voted on in any general or special election, hereinafter referred to as political campaign signs, shall be subject to the following regulations:
- a. Size of Signs.
Political campaign signs located in a residential zone shall be limited to a maximum surface area of sixteen square feet. Political campaign signs located in zones other than residential zones shall be limited to a maximum surface area of thirty-two square feet. The maximum square footage shall be based upon one side of the sign. Signs may be two-sided.
 - b. Signs on Private Property.
No political campaign signs shall be erected upon any private property without the permission of the property owner, resident or respective agent. In cases of vacant property, or where there is no occupied structure on the property, no political sign shall be placed thereon without the written consent of the property owner or his agent.

- c. **Political Campaign Signs on the Public Right-of-way.**
Political campaign signs may be posted within traditional public forums located on improved public right-of-way only if the signs do not create a traffic obstruction or hazard or impair or impede pedestrian thoroughfares and comply with all requirements of this section. Political campaign signs located in the public right-of-way shall only be attached to a self-supporting wood stick(s), metal post or other such devices, shall not be attached to any other structures and shall not be erected in any manner which would damage the surface infrastructure in which the sign is located. Placement of political campaign signs on the improved public right-of-way adjacent to private property shall be subject to all existing private property ownership rights.

- d. **Unauthorized Signs.**
Unauthorized signs of any nature located either on City-owned property, whether occupied or vacant, that is beyond the public right-of-way or on any portion of park property under the jurisdiction of the park board is prohibited and shall be immediately removed.

- e. **Removal of Signs.**
Political campaign signs on either public or private property shall not be displayed after the date the election results have been certified for the election for which it was intended. In cases where a general election follows a primary election, those signs for candidates whose names will appear on the ballot in the general election may be displayed during the interim period and up to the date the general election results are certified. In all instances herein in which political campaign signs are required to be removed, or if the signs have become detached from their support device or damaged, it shall be the responsibility of the property owner or occupant, if the sign is located on private property, or the respective candidate, if the sign is located on the public right-of-way, to have the signs removed.

Failure to remove political campaign signs located on the public right-of-way shall result in a one time sign removal fee of twenty five dollars per sign under fifteen square feet and fifty dollars for signs over fifteen square feet being assessed against the respective responsible campaign official. For the purpose of recovering the costs of removal there is a rebuttable presumption that the candidate seeking office or the sponsor of a measure is the responsible campaign official who is responsible for the placement of a political campaign sign in the public right-of-way. Removal of signs located in the public right-of-way shall be under the direction of the director of public works and utilities or his or her designee.

Failure to remove political campaign signs located on private property shall result in a civil infraction assessed pursuant to SMC 1.05.160 against the property owner or occupant for each sign. Each day shall be a separate violation. A notice to remove the sign shall be issued by the code enforcement department to the property owner and/or occupant prior to the issuance of a civil infraction pursuant to SMC 1.05.040.

The sign removal fee may be appealed to the hearing examiner within ten days of a letter assessing the fee. A civil infraction may be contested in the Municipal Court.

- f. **Signs Related to Constitutionally Protected Free Speech.**
Signs expressing constitutionally protected free speech unrelated to promoting or publicizing the nomination or election of any individual for a public political office or advocating any measure to be voted on in any general or special election shall not be subject to the time period for the removal of political campaign signs, but shall otherwise be subject to all other provisions of this section.
 - g. **Public Notice.**
Nothing in this chapter shall be construed to prohibit or modify the requirements for placement of public notices required by law.
 - h. **Exemption.**
Nothing in this chapter shall limit the promotion or publication of a political message by other means lawfully permitted under the City's sign code, chapter 17C.240 SMC.
 - i. **Permit or Permit Fees.**
There shall be no permit or fee requirement for political campaign signs erected under this section unless the sign is attached to a sign structure permitted under other provisions of the sign code that requires a permit and fee.
7. **Community Banners.**
Such signs may be permitted and extend into the public right-of-way by permission of the city administrator or appointed representative. Such signs may only be placed at city designated locations provided that the banner:
- a. is not commercial advertising but, rather, has as its principal purpose the promotion of a civic event, public service announcement, holiday decoration, or similar community interests;
 - b. has been approved by the arts commission;

- c. complies with all applicable codes; and
 - d. does not, in the judgment of the street director, present a traffic hazard.
8. Banners. See 17C.240.240.G.2. for grand opening displays and G.3. for special event signs.
9. Sandwich Board Signs.
Businesses will only be allowed a maximum of one sandwich board sign. These signs are subject to the following conditions:
- a. Notification.
Notification to the city is required prior to displaying a sandwich board sign. This notification shall include acknowledgement of the sandwich board sign requirements, list of materials used, and rendering of the sign, including the dimensions.
 - b. Size.
The area of the sign shall not exceed nine square feet per side in size and shall not exceed three feet in any dimension.
 - c. Maintenance Standards.
Signs shall be constructed out of materials able to withstand typical northwest weather. Such materials may be metal, finished wood, chalkboard, whiteboard or plastic; signs and copy shall be of professional quality. Owners of sandwich board signs shall be required to keep their signs in a legible, intact, and well maintained manner.
 - d. Display Time.
Signs may only be displayed during business hours. If business hours continue past daylight hours, precautions should be taken to place the sign in a location where it is readily visible after dark. This shall not be construed to allow the wiring of a sign for lighting.
 - e. Location.
Signs may be located no further than twelve feet from the entrance to the business. Such signs shall not be placed in a location which is within the vision triangle or any location which will impede vehicular traffic. Further, such signs shall not be placed in a manner which will block or otherwise obstruct the safe use of sidewalks, building entrances or stairs by pedestrians, including pedestrians who are visually impaired or otherwise handicapped.

10. Garage sale (yard sales, moving sales, patio sales).
No sign permit is required. Such sign shall be limited to one sign on the premises and ten off-premises signs. No such sign shall exceed four square feet in sign area. Signs shall not be posted or attached to telephone poles, power poles or other public utility facilities. The sign or signs may be displayed only during the sale and must be removed the day the sale ends. The person or persons for which the sign or signs are displayed shall be responsible for its removal and subject to the penalties as provided in this code.
11. Seasonal sales.
No sign permit is required. Such temporary signs may be placed upon private property only. Vendors who receive a license as defined in chapter 8.01 SMC for seasonal or temporary sales activities (e.g. Christmas trees) are permitted one sign not to exceed twenty square feet in sign area. This sign shall be mounted to the booth or trailer used for temporary sales.

H. Directional signs.

1. General standards.
Directional signs that meet the standards of this subsection are allowed in all zones and are not counted in the total square footage of permanent signage allowed on the site. Adjustments or modifications to the standards of this subsection are prohibited.
2. Size.
Freestanding directional signs may be up to six square feet in area and forty two inches in height. Fascia directional signs may be up to six square feet in area and eight feet in height.
3. Sign features.
Direct, internal or indirect lighting is allowed. Extensions into the right-of-way are prohibited.
4. Directional signs that do not meet the standards of this subsection.
Directional signs that do not meet the standards of this subsection must meet either the standards for signs attached to buildings or the standards for freestanding signs.

I. Permanent banners.

1. General.
Banners used as permanent signs are allowed in all zones and will be included in the total square footage of permanent signage allowed on the site. Temporary banners are regulated under subsection G., above.

2. Standards.
Permanent banners are subject to the standards for either fascia signs or projecting signs depending on how the banner is supported or anchored.
- J. Electronic Message Center signs
Electronic message center signs are permitted subject to the limitations in Table 4.

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Table 4 Electronic Message Center Sign Features								
Zoning category	Maximum allowed sign size by zoning designation: freestanding/wall	Electronic Message Center sign size	Hours of operation	Brightness	Timing	Content	Signs using video display methods permitted?	Flashing Signs
CC4	wall: 15 sq. ft freestanding: 15 sq. ft.	Not allowed						
RA, RSF, RTF, RMF, & RHD	residential use: 15 sq. ft. institutional use: wall: 50 sq. ft freestanding: 50 sq. ft.	not allowed for residential use. Not greater than 50% of the allowed sign size for institutional uses.	shall be turned off between the hours of 10 pm and 6 am	[1]	[2] [3]	on premises advertising only	No	No
CC1	wall: 50 sq. ft freestanding: 50 sq. ft.	no greater than 50% maximum total allowable sign area	not limited	"	"	"	"	"
O,OR, NR [4], NMU	wall: 50 sq. ft freestanding: 50 sq. ft.	no greater than 50% maximum total allowable sign area	not limited	"	"	"	"	"
CC2, CB	wall: 100 sq. ft freestanding: 75 sq. ft.	no greater than 50% maximum total allowable sign area or 48 sq. feet. (the lesser of the two)	not limited	"	"	"	"	"
CBD [5], GC, LI, HI	wall: 250 sq. ft freestanding: 250 sq. ft.	"	not limited	"	"	"	Yes	"

Notes:

[1] Brightness:

- Electronic message centers in all zones shall come equipped with an automatic dimming, photocell, which automatically adjusts the display's brightness based on ambient light conditions.
- The brightness level in all zones shall not increase by more than 0.3 foot candles (or 3.23 lumens per square meter or lux) (over ambient levels) as measured using a foot candle meter at a pre-set distance.
- Brightness measurement process for electronic message centers shall be as follows:
 - a. At least 30 minutes past sunset, use a foot candle meter to record the ambient light reading for the area. This is done while the electronic message center is off or displaying all black copy.
 - b. The reading should be taken with the meter aimed directly at the electronic message center at the appropriate pre-set distance.
 - i. Measurement distance criteria follows:
 0-100 square foot signs to be measured 100 feet from source,
 101-350 square foot sign to be measured 150 feet from source,
 351-650 square foot sign to be measured 200 feet from source,
 651-1000 square foot sign to be measured 250 feet from source.
 - c. Turn on the electronic message center to full white copy and take another reading.
 - d. If the difference between the readings is 0.3 foot candles or less, the brightness is properly adjusted.
- The owners of such signs shall include a signed letter accompanying their permit application, certifying that they will comply with the prescribed brightness limitations set by this ordinance.

[2] Timing: Electronic message centers shall display static images for not less than 2 seconds before transitioning to another static image. Transitions may utilize frame effects but flashing signs are prohibited.

[3] Duration: An animated sign or any portion of a sign that uses a video display method shall have a minimum duration of two seconds and a maximum duration of five seconds.

[4] NR Zone Limitation: In the NR Zone, electronic message centers are allowed only on sites that have frontage on a Minor or a Principal Arterial as designated on the Official Arterial Street Map, SMC 12.08.040.

[5] CBD Zone Prohibition: Electronic message centers are prohibited in CBD 1-6 zones. Existing electronic message center signs are nonconforming signs and are subject to the provisions of 17C.240.280.

17C.240.250 Off-premises Signs.

- A. No new off-premises signs may be constructed, on any site.
- B. Off-premises signs now in existence in any zone are declared nonconforming uses and may remain, subject to the following restrictions:
 - 1. A nonconforming off-premises signs may not be increased in size or elevation, relocated to another site or to a new location on the same site or expanded, enlarged, or extended in any way, including, but not limited to, the addition of advertising faces or the addition of rotating faces with movable panels designed to create additional advertising, except as provided for in the public works exception below.
 - 2. Public Works Exception:
An existing off-premises sign that is allowed to remain in conformance with SMC section 17C.240.250.B shall be allowed to be relocated if necessitated for the accomplishment of a governmental public works project. This relocation of these off-premises signs for public works projects shall be subject to the limitations in a. through e. below:
 - a. No increase in square footage of outdoor advertising display copy shall be permitted. These signs shall be replaced at the same size they existed at immediately prior to relocation;
 - b. No additional outdoor advertising faces shall be added;
 - c. No increase in height of the existing outdoor advertising display shall be permitted except where needed to provide for minimum height clearance (from the ground to the bottom of the off-premises signs) to comply with roadway safety;
 - d. The outdoor advertising display shall be relocated along the same roadway it was removed from in the geographical vicinity and shall comply with the Scenic Vistas Act of 1971 (chapter 47.42 RCW and chapter 468-66 WAC) if located along a state highway;
 - e. The relocation of the outdoor advertising shall be subject to all current City of Spokane rules, regulations, and procedures relating to the regulation and control of off-premises signs.
 - 3. A nonconforming off-premises sign may not be structurally altered. Structural alterations mean alterations to, including replacement of, either the off-premises sign face or the supporting structure. Normal maintenance and repair including painting, cleaning or replacing damaged parts of the off-premises sign, shall not be considered a structural alteration.

4. Any nonconforming off-premises sign which is damaged or destroyed by fire, explosion, wind, act of nature or other accidental means may be restored if the cost thereof does not exceed fifty percent of its replacement cost. Off-premises signs damaged in an amount in excess of fifty percent of replacement cost shall be removed.
5. All nonconforming off-premises signs shall be kept in good repair and maintained in a neat, clean, attractive and safe condition. Any work required to repair or maintain an off-premises sign shall be completed promptly so long as the off-premises sign is not structurally altered.

17C.240.260 Additional Standards for Specific Uses.

- A. Bed and Breakfast facilities.
Sites with bed and breakfast facilities must meet the sign regulations for household living.
- B. Temporary Activities.
Permanent signs associated with temporary activities are prohibited. All signs associated with a temporary activity must be removed when the activity ends.
- C. Home Occupations.
Sites with home occupations must meet the sign regulations for household living.

17C.240.270 Additional Standards in Overlay Zones.

- A. General Shoreline Regulations.
 1. In addition to any restrictions and conditions in this chapter, signs in the Shoreline Jurisdiction, are subject to special regulations as set forth in SMC 17C.240.270.A. through SMC 17C.240.270.D. These special regulations address general shoreline sign requirements and those that are specific to shoreline districts as generally represented on the Shoreline Districts Map.
 2. The following regulations apply in all shoreline districts:
 - a. No sign may front directly on the watercourse.
 - b. No sign may be located on the water side of a street parallel and adjacent to the watercourse or any place where it would impair a vista or visual access to the water.
 - c. Off-premises signs, permanent banners and roof signs are not allowed.

- d. In the shoreline Natural Environment or those areas identified under SMC 17E.060.630, Natural Land Forms, all signs may be prohibited at the discretion of the Director, with exceptions made for signs giving directions to viewpoints or trails and signs describing special flora, fauna, or historical or cultural features.
- e. Directional and interpretive signs accessory to park uses shall be allowed within the shoreline buffer.
- f. Directional signs may not exceed an area of twelve square feet or a height of nine feet.
- g. Pursuant to SMC 17E.060.290.R, required access signs that indicate the public's right of access and hours of access shall be installed and maintained by the property owner and shall not exceed an area of twelve square feet or a height of nine feet.
- h. Pre-existing signs are governed by the nonconforming use provisions of SMC 17C.240.280.

B. Upriver District

- 1. Signs must be flat against the building or a variation of a flat sign, such as a "V" sign, and may not project more than eighteen inches into a required yard or public right-of-way.
- 2. No sign may exceed thirty-five feet in height above average grade along the front of the building.
- 3. Signs are subject to maximum area limitations based on lineal frontage and building size as follows:
 - a. One square foot of sign area is allowed for every lineal foot of street frontage, to a maximum sign area of twenty square feet.
 - b. On corner lots, additional signs up to one-half square foot in area are permitted for each lineal foot of frontage on the side street, to a maximum of twenty square feet of sign area.
 - c. The maximum sign area for a building over two stories is ten percent of the building facade on the principal street, to a maximum of sixty square feet.
- 4. Signs may be directly, internally or indirectly illuminated but not animated, flashing, or rotating.

5. The illumination of a sign may not exceed the equivalent of:
 - a. Eight-hundred MA fluorescent lamps spaced on twelve inch centers penetrating a three-sixteenths inch white Plexiglas facing; or
 - b. Sixty MA neon tubing in an individual letter with no more than three tubes per letter.

C. Downtown and Campus Districts

1. Signs must be flat against the building, or a variation of a flat sign such as a "V" sign, and may not project more than eighteen inches into a required yard or public right-of-way.
2. No sign may exceed thirty-five feet in height above average grade along the front of the building.
3. Signs are subject to maximum area limitations based on lineal frontage and building size as follows:
 - a. One square foot of sign area is allowed for every lineal foot of street frontage, to a maximum sign area of fifty square feet.
 - b. Additional signs may be allowed up to one-half square foot in area for each lineal foot of frontage measured along the side street, to a maximum of fifty square feet of sign area.
 - c. The maximum sign area for a building over two stories is ten percent of the area of the building facade on the principal street, up to a maximum sign area of one hundred fifty square feet.
4. Signs may be directly, internally or indirectly illuminated but not animated, flashing, or rotating.
5. The illumination of a sign may not exceed the equivalent of:
 - a. Eight hundred MA fluorescent lamps spaced on eight inch centers penetrating a three-sixteenth inch Plexiglas facing material; or
 - b. Sixty MA neon tubing in an individual letter with no more than four tubes per letter.

D. Great Gorge Park, Downriver, and Latah Creek Districts

1. No sign may be illuminated, animated, flashing, or rotating.

2. Up to two signs of an area of six square feet or less each may be used to advertise the sale of products raised or grown on the premises.
3. Any Peaceful Valley commercial area is governed by regulations of the Upriver District.

17C.240.280 Nonconforming Signs

- A. Any sign legally existing at the time of passage of this ordinance that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located shall be considered nonconforming and may continue in such status until such time as it is removed by its owner.
- B. Regulations That Apply to All Nonconforming Signs.
 1. Sign maintenance, sign repair, and changing of permanent sign faces is allowed so long as structural alterations are not made and the sign is not increased in size. In the CBD-5 zone, for existing signs that are 60 feet or more in height, the replacement of the sign cabinet with a sign cabinet of equal or smaller sign area is permitted if the sign height is not more than the existing sign.
 2. Permanent signs and sign structures that are moved, replaced, or structurally altered must be brought into conformance with the sign regulations. However, nonconforming signs required to be moved because of public right of way improvements may be re-established. See SMC 17C.240.240.C.4, Removal of signs.
 3. Nonconforming temporary signs must be removed.
 4. Ownership.

The status of a nonconforming sign is not affected by changes in ownership.
 5. Change to a conforming sign.

A nonconforming sign may be altered to become conforming or be replaced with a conforming sign by right. Once a sign is altered to conform or is replaced with a conforming sign, the nonconforming rights for that sign are lost and a nonconforming sign may not be re-established. Unless prohibited, proposed changes that are not in conformance are subject to the adjustment process.
 6. Loss of nonconforming sign status.
 - a. Discontinuance.

If there is no sign face in place on a sign structure or building wall for six continuous months, the nonconforming rights are lost and a nonconforming sign may not be re-established.

- b. Destruction.
When a sign or sign structure is removed or intentionally destroyed, replacement signs and sign structures must comply with the current standards. However:
 - 1) Repair and maintenance.
A nonconforming sign or sign structure may be removed temporarily to perform sign maintenance or sign repair. In order to preserve the nonconforming sign status, the person removing the sign must inform the director, in writing, before the sign is removed. If the responsible party fails to inform the director, any re-erected sign will be considered a new sign.
 - 2) Unintentional destruction.
When a sign or sign structure that has nonconforming elements is damaged or destroyed by fire, explosion, wind, act of nature or other accidental means it may rebuilt to the same size and height using the same or similar materials.

C. Documenting a Nonconforming Sign.

To document legal nonconforming status, the applicant must provide evidence to show that the sign was established prior to the effective date of this chapter or allowed when established, and that the sign has been maintained over time. If the applicant provides standard evidence from the lists below, the director will determine if the evidence is satisfactory.

- 1. Sign established before effective date of this chapter.
If the sign was established before the effective date of this chapter, the applicant must provide evidence to show that the sign was established before the effective date of this chapter. Standard evidence that the sign was established before the effective date of this chapter is:
 - a. A building, zoning, sign or development permit;
 - b. A date-stamped photograph of the sign at its current location.
- 2. Sign maintained over time.
The applicant must provide evidence to show that the sign has been maintained over time. Standard evidence that the sign has been maintained over time is:
 - a. Utility bills;

- b. Sign-specific property or income tax records;
- c. Business licenses;
- d. Listings in telephone, business, or Polk directories;
- e. Advertisements in dated publications;
- f. Building, sign, land use, or development permits; or
- g. Records of sign lease agreements.
- h. Tax returns or schedules.

17C.240.290 Bonus Allowance for Outstanding Design

A. General.

1. Procedures.

Land use reviews of signs are administered under the provisions of title 17, Unified Development Code as modified by this chapter.

2. Content-Neutral Administration of Land Use Reviews.

Notwithstanding any other provision of this chapter or of related standards referenced in this chapter, applications will be reviewed only with respect to sign structure or placement, or with reference to copy only to the extent of color or typeface and excluding any reference to message, category, subject, topic, or viewpoint.

B. Review.

1. Purpose.

A bonus allowance for outstanding design is intended to allow flexibility to the sign regulations while still fulfilling the purpose of the regulations. The specific approval criteria allow signs that enhance the overall character of an area.

2. Procedures.

A request for a bonus allowance for outstanding design shall follow the procedures of chapter 17G.060 SMC Land Use Application Procedures for a Type II permit application. However, the approval criteria of this section are used, rather than of those of SMC 17G.060.170. In accordance with SMC 17G.060.210.B. appeal or request for reconsideration of the director's decision on a Type II project permit application is to the hearing examiner as an open record appeal.

3. Approval criteria.
A bonus allowance for outstanding design sign will be approved if the planning director finds that the applicant has shown that the criteria below are met.
- a. Sign Area Bonus.
A sign area bonus may be granted if the applicant meets the criteria 3.a.(1), (2), and (3) below.
- 1) The adjustment for the proposed sign will not significantly increase or lead to street level sign clutter, to signs adversely dominating the visual image of the area, or to a sign that will be inconsistent with the objectives of an overlay zone or adopted sub-area plan; and
 - 2) The sign will not create a traffic or safety hazard; and
 - 3) The adjustment will allow a unique sign of exceptional design or style that will:
 - i. Achieve a positive and tasteful image;
 - ii. Have good legibility;
 - iii. Exhibit technical competence and quality in design, construction, durability, and have standard details uncluttered by wires, angles, or other elements that detract from the appearance;
 - iv. Relate to architectural features rather than obscure or disregard building planes;
 - v. Present a harmonious relationship to other graphics and street furniture in the vicinity;
 - vi. Be of a size that is in scale with the setting, building, or structure where located; and
 - vii. Avoid glare.
- b. Other Code Adjustments.
Through the bonus allowance for outstanding design procedure, the planning director may allow roof signs, adjustment to maximum sign height standards of the underlying zone and electronic message center sign features. Approval of an adjustment to these standards may be granted if the applicant meets the approval criteria 3.a.(1), (2), and (3) above.

17C.240.300 Construction Provisions and Traffic Engineer Review

A. Construction Provisions.

1. Each sign shall be adequately constructed in accordance with the requirements of the Building Code, as amended;
2. Signs containing electrical circuitry shall meet the requirements of the Electrical Code and all state laws, and shall include an approved testing lab sticker;

B. Traffic Engineer Review.

All signs abutting or projecting into the public right-of-way shall be subject to review by the traffic engineer to determine that there will be no hazards created for motorists or pedestrians.

ADOPTED BY THE CITY COUNCIL ON _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor
Bab1-26-09

Date

Effective Date