

## **Chapter 17.26 SIGNS**

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Legislative history: Ords. 86-119, 86-134, 90-220, 95-349 and 97-406.

**17.26.005 Purpose.**

The intent of this chapter is to regulate signs for the purpose of increasing the overall effectiveness of visual communications, providing the harmonious relationship of urban graphics and their settings, avoiding visual clutter, enhancing traffic safety and pedestrian travel on public ways, enhancing property values, business opportunities, and the community's appearance, and preventing the accumulation of litter and debris. (Ord. 2003-565 § 1; Ord. 2001-509 § 1)

**17.26.010 Sign permit and design review board approval.**

A. Sign Permit Required. No permanent sign, except as listed in subsections B and C of this section, may be installed or changed without a sign permit and approval of the Mill Creek design review board. A sign is considered changed when the sign is relocated, the color is changed or 25 percent or more of the structural material, not including moveable type on readerboards, is replaced. No temporary sign may be erected except upon the issuance of a temporary sign permit in accordance with the provisions of this chapter.

B. Design Review Not Required. Signs exempt from design review board review include individual residential identification signs, temporary signs, political signs, governmental flags on one flag pole on any lot, seasonal displays, wall or building mounted signs which meet the adopted sign design criteria of the design review objectives (MCMC 17.34.040(B)), public and private directional signs designed in accordance with the Uniform Traffic Sign Manual and incidental informational signs less than one square foot in size. Wall or building mounted signs, while exempt from DRB review, will be reviewed by the building official for conformance with this title.

C. Building Permit Not Required. The following signs do not require a building permit: individual residential identification signs, political signs, seasonal displays, public and private directional signs designed in accordance with the Uniform Traffic Sign Manual and incidental informational signs less than one square foot in size. (Ord. 2006-633 § 2; Ord. 2003-565 § 1; Ord. 2001-509 § 1)

17.26.020 General requirements.

- A. Residential Signs. One sign is permitted which does not exceed three square feet and which identifies the owner, resident or address of the residence.
- B. Residential Development Identification Signs. Not more than 64 square feet of sign area is permitted for a multi-family development or residential subdivision. Such signs may be attached to a building or freestanding in the residential area that it identifies. The allowed sign area may be apportioned between one or more signs. Residential development identification signs may be mounted on decorative supporting structures at each road entry to the area. The decorative supporting structures and the sign together shall not exceed 128 square feet in area and seven feet in height. The sign area shall not exceed 64 square feet. The decorative supporting structure shall be compatible and harmonious in scale, materials, color and shape with the surroundings and shall be approved by the design review board.
- C. Commercial Center Signage Plan. Developers of commercial sites shall submit to the design review board a signage plan that shows the location, size, design characteristics and construction features that will be permitted in the commercial area. All signs shall be consistent with the signage plan when submitted for permit approval.
- D. Prohibited Signs. The following signs are prohibited in all zones:
1. Permanent signs which are designed and constructed to move by any means;
  2. Signs mounted on trailers;
  3. Signs with exposed braces and guy wires;
  4. Signs with blinking, flashing or moving lights, not including time/temperature and similar public service displays;
  5. Flags or banners, except governmental flags or as provided for below, and balloons, or inflatable signs;
  6. All off-site signs except approved temporary signs; and
  7. Signs larger than two square feet pertaining to or associated with any business, which are attached, painted or otherwise affixed to a vehicle or trailer parked on public or private property, and which are visible from a designated collector or arterial street; provided, that this shall not be construed to prohibit such signs on a vehicle or trailer operating during the normal course of business. The intent of this subsection is to prohibit the use or display of signs on vehicles and trailers to otherwise circumvent the purpose and intent of this chapter.
- E. Freestanding Signs.
1. All permanent freestanding signs shall be located no closer than five feet to any street right-of-way or access easement and shall not interfere with traffic vision clearance. Ancillary landscaping shall be maintained to prevent vegetation from obscuring sign lettering.
  2. The height of freestanding signs shall be measured from the average ground elevation at the base. No artificial berm or mound shall be constructed solely to elevate the base of the sign above average grade level.
  3. A commercial or business center over five acres in size and developed under a binding site plan, which includes lots which do not front on an arterial street, may install one freestanding identification sign on each arterial street bordering the site. The sign area shall not exceed 50 square feet with a maximum height of 54 inches or 60 square feet with a maximum height of 42 inches.

4. Each lot in a business and industrial park may have one freestanding sign not exceeding 34 square feet in area and having a maximum height of 42 inches.
5. Each lot, tract, parcel or building in a commercial zone which has a minimum of 80 feet of frontage on an arterial street may have one freestanding sign not exceeding 16 square feet in area and having a maximum height of 42 inches.
6. City identification signs are allowed in all zone districts; provided, that the height does not exceed seven feet and the sign area does not exceed 128 square feet.
7. Freestanding signs that are internally illuminated shall be designed to emphasize the lighting of the sign text, message and/or symbols, while minimizing the lighting of the background of the sign face. The colors of the sign, letters and background shall remain fixed.
8. Gas stations may have one fuel price sign on each arterial on which a pump island is located. Fuel price signs shall have no other advertising than the type of fuel and the price. Fuel price signs shall be no higher than 42 inches and no larger than nine square feet in area.
9. Institutional uses (i.e., schools, religious facilities, public buildings) located in any zone on a lot equal to or larger than one acre in size, if the use is the sole or primary use on such lot, may install one freestanding identification sign on each street bordering the site. The total sign area for each sign shall not exceed 40 square feet with a maximum height of 54 inches.

F. Temporary Signs.

1. Temporary signs shall not be located upon utility poles, trees or placed in a position which would obscure fire hydrants, traffic control devices or block the vision or pathway of vehicles or pedestrians.
2. No temporary sign shall be lighted. (Ord. 2003-565 § 1; Ord. 2001-509 § 1)

17.26.030 Wall or building mounted signs.

The sign area of wall signs for a business or use, excluding directional and information signs not subject to design review, shall not exceed one square foot of sign area for each lineal foot of building frontage occupied by the business or use or 20 feet, whichever is greater. The building frontage will be measured along the wall containing the main public entrance to the business or use. For structures with irregularly shaped walls, such as angles, or curves, the allowable area shall be determined by projecting a perpendicular line from the enclosing side walls to establish a horizontal dimension to determine the building frontage. The permitted sign area may be distributed to one or more signs located on any side of the building facing a parking lot or street. In cases where a building frontage is not visible from any street and the rear of the building faces the adjoining street, the permitted sign area may be increased by 100 percent. The additional approved sign area may only be applied to an additional sign on the rear of the building facing the adjoining street. Said additional signage is limited to the name or type of business. All signs on the rear of any building must utilize a common letter style (font) and color, which shall be reviewed and approved by the design review board. (Ord. 2006-633 § 2; Ord. 2003-565 § 1; Ord. 2001-509 § 1)

17.26.040 Temporary off-premises construction signs.

Temporary off-premises construction signs are permitted in any zone at the discretion of the director of community development subject to the provisions of this section and other applicable

sections of the Mill Creek Municipal Code and the issuance of a temporary sign permit. Temporary signs advertising the construction of a development shall be removed upon issuance of a certificate of occupancy.

A. Standards. See Table 17-5.

<b>Table 17-5</b>			
Premises Advertised	Maximum Size	Maximum Height	Maximum Number
Commercial and industrial sites, or residential subdivisions under construction (for the purposes of marketing the project):			1 per street front (max. 2)
If rendering of the project is not included	16 square feet	54 inches	
If rendering of the project is included	24 square feet	6 feet	

(Ord. 2003-565 § 1; Ord. 2001-509 § 1)

**17.26.050 Temporary off-premises real estate directional signs.**

Temporary, off-premises real estate directional signs are permitted subject to the following requirements:

- A. Temporary real estate directional signs to be located in the public right-of-way shall be subject to an annually renewable permit.
- B. All real estate directional signs may indicate only the name, address and telephone number of the owner of the sign, the direction of travel and the purpose of the sign, such as "open house" or "sale."
- C. Real estate directional signs may be displayed only during the period when the person sponsoring the event is in attendance at the location being advertised and must be removed at the end of each business day.
- D. Real estate directional signs may be no larger than four square feet on each sign face and the top of the sign shall not exceed 42 inches in height from the grade.
- E. No more than two real estate directional signs may be placed in the public right-of-way for each event or area of real estate sales.
- F. No balloons may be attached to real estate directional signs. (Ord. 2003-565 § 1; Ord. 2001-509 § 1)

**17.26.060 Temporary on-premises real estate/construction signs.**

Temporary on-premises signs which advertise the premises for sale, rent or lease, or identify the project under construction or the individuals or firms involved in the project, are permitted subject to the following requirements:

A. Standards. See Table 17-6.

<b>Table 17-6</b>			
Premises Advertised	Maximum Size	Maximum Height	Maximum Number
Residence or residential lot (permit not required)	3 square feet	6 feet	1
Existing commercial or industrial buildings, tenant spaces, or residential subdivisions	16 square feet	54 inches	1 per street front (max. 2)
Commercial and industrial sites, or residential subdivisions under construction (for the purposes of marketing the project):			1 per street front (max. 2)
If rendering of the project is not included	16 square feet	54 inches	
If rendering of the project is included	24 square feet	6 feet	

B. Nonresidential. Temporary signs advertising the sale, lease or rent of a site shall be removed upon occupancy or at the expiration of the temporary sign permit, whichever occurs sooner.

C. Residential. Temporary signs advertising available sites or homes in a residential subdivision or development shall be removed when all sites have been occupied or at the expiration of the temporary sign permit, whichever occurs sooner.

D. Projects funded in whole or in part by government funds that require identification signs as a condition of such funding may, upon approval of the city manager, exceed the maximum size and time limits in order to meet government specifications. (Ord. 2006-633 § 2; Ord. 2003-565 § 1; Ord. 2001-509 § 1)

**17.26.070 Political signs.**

Political signs that advertise a candidate for elective public office, a political party or promote a position on a public issue shall be permitted as follows:

A. On-premises temporary political signs may be located at the headquarters for a political party, a candidate for public office or a public issue to be decided by ballot. On-premises permanent political signs are permitted subject to the other regulations of this chapter.

B. Off-premises political signs may be displayed until three days after the election for which they are posted; provided, that the signs for a successful candidate in a primary election may remain until three days following the general election for that candidate. (Ord. 2003-565 § 1; Ord. 2001-509 § 1)

**17.26.080 Temporary banners and signs – Commercial, shopping center and noncommercial.**

A. Commercial.

1. Established Businesses. One temporary banner per year, not to exceed three feet in width and 12 feet in length, is permitted to celebrate business anniversaries, announce the

opening of a multi-family building for sale or rent, and/or announce major sales for a period not to exceed 45 consecutive days. Both ends of the temporary banner shall be attached to the building and shall be placed no higher than the top of the wall of the building on which it is located. Temporary banners shall be permitted subject to the issuance of a temporary sign permit.

2. New Businesses. To announce the opening of a new enterprise, a new business (within the first year of the issuance of a city business license) is permitted one temporary banner not to exceed three feet in width and 12 feet in length for a period not to exceed 60 consecutive days. Both ends of the temporary banner shall be attached to the building and shall be placed no higher than the top of the wall of the building on which it is located. Temporary banners shall be permitted subject to the issuance of a temporary sign permit.

In addition to the temporary banner described in the preceding paragraph, a commercial or business center may announce the presence of a new enterprise or grand opening by posting no more than two painted signs on decorative sign supports not to exceed four square feet on each sign face and not exceeding 42 inches in height (similar to a "real estate for sale" sign). The sign use is limited solely to new businesses as defined in this subsection and is limited to a total of 30 consecutive days for any one business. Said sign may be located within the landscape planter adjacent to the street or other appropriate location upon approval of a temporary sign permit. More than one new business may share the sign area. The specific location of the sign and design of the supporting structure shall be approved by the director of community development or his/her designee. Said signs may only indicate the name, type of business, and that the business is new.

B. Shopping Center. A shopping center may have a special event display for sales and other special events in which all individual businesses in the center may participate. Shopping center special event displays shall not exceed three days in any one month. Special events which take place in whole or in part upon publicly owned property or public rights-of-way, or which affect or impact the ordinary and normal use by the general public of public property or public rights-of-way require a special event permit in accordance with Chapter 12.08 MCMC.

C. Noncommercial.

1. Temporary signs, banners, posters, festoons, flags and pennants (collectively "banners") are permitted to announce a campaign, drive or event of a nonprofit, charitable or community organization which is located in the city. Such banners may be posted 14 days before the event and shall be removed within three days after the event. No temporary permit for a noncommercial banner shall be issued within 60 days from the date of issuance of a previous noncommercial banner permit.
2. Subsection (C)(1) of this section shall not apply to political signs. (Ord. 2006-633 § 2; Ord. 2003-565 § 1; Ord. 2001-509 § 1)

17.26.090 Enforcement.

A. Freestanding Signs. All nonconforming freestanding signs shall be brought into conformance with this chapter pursuant to the provisions of MCMC 17.32.040.

B. Temporary Signs.

1. Permitted Signs. The building official may remove and dispose of any permitted temporary sign and its supporting structure, which advertises a use or event that is ended

or that no longer exists. The building official shall first notify the owner in writing of the need to remove the sign. If the sign is not removed by the owner within 10 days of the date of mailing the notice, the building official may remove and dispose of the signs at the expense of the permittee.

2. Unpermitted Signs. The building official or designee may immediately remove and dispose of unpermitted and/or unlawful temporary signs at the expense of the person identified on such signs and/or the owner of the property on which said signs are located.

C. Permanent Signs. Illegal nonconforming permanent signs shall be brought into conformance with this chapter by the property owner or lessee within 10 days of the date of mailing a notice of such nonconformity by the director.

D. General. In addition to subsections A, B and C of this section, the director may enforce this chapter pursuant to Chapter 14.13 MCMC. (Ord. 2006-633 § 2; Ord. 2003-565 § 1; Ord. 2001-509 § 1)

#### 17.26.100 Maintenance.

All signs shall be kept in good repair and maintained in a neat, clean, attractive and safe condition. Any work required to repair or maintain a sign shall be completed promptly. (Ord. 2003-565 § 1; Ord. 2001-509 § 1)