

ORDINANCE NO. 1285

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON,
AMENDING CHAPTER 15.28 BLMC WITH REGARD TO ELECTRONIC SIGNS.

WHEREAS, the City of Bonney Lake wishes to preserve the aesthetic nature of its community;
and

WHEREAS, the City wishes to prevent distraction of motorists and preserve the safety of its
residents and those using the City's streets, roads, and highways; and

WHEREAS, rapidly changing electronic signs are deemed to be contrary to the City's aesthetic
goals; and

WHEREAS, the Planning Commission held a public hearing and recommended approval; and

WHEREAS, SEPA has been complied with by means of a Determination of Non-Significance;

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

Section 1. BLMC 15.28.030 and the corresponding portions of Ord. 880 § 1, 2001; Ord. 614 § 2,
1989 are hereby amended to read as follows. ~~Strikethroughs~~ indicate deletions, underlines indicate
additions.

15.28.030 Definitions.

Certain terms are defined for the purposes of this chapter as follows:

Abandoned sign: a sign which no longer identifies or advertises a bona fide business, lessor, service,
owner, product, or activity, and/or for which no legal owner can be found.

Administrator: the planning and community development director or his designated representative.

Ambient Light: surrounding or environmental light that is everywhere equally intense and has no
directionality.

Animated sign: any sign which uses movement or change of lighting to depict action or to create a
special effect or scene (compare "flashing sign").

Area: (See "Sign, area of.")

Awning: a shelter projecting from and supported by the exterior wall of a building, constructed of
nonrigid materials on a supporting framework (compare "marquee").

Awning sign: a sign painted on, printed on, or attached flat against the surface of an awning.

Banner sign: a sign made of fabric or any nonrigid material with no enclosing framework.

Billboard: (See "Off-premises sign.")

Building: as defined in Section 403 of the Uniform Building Code.

Changeable copy sign (automatic): a sign on which the copy changes automatically on a lampbank or
through mechanical means, e.g., electrical or electronic time and temperature units.

Changeable copy sign (manual): a sign on which copy is changed manually in the field, e.g.,
readerboards with changeable letters.

City: Unless the context clearly discloses a contrary intent, the word "city" means the city of Bonney
Lake.

Civic organization: means an organization which is formed for civic purposes.

Clearance (of a sign): the smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

Construction sign: a temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

Copy: the wording on a sign surface in either permanent or removable letter form.

Directional/informational sign: an on-premises sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs.

Double-faced sign: a sign with two faces.

Electrical sign: a sign or sign structure in which electrical wiring, connections or fixtures are used.

Electronic Message Center : ~~(See "Changeable copy sign, automatic.")~~ an electronically activated sign whose message content, either whole or in part, contains only text and may be changed by means of electronic programming.

Facade: the entire building front including the parapet.

Face of sign: the area of a sign on which the copy is placed.

Festoons: a string of ribbons, tinsel, small flags, or pinwheels.

Flashing sign: a sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include changeable copy signs, animated signs, or signs which, through reflection or other means, create an illusion of flashing or intermittent light (compare "animated sign," "changeable copy sign").

Freestanding sign: a sign supported upon the ground by poles or braces and not attached to any building.

Frontage: the length of the property line of any one premises along a public right-of-way on which it borders.

Frontage, building: where the main entrance is located on a facade which is visible from a public or private street, parking lot, or highway.

Government sign: any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.

Height (of a sign): the vertical distance from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less (compare "clearance").

Identification sign: a sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

Illegal sign: a sign which does not meet the requirements of this code and which has not received legal nonconforming status.

Illuminated sign: a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Incidental sign: a small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business.

Interactive sign: an electronic or animated sign that reacts to the behavior or electronic signals of drivers.

Lot: a parcel of land legally defined on a subdivision map recorded with the assessment department or land registry office, or a parcel of land defined by a legal record of survey map.

Maintenance: the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Message: pertaining to electronic signs means a text message, image, or combination thereof meant to be comprehended as a whole by the viewer. Each sentence or simple concept shall be deemed a separate message. A message can either be a static display or a display which, not fitting onto the screen all at once, is broken into parts which appear sequentially, appearing on or scrolling across the screen. Electronic signs are capable of changeable messages.

Monument sign: a freestanding nonelectric sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile or textured concrete materials harmonious with the material of the primary structure on the subject property.

Multiple-building complex: a group of structures housing at least one retail business, office, commercial venture or independent or separate part of a business which shares the same lot, access and/or parking facilities.

Multiple-tenant building: a single structure housing more than one retail business, office or commercial venture but not including residential apartment buildings.

Nameplate: a nonelectric on-premises identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

Nit: a luminance unit equal to 1 candle per square meter measured perpendicular to the rays from the source.

Nonconforming sign: a sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations; a sign which does not conform to the sign code requirements but for which a special permit has been issued.

Occupancy: the portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

Off-premises sign: a sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising."

On-premises sign: a sign which pertains to the use of the premises on which it is located.

Outdoor vendor sign: a temporary movable A-frame sign which is used for temporary outdoor vendors such as Christmas tree lots, fruit stands, and farmers' markets (compare "real estate sign, off-premises" and "real estate directional sign").

Owner: a person recorded as such on official records. For the purposes of this chapter, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the administrator, e.g., a sign leased from a sign company.

Painted wall sign: a sign which is applied with paint or similar substance on the face of a wall.

Parapet: the extension of a false front or wall above a roofline.

Pennant: any long, narrow, usually triangular flag.

Person: any individual, corporation, association, firm, partnership, or similarly defined interest.

Pixel: the basic unit of the composition of an image on an electronic sign.

Point of purchase display: advertising of a retail item, accompanying its display, e.g., an advertisement on a product dispenser.

Pole Cover: covers enclosing or decorating poles or other structural supports of a sign.

Political sign: a temporary sign used in connection with a local, state, or national election or referendum.

Portable sign: any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

Premises: a parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Projecting sign: a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Readerboard, portable: a sign face, illuminated or nonilluminated, which is designed to hold readily changeable sign graphics allowing frequent changes of copy.

Real estate directional sign: a portable and temporary directional sign which is intended to assist in finding the location of a difficult to locate property which is for sale or rent.

Real estate sign: a temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

Real estate sign, for sale/rent/lease: an on-premises sign advertising that the property is for sale, rent, or lease.

Real estate sign, off-premises: a portable and temporary sign advertising a property which is for sale, rent, or lease located off the site which is for sale, rent, or lease.

Real estate sign, on-premises: a portable and temporary sign advertising a property which is for sale, rent, or lease located on the site for sale, rent, or lease. This includes temporary signs located at the entrance of subject developments advertising the sale of lots, subdivision, houses, or dwelling units.

Right-of-way: land privately owned, or dedicated to the public, which is primarily for the movement of vehicles, wheelchairs, and pedestrian traffic.

Roof sign: any sign erected over or on the roof of a building (compare "wall sign").

Roofline: the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Sandwich board/sidewalk sign: a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing.

Searchlight: an apparatus containing a light and reflector on a swivel, for projecting a strong, far-reaching beam in any direction.

Service organization sign: a sign sponsored by service or civic organizations, clubs and similar organizations located in the city of Bonney Lake.

Sign: any device, structure, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, or services (compare BLMC 15.28.020).

Sign, Area of:

1. **Projecting and freestanding signs:** the entire area of a sign, on which graphics, letters, figures, symbols, trademarks and/or written copy is to be placed, excluding sign structure, architectural embellishments, and framework. Sign area is calculated by measuring the perimeter enclosing the extreme limits of the module or sign face containing the graphics, letters, figures, symbols, trademarks, and/or written copy.

2. **Wall, canopy, or awning signs:** the area shall be within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message; provided, however, that individual letters, numbers, or symbols using a wall, canopy, or awning as background have sign area calculated by measuring the perimeter enclosing each letter, number, or symbol.

Special event a business or use event such as a grand opening, celebration, holiday, or promotional period beginning on or shortly after the date of the event. Grand opening events must be related to: a change of business location; construction of a new business structure; major remodeling; change of ownership; change of name; or change in type of business engaged in by an existing business.

Subdivision identification sign: a monument or wall sign identifying a recognized subdivision, condominium complex, or residential development.

Temporary sign: a sign not constructed or intended for long-term use or permanent use.

Under-canopy sign: a sign suspended beneath a canopy, ceiling, roof, or marquee.

Use: the purpose for which a building, lot, sign, or structure is intended, designed, occupied, or maintained.

Video: a high-resolution, high-frames-per-second motion picture display.

Wall sign: a sign attached parallel to and extending not more than 12 inches from the wall of a building. This definition includes painted, individual letter, cabinet signs, and signs on a mansard roof.

Window sign: a sign installed inside a window and intended to be viewed from the outside.

Section 2, BLMC 15.28.070 and the corresponding portions of Ord. 880 § 1, 2001; Ord. 614 § 2, 1989 are hereby amended to read as follows. ~~Strikethroughs~~—indicate deletions, underlines indicate additions.

15.28.070 Signs prohibited.

The following types of signs are prohibited in all districts:

A. Abandoned signs;

- B. Banners, pennants, festoons, searchlights (except as allowed in BLMC 15.28.090);
- C. Signs imitating or resembling official traffic or government signs or signals;
- D. Signs attached to trees, utility poles, public benches, light standards, or placed on any public property or in any public right-of-way except as allowed in subsection F of this section;
- E. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign (this does not apply to allowed portable sign or to signs or lettering on buses, taxis, or vehicles operating during the normal course of business);
- F. Signs, other than political signs, which are placed in or extend over a public right-of-way except government signs or as may be approved by the director(s);
- G. All portable and semi-portable readerboard signs;
- H. All off-premises signs except as otherwise allowed in this chapter; and
- I. Signs which are structurally, materially or electrically defective or which endanger the public.
- J. Interactive Signs, other than those used for public safety as determined by the Director.

Section 3. Chapter 15.28.110 BLMC and the corresponding portions of Ord. 1155 § 7, 2005; Ord. 880 § 1, 2001; and Ord. 614 § 4.03, 1989 are hereby amended to read as follows. ~~Strikethroughs~~ indicate deletions, underlines indicate additions.

15.28.110 Signs permitted in commercial and light industrial districts.

A. Signs are allowed as follows in DC, DM, C-1, C-2, C-3, and C-2/C-3 combined commercial and M-1, light industrial, warehousing, and heavy commercial sales districts:

1. All signs as permitted in BLMC 15.28.080 unless otherwise noted;
2. Freestanding, wall, roof, projecting, and under-canopy sign(s) per business establishment, not to exceed one and one-half square feet in combined sign area for each linear foot of building frontage up to a maximum of 150 square feet;
3. Each multi-tenant building or building complex shall be permitted one freestanding directory sign not to exceed 100 square feet. The directory sign shall identify two or more tenants and/or the complex as a whole. The directory sign shall be considered additional permitted signage, allowed beyond the limitations of subsection (A)(2) of this section. If a tenant in a multi-tenant building or multi-building complex has a sign on the freestanding directory sign then the tenant shall not have an individual freestanding sign;
4. On a business, multi-tenant building or multi-building complex with total frontage on the main street of more than 300 feet, the business, multi-tenant building or multi-building complex shall be allowed one additional freestanding directory sign for each 300 feet of frontage, not to exceed 50 square feet. Each sign shall be placed not less than 150 feet apart.

5. Animated and Electronic Message Center signs provided the requirements of BLMC 15.28.115 are met.

B. Special regulations and allowances for commercial and light industrial districts are as follows:

1. **Setbacks Required.** All permitted freestanding signs shall have a setback of 20 feet from the SR 410 right-of-way. If a monument sign is used, the sign may be located within 10 feet of the SR 410 right-of-way. Signs shall have a setback of five feet from all other rights-of-way and be subject to required sight distance criteria.
2. **Height.** Maximum height for freestanding signs shall not exceed 20 feet; maximum height for monument signs shall not exceed 14 feet. Freestanding and under-canopy signs shall have a minimum clearance of 14 feet over any parking area and eight feet over any pedestrian area such as a sidewalk.
3. **Sign Area Bonus.** The total sign area may be increased by 25 percent if the business uses only wall signs. Animated Signs are not included and do not qualify for bonus increase.
4. Animated Signs and Electronic Message Centers shall not be allowed in commercial and industrial zoning districts if the proposed sign location is within two hundred feet (200') measured in any direction from a residential zoning district and the sign face is visible from the RC-5, R-1, R-2, or R-3

zones. The exception is Electronic Message Centers associated with schools as provided in Section 15.28.100(3) above.

5. Landscaping. Freestanding and monument signs are required to be landscaped around the base of the sign to improve the overall visual appearance of the sign. Landscaping shall be in proportion to the size and height of the sign, with a minimum of one-half square foot of landscaping for each square foot of sign area and shall be maintained throughout the life of the sign.

a. The landscaping and sign base shall be protected from vehicles by a vertical curb (or equivalent) at least three feet from the sign base.

b. Landscaping shall be installed in the planting season closest to the issuance of the sign permit. Signs installed after the planting season shall be landscaped no later than the following planting season.

c. Landscaping requirements may be waived by the director of planning and community development.

Section 4. A new section is hereby amended as follows (here underlined to denote an addition).

15.28.115 Animated signs.

A. Any animated sign shall be no more than 30% of the total allowable sign face for any sign, provided that all other requirements in this section are followed.

B. In multi-tenant buildings or building complexes only freestanding directory signs per BLMC 15.28.110.A.3 may be animated or electronic message centers, not individual tenant signs. If, within a multi-tenant building or building complex, an individual tenant already has an animated sign or electronic message center, the multi-tenant building or building complex as a whole shall not be allowed to have an additional sign of this type.

C. Maximum brightness levels for electronic signs shall not exceed 5,000 nits when measured from the sign's face at its maximum brightness, during daylight hours, and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn, i.e. the time of the day between sunrise and sunset.

D. Newly permitted animated signs shall include an ambient light meter and programmable or manual dimming capacity.

Section 5. Chapter 15.28.270 BLMC and the corresponding portions of Ord. 988 and Ord. 880 § 1, 2001 are hereby amended to read as follows. ~~Strikethroughs~~-indicate deletions, underlines indicate additions.

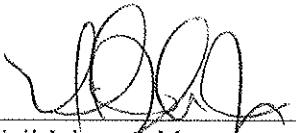
15.28.270 Compliance and enforcement

Any violations of this chapter such as the placement of prohibited signs on a property or the failure to maintain existing or new signage in good condition shall be subject to the enforcement provisions of BLMC 14.130.

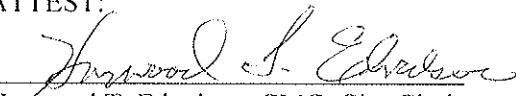
Section 6. If any portion of this Ordinance shall be invalidated by a court of competent jurisdiction, the remainder shall remain in full force and effect.

Section 7. This Ordinance shall take effect thirty (30) days after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.


PASSED by the City Council and approved by the Mayor this _____ day of _____, 2008.



Neil Johnson, Mayor

ATTEST:


Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:


James J. Dionne, City Attorney

Passed:
Valid:
Published:
Effective Date: