ORDINANCE NO. 2652

AN ORDINANCE AMENDING CHAPTER 18.58 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "SIGNS"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 18.58 of the Moses Lake Municipal Code entitled "Signs" is amended as follows:

18.58.020 Definitions:

A. Abandoned Sign: means a sign which no longer serves its intended purpose.

B. Architectural Appendage Sign: means a building sign that is suspended from, attached to, applied to, or part of an awning, marquee, false mansard, canopy, or similar projection from the exterior walls of a building.

C. Billboard: means an off-site sign that is substantial in size and construction, usually is owned by an outdoor advertising company, and contains advertising space that is for rent or lease.

D. Building: means an enclosed structure for a use or occupancy.

E. Building Sign: means any sign that is attached or applied to, mounted on, suspended from, painted on, or part of the exterior of a building or architectural appendage, including the roof and facade.

F. Cabinet Sign: means a sign enclosure which has access for the replacement of one (1) or more sign faces and lamps, if internally-illuminated.

G. Changeable Copy Sign: means a sign that is designed to easily rotate or alternate messages by mechanical means. Examples of changeable copy signs are reader boards with removable letters.

H. Community Sign: means a temporary sign that promotes, celebrates, or commemorates a community event, public awareness, community service, holiday season, or similar public function.

I. Construction Sign: means a temporary standing or portable sign that is non-illuminated. A construction sign provides information about a construction project.

J. Directional Sign: means a sign which only identifies a business or activity and directs traffic to that business or activity.

K. Directory Sign: means a sign that has space which is limited to the name, address, and logo of the developed site and the names, addresses, and logos of several on-site businesses, organizations, or facilities.

L. Double-Face Sign: means two (2) sign faces which are identical in size and message and either are displayed back-to-back or within 30° interior angle.

M. Electronic Sign: means an on-premise advertising sign having a signboard display that can be changed by an electrical, electronic, or computerized process.

N. Facade: means one (1) or more exterior walls of a building that face one (1) direction, including parapets and openings such as doors and windows.

O. Flashing Sign: means a sign that has external or internal lighting which changes intensity, rotates, animates, travels, or switches on and off in a blinking manner. Examples of such lighting are lamp banks with blinking or traveling messages, traveling arrows and revolving beacons.

P. Free-Standing Sign: means a sign that has vertical support which is permanently anchored in the ground. Examples are pole (or pylon), post, and monument signs.

Q. Freeway Interchange Sign: means a free-standing sign that is intended to attract the attention of traffic entering or exiting an Interstate 90 interchange. A freeway interchange sign is located within one thousand five hundred feet (1,500') of the interchange as measured from the centerline of Interstate 90 right-of-way and the intersecting right-of-way centerline.

R. Freeway Sign: means a free-standing sign that is intended to attract the attention of traffic on Interstate 90. A freeway sign is located within two hundred fifty feet (250') of Interstate 90 right-of-way.

S. Garage Sale Sign: means a temporary sign for the sale of household items.

T. Home Occupation Sign: means an on-site sign that advertises a home occupation as defined in Section 18.55.020 of this title.

U. Incidental Sign: means a non-illuminated, on-site, convenience sign. Examples of incidental signs are credit card, telephone, and restroom signs.

V. Monument Sign: means a free-standing sign in the shape of a monolith. Usually the sign is vertically supported on a base which is on a pedestal, but the sign may be a pole-covered sign. A monument sign is intended to be viewed at eye level.

W. Non-Conforming Sign: means a permanent sign that was lawfully erected, installed, or otherwise displayed according to the applicable Grant County or city zoning regulations, but does not conform to the sign regulations of this chapter.

X. Off-Site Sign: means a sign that is not related to an activity that is on the same site as the sign, or the sign is on a vacant site.

Y. Official Sign or Legal Notice: means an official sign or legal notice issued by a court, public agency, or as authorized by law or federal, county, or city authority.

Z. On-Site Sign: means a sign that is related to an activity that is on the same site as the sign.

AA. Permanent Sign: means any sign which is not a temporary sign as defined in Section 18.58.020.OO.

BB. Pole (or Pylon) Sign: means a free-standing sign on one (1) or more upright supports in a foundation. The upright supports may be covered for aesthetic purposes. A pole sign is the same as a pylon sign.

CC. Portable Sign: means a sign that either is a sign structure or is part of or affixed to a sign structure that is designed to be movable.

DD. Private Warning/Directional Sign: means a permanent, portable, or temporary sign that is erected for a private purpose such as KEEP OUT, NO TRESPASSING, RIGHT TURN ONLY, STOP, SECURITY ALARM, or NO DUMPING.

EE. Projecting Sign: means a type of building sign that either is: 1) mounted at right angle to a facade; 2) suspended under an architectural appendage and at right angle to a facade; or 3) a wall sign that extends eighteen (18) or more horizontal inches from the facade.

FF. Public Facility Directional Sign: means a sign, in the public zone, which only identifies a public facility or activity and directs traffic to that public facility or activity.

GG. Public or Recreational Identification Sign: means a sign for a public or semi-public facility or area. Examples of such signs are park, school, or hospital signs.

HH. Real Estate Sign - Other: means a sign that either advertises a parcel or lot of non-residential land, or the buildings thereon, or both which is for sale, lease, or rent.

II. Real Estate Sign - Residential Lot: means a sign that either advertises a parcel or lot of residential land, or the buildings thereon, or both which is for sale, lease, or rent. Residential land includes land that is vacant and within a residential zone or land that is in residential use, regardless of zone.

JJ. Residential Identification Sign: means a sign that identifies a residential subdivision, planned residential development, neighborhood, condominium development, manufactured home park, multi-family residential development, or similar residential developments.

KK. Residential Subdivision Sign: means a sign which advertises the sale of lots in a residential subdivision, parcels in a manufactured home binding site plan, or lots in a residential planned development.

LL. Right-Of-Way: means a corridor which either is reserved for or contains a public street, road, alley, pathway, highway, or freeway.

MM. Roof Sign: means a building sign that is mounted on the roof of a building as defined in this section. A roof sign does not project beyond the vertical planes of the building facades.

NN. Sandwich Board Sign: means a portable sign that is A-frame, does not exceed four feet (4') in height or two feet (2') in width, and is non-illuminated.

OO. Sign: means a visual message that is displayed to attract the outdoor attention of the general public. A sign may be: 1) advertising of a generic or specific product, item, or service; 2) a promotion of an activity or event; 3) any other implicit or explicit message which informs, alerts, directs attention to, or warns; 4) the name of a business, building, place, or organization; or 5) any combination of advertising, promotion, other message, or name. A sign may consist of, but is not limited to words, pictures, drawings, logos, symbols, other graphics, border, trim, frame, cabinet, background, space, material, or devices which are integral to the visual message. A sign may contain multiple visual messages which are related in content and proximity.

PP. Sign Face: means one dimension of a sign that contains the visual message.

QQ. Sign Height: means the vertical distance as measured from finished grade at the base of a sign or sign structure to the top of the sign.

RR. Sign Structure: means the horizontal and vertical support for a sign.

SS. Site: means either: 1) a parcel of unplatted land, a parcel in a binding site plan, a tract, or a lot in a subdivision; or 2) two (2) or more contiguous parcels, tracts, or lots under one (1) ownership without intervening right-of-way and identified or delineated as one (1) development site; or 3) two (2) or more contiguous parcels, tracts, or lots under different

ownerships, without intervening right-of-way, and identified or delineated as one (1) development site.

TT. Street Frontage: means that portion of a site boundary that borders one or more streets as defined in Section 18.06.590.

UU. Temporary Sign: means a sign affixed to, applied on, or made from lightweight material, with or without a frame or backing which is designed to be displayed for a limited time including, but not limited to, a feather or tear drop sign. Examples of lightweight materials are vinyl, cardboard, card stock, corrugated plastic, and fabric.

VV. Traffic Control Sign: means any permanent or temporary traffic control, traffic signal, or construction sign that is subject to: 1) the latest edition of the Standard Specifications for Road, Bridge, and Municipal Construction as published by the Washington State Department of Transportation in conjunction with the Washington State Chapter of the American Public Works Association, as amended by the City of Moses Lake Community Street and Utility Standards; and 2) the Manual on Uniform Traffic Control Devices.

WW. Vehicle Sign: means a sign that is affixed or painted on a vehicle which is primarily used for transportation rather than parked for the purpose of displaying the sign.

XX. Wall Sign: means a building sign that is painted or flush-mounted on a facade, fascia, or architectural appendage, less than eighteen inches (18") horizontal projection.

YY. Wheeler Corridor Heavy Industrial Area: means the area within City limits, located east of Road L and zoned Heavy Industrial.

ZZ. Window or Door Sign: means a building sign that is suspended or mounted flush with an exterior window, or painted on a window or door, and directed outside.

18.58.030 Sign Regulations:

A. Only a sign as defined in Section 18.58.020.OO ~~MM~~ is subject to the provisions of this chapter.

B. A sign type that is listed "A" in the following table is allowed to be displayed, subject to the applicable sign regulations listed in this section and in the table.

C. A sign type that is listed "P" in the following table is prohibited from display, unless it is a non-conforming sign as provided in Section 18.58.090.

D. A sign type that is listed "E" in the following table is exempt from the provisions of this chapter.

E. A sign type that is not listed in the following table is not allowed to be displayed.

F. A sign shall comply with applicable provisions of the State Building Code and Chapter 16.02 of this code entitled Building Permits.

G. A sign is subject to Chapter 8.14 of this code entitled Nuisances.

H. State law (RCW 70.54.090) prohibits the attachment of a sign to a utility pole.

I. No sign is allowed on or over right-of-way except as approved by City Council for city streets. No sign is allowed within right-of-way of the interstate or primary system where

there are no curbs. A sign may be allowed within right-of-way of the primary system where there are curbs and other streets, subject to the following conditions and circumstances:

1. A projecting sign is allowed over a sidewalk in right-of-way in the C-1 Zone and in the C-2 Zone where the building is not set back from right-of-way, provided that the sign does not project more than eighty percent (80%) of the distance between the right-of-way line and back of curb line, and there is a minimum of eight feet (8') vertical clearance under the sign

2. A political sign is allowed in right-of-way subject to the remainder of the applicable sign regulations in this section and in the following table.

J. No permanent sign is allowed on or over a public utility easement.

K. A permanent sign may be allowed over but not on a municipal easement, upon approval by the Municipal Services Director.

L. Every sign shall be maintained in a safe and secure manner. A torn, broken, hazardous, dilapidated, or outdated sign, as determined by the Building Official, shall be repaired, replaced, or removed.

M. The City Engineer shall review each application for a sign permit for sight distance. The City Engineer shall consider whether a sign would be located or constructed so as to obscure or obstruct an official traffic sign, signal, or device, or obstruct a motorist's view of approaching, merging, or intersecting traffic before approving or disapproving the application.

N. Internal or external sign lighting shall be shaded, hooded, site screened, or directed so that the light's intensity or brightness shall neither adversely affect adjacent or nearby property, nor create a public nuisance, nor create a traffic hazard.

O. A sign may be located within the front or exterior yard (as defined in sections 18.06.630 and 18.06.650 of this title) but shall not be located in the interior side or rear yard (as defined in sections 18.06.650 and 18.06.640 of this title).

P. Where electronic signs are allowed, the following conditions apply:

1. The message shall have a static display time of at least two (2) seconds after moving on to the signboard, with all segments of the total message to be displayed within ten (10) seconds.

2. Displays may travel horizontally or scroll vertically onto electronic signboards, but must hold in a static position for two (2) seconds after completing the travel or scroll.

4. Electronic signs requiring more than four (4) seconds to change from one (1) single message display to another shall be turned off during the change interval.

5. No electronic sign lamp may be illuminated to a degree of brightness that is greater than necessary for adequate visibility. In no case may the brightness exceed eight thousand (8,000) nits or equivalent candelas during daylight hours, or one thousand (1,000) nits (illuminative brightness measurement),or equivalent candelas between dusk and dawn. Signs found to be too bright shall be adjusted as directed by the City of Moses Lake.

6. Minimum height for the sign shall be thirteen feet (13') from grade of the adjacent roadway to the bottom of sign.

7. The sign background shall not be white in color. White lights shall not be used as the sign background.

8. Businesses, churches, or schools are allowed changeable signs providing that changeable displays in residential zones shall be turned off between the hours of 10 p.m. and 7 a.m.

Q. No sign shall be erected or maintained if it is visible from the main traveled way of the interstate or primary system except as permitted by Washington Administrative Code Chapter 468-66 entitled HIGHWAY ADVERTISING CONTROL ACT or Revised Code of Washington Chapter 47.42 entitled HIGHWAY ADVERTISING CONTROL ACT - SCENIC VISTAS ACT.

R. Signs constructed of temporary sign materials, as defined in Section 18.58.010.TT, shall not be used as a permanent sign. Any sign that does not currently meet this standard must be removed within ninety (90) days.

SIGN REGULATIONS

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Abandoned	P	NA	NA	NA	NA
Architectural Appendage	A	Sign may be flush-mounted or suspended under the architectural appendage	see Building sign	R	Sign allowed only in commercial and industrial zones. If the sign is suspended, there shall be at least 8' clearance above grade.
Billboard	P	NA	NA	NA	NA
Building	See specific types of building signs	See specific types of building signs	The total area of building signs shall not exceed 25% of the overall area of each facade . None of this allowance is transferable from one facade to another facade. No individual building sign shall exceed 15% of the overall area of a facade.	See specific types of building signs	Sign allowed in commercial, industrial, agricultural, and municipal airport zones. Allowed in R-3 Zone on a site with a conditional use, with review and approval of the Planning Commission according to Section 18.58.110 of this chapter.
Changeable Copy	A	25' for Free-standing, Freeway or Freeway Interchange sign, or wall height for Wall sign	See Building, Freeway or Freeway Interchange, Free-standing, or Temporary Free-standing or Portable sign	R	Sign allowed only in commercial and industrial zones.
Community	A	See Building or Free-standing signs.	See Building, Free-standing, and Temporary Free-standing or Portable signs for other sign area regulations.	R if free-standing sign; NR if building sign	Sign allowed only in commercial, industrial, and public zones. Sign shall be temporary.

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Construction	A	8'	32 sq. ft. per street frontage per construction site	NR	Sign may be erected a maximum of 30 days prior to start of construction, and shall be removed within 30 days after the end of construction. Sign shall be non-illuminated. Limited to one sign per street frontage per site.
Dilapidated or hazardous condition as determined by Building Official	P	NA	NA	NA	NA
Directional	A	6' for Free-standing sign; same as for Wall sign.	8 sq. ft. per sign	R	Sign allowed only in commercial and industrial zones
Directory	A	Same as for Free-standing, and Freeway or Freeway Interchange sign	See Building, Freeway or Freeway Interchange, or Free-standing sign	R	Sign allowed only in commercial and industrial zones, or on a site with a conditional use in the R-3 Zone. Prior to issuance of a sign permit, a sign for a conditional use in the R-3 Zone shall require Planning Commission review and approval according to Section 18.58.110 of this chapter.
Electronic	A	25'	50 sq. ft. per site. Area of electronic signs is included within the maximum area allowed for free-standing or building signage	R	Sign allowed only in Commercial, Industrial, and Public Zones. Additional requirements for electronic signs are found in Section 18.58.030, Sign Regulations. Electronic signs must also meet the requirements for the type of sign (free-standing or building).
Flashing	P	NA	NA	NA	NA
Freeway or Freeway Interchange or Wheeler Corridor Heavy Industrial	A	45'	350 sq. ft. per site	R	Allowed only in commercial and industrial zones. Wheeler Corridor signs allowed only in the Wheeler Corridor Heavy Industrial Area. Off-site signs shall not be allowed.

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Free-standing	A	25'	150 square feet per site in a commercial or industrial zone, except that a site which has street frontage exceeding 300 lineal feet is allowed 150 square feet per increment of 300 lineal feet of street frontage. A site where there is a conditional use in the R-3 Zone is allowed any combination of free-standing and building signs not to exceed a total of 12 square feet, except as provided in Other Sign Regulations in this row.	R	Sign allowed only in commercial and industrial zones or on a site where there is a conditional use in the R-3 Zone. A site without street frontage shall be limited to one free-standing sign structure. The number of free-standing sign structures that are allowed on a site with street frontage shall be limited to two per increment of 300 lineal feet of street frontage. If a site exceeds one free-standing sign structure, then the structures shall be separated a minimum of 100 lineal feet. Landscaping (as defined in section 18.57.030.A of this title) is required around the base of a new free-standing sign. The landscaping perimeter for a pole sign shall be not less than the largest sign dimensions as vertically projected to the ground. The landscaping perimeter for all other free-standing signs shall be not less than 1' larger than the base of the sign structure. Prior to issuance of a sign permit, a free-standing sign on a vacant site, or where there is a conditional use in the R-3 Zone, shall require Planning Commission review and approval according to Section 18.58.110 of this chapter.
Garage Sale	A	NA	NA	NR	Sign allowed in all zones. The sign shall not be displayed for more than four consecutive days.
Government Flags	E	NA	NA	NA	NA
Home Occupation	A	Same as for Wall sign	2 sq. ft. per residential dwelling unit with home occupation license	R	Sign shall be a non-illuminated wall sign. Limited to one sign per residential dwelling unit with home occupation license.
Incidental	A	Same as for Wall, Freeway, Freeway Interchange, and Freeway signs	2 sq. ft. per sign	NR	Shall be non-illuminated and on-site.
Monument	A	8'	Same as for Free-standing Sign	R	Sign allowed only in commercial and industrial zones
Non-conforming	**See Section 18.58.090 for limitations on non-conforming signs**				
Official Sign or Legal Notice	E	NA	NA	NA	NA

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Open, Closed, Business Hours, Address, or Greeting	E	NA	NA	NA	NA
Political (candidate or issue)	A	8'	32 square feet per sign	NR	Shall be removed within 10 days after an election. May be located on private property with permission from property owner. May be placed in right-of-way adjacent to the private property of the abutting land owner and only with the permission of the private property owner/abutting land owner, provided that it is not in a location or condition that is prohibited.
Private Warning/ Directional	E	NA	NA	NA	NA
Projecting Sign	A	Same as for Wall or Architectural Appendage sign	See Building sign	R	See Section 18.58.030 I of this chapter
Public Facility Directional Sign	A	8'	35' sq. ft.	R	Sign allowed only in the public zone
Public or Recreational Identification	A	Same as for Free-standing or Building sign	See Free-standing or Building sign	R	Allowed in commercial, industrial, and public zones
Public Zone (other than Public or Recreational Facility Identification signs)	A	Same as for Free-standing or Building sign	see Free-standing or Building sign	R	Requires Planning Commission approval according to Section 18.58.110.
Real Estate - Other	A	8' for Free-standing Sign; wall height for Building Sign	32 sq. ft. per sign	NR	Shall be non-illuminated. Shall be removed from display within five days after sale, lease, or rent.
Real Estate - Residential Lot	A	8'	6 sq. ft. per sign	NR	Shall be non-illuminated. Shall be removed from display within one day after sale, lease, or rent.
Residential Identification	A	8'	32 sq. ft. per site	R	Allowed in residential zones. Requires Planning Commission review and approval according to Section 18.58.110 of this chapter.
Residential Subdivision	A	8'	32 sq. ft. per residential subdivision, manufactured home binding site plan or residential planned development	R	N/A

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Roof	A	10' above roof height as measured from intersection of the roof and lowest point of the sign, sign structure, or point of attachment	See Building sign	R	Allowed in commercial and industrial zones.
Sandwich Board	A	4'	8 sq. ft. each face	R	Sign allowed only in commercial and industrial zones. May be located in right-of-way adjacent to the site that is the object of the sign with Community Development Department approval. Otherwise, sign shall be on-site. Shall be removed from display at the end of each business day.
Sign which could be confused with or obstructs the view of a traffic sign or signal, as determined by City Engineer	P	NA	NA	NA	NA
Sign which restricts ingress to or egress from a building	P	NA	NA	NA	NA
Sign on vehicle other than Vehicle sign	P	NA	NA	NA	NA
Temporary Sign on Fence	A	Height of fence	32 sq. ft. per street frontage	NR	Allowed only for community signs, as defined in this chapter
Temporary Sign on free-standing structure or Portable	A	See Free-standing if on free-standing structure; 8' height if portable	32 sq. ft. per street frontage per site. If no street frontage, then 32 sq. ft. per site. The total sign area shall be restricted to one, contiguous, designated area per street frontage. The designated area shall not exceed 12 lineal feet parallel to street frontage.	R - one time per location. Ownership change of business license requires new sign permit.	Allowed only in commercial and industrial zones. Sign shall be repaired, replaced, or removed when torn, worn, broken, or dilapidated. Sign shall be specific to a product or event, and shall not include the business name or hours. Off-site signs shall not be allowed, except that the Planning Commission may allow a temporary sign on a vacant site pursuant to 18.58.100.
Temporary Gas Pump	A	NA	2 sq. ft. per sign, one sign per dispenser	NR	NA

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Temporary Sign On Wall	A	Same as Wall sign	See Building sign Signs shall be framed. One sign per building allowed if unframed.	NR	Allowed only in commercial and industrial zones. Sign shall be repaired, replaced, or removed when torn, worn, broken, or dilapidated. Sign shall be specific to a product or event, and shall not include the business name or hours. Off-site signs shall not be allowed. Signs shall not be located on out buildings.
Traffic Control	E	NA	NA	NA	NA
Vehicle	A	Flush-mounted to vehicle	NA	NR	Non-illuminated
Wall	A	The sign shall be contained within the outline of the facade.	See Building sign	R	NA
Window or Door	A	The sign shall be contained within the perimeter of the window or door	See Building sign	NR for temporary sign; R for permanent sign	NA
A = Allowed E = Exempt NA = Not Applicable NR = Not Required P = Prohibited R = Required					

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on July 24, 2012.

Bill J. Ecret, Mayor

ATTEST:

W. Robert Taylor, Acting Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney