WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting - 7:00 PM

Thursday, April 18, 2013

Woodland Community Center
782 Park Street, Woodland, Washington

CALL TO ORDER – 7:00 PM

APPROVAL OF MINUTES
• March 21 Meeting Minutes

WORKSHOP

1) Site Plan Review/Approval Ordinance
   • Staff Presentation
   • Review Draft Ordinance

2) Sign Code Updates
   • Staff Presentation
   • Review Draft Ordinance
   • Code Examples – Ways to Limit Vehicles Used as Signs

2013 GOALS AND PRIORITIES

ADJOURN

cc: Post (City Hall Annex, Library, Post Office, City Hall)
    City of Woodland website
    Planning Commission (5)
    City Council (7)
    Those that have expressed interest in a meeting topic
    Mayor
    Department Head
WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting – 7:00 PM
Thursday, March 21, 2013

Woodland Community Center
782 Park Street, Woodland, Washington

Present: Commissioner Sharon Watt
Commissioner Nancy Trevena
Commissioner Murali Amirineni
Commissioner Deborah Deans

Absent: Chair David Simpson

Also Present: Community Development Planner Carolyn Johnson

CALL TO ORDER 7:11 PM
The meeting was called to order at 7:11 PM.

APPROVAL OF FEBRUARY 21, 2013 MEETING MINUTES
- Commissioners made the following corrections:
  - On page 2, under “Planning Commission Deliberation”, the second line should be “sales of boats”, not “sells of boats”.
  - On page 3, under “Workshop”, the fourth line from bottom should be ten feet, not ten inches.
- With these corrections, the minutes were approved unanimously.

SHORELINE MASTER PROGRAM UPDATE
Shoreline consultants Derek Chisholm and David Sherrard gave a PowerPoint presentation that addressed Critical Areas, vegetation management, bulk/dimensional requirements, administrative provisions, and provisions for existing development (non-conforming). The consultants announced that David Sherrard will be taking over for Derek Chisholm as the City of Woodland’s consultant lead on the project.

PRE-EXISTING USES AND STRUCTURES – CODE AMENDMENT
Carolyn Johnson gave the staff report. The Commission discussed adding language to the code that clarifies that a nonconforming use is limited to the specific use occurring when the use became nonconforming. The clarification will specify that a nonconforming use cannot change from one type of use to a similar but different use (i.e. hair salon to nail salon). Instead, the property must remain a hair salon or change to a use allowed within the zoning designation. Commissioner Trevena asked if the language could be more lenient. Ms. Johnson will look into the legal issues surrounding this before the next meeting.
The Commission corrected several references to the single-family dwelling exception code section reference. The draft ordinance states that the reference is 17.60.090 when it should be 17.60.100.

Under 17.60.060, the words “or oral” statement should be eliminated from the section on discontinuance.

Under the Single-family dwelling exception section, 17.60.100 (B), language should be added so that a destroyed single-family dwelling can rebuild either to the standards of the LDR-6 district or to the original footprint and original square footage.

The Commission asked that Ms. Johnson look into whether or not section 17.60.110 regarding manufactured homes can be eliminated given that state laws asks communities to treat manufactured homes as they would any other single family residential structure. Johnson will look into this before the next Planning Commission meeting.

Commissioner Trevena made a motion to move the ordinance through the SEPA process with the corrections addressed during the workshop session. Commissioner Watt seconded the motion. The motion passed unanimously.

2013 COMPREHENSIVE PLAN MAP AMENDMENTS
The Commission reviewed the two comprehensive plan map amendments requested in 2013. One request was made by Janice Schurman on behalf of the Schurman Trial Run Trust to change the comprehensive plan map designation for a portion of the property located at 1654 Lewis River Road (From High Density Residential to Commercial). The second request was made by Anthony Kasziewicz who wishes to change the comprehensive plan map designation for a portion of his property located at 1695 Lewis River Road (from Light Industrial to Commercial). Both applicants would be seeking concurrent rezones.

The Commission discussed concerns about traffic at the intersection of E Scott Avenue and Lewis River Road and whether commercial designations for the two properties would worsen conditions. Commissioner Trevena discussed that currently there was no safe way for pedestrians to access either site. The Commission also discussed the $2 million awarded to Woodland for the design and construction of an intersection improvement at this location.

In discussing the Janice Schurman request, the group expressed concerns with how new shoreline regulations may impact the redeveloped of the property in the future.

Carolyn Johnson explored the idea of rezoning the properties Neighborhood Commercial (C-3) and expanding the list of permitted uses in the C-3 so that small, low-intensity retail businesses and services were allowed uses.

Commissioner Trevena made a motion to further consider the two comprehensive plan map amendment requests received as part of the annual comprehensive plan amendment process.

ADJOURNMENT 9:10 PM
Commissioner Trevena made a motion to adjourn the meeting. Commissioner Watt seconded the motion. The motion was approved unanimously and the meeting adjourned at 9:10 PM.

Carolyn Johnson, Community Development Planner Date
These minutes are not a verbatim record of the proceedings. A recording is available in the office of the Clerk-Treasurer.
SITE PLAN APPROVAL - DRAFT ORDINANCE

1. Repeal Old Section WMC 17.84.130– Site plan review and decision procedures – Development proposals.

2. Repeal Old Section WMC 16.19 – Binding Site Plans.

3. New Ordinance to be added to WMC Title 19 – Development Code Administration.

NEW ORDINANCE (Text to be added as a new WMC Chapter)

Chapter 19.10 Site Plan Approval

Sections:
19.10.010 Purpose.
19.10.020 Applicability.
19.10.030 Exemptions.
19.10.040 Site plan review types and procedures.
19.10.050 Submittal requirements.
19.10.060 Criteria for site plan approval.
19.10.070 Appeal.
19.10.080 Final site plan approval.
19.10.090 Modifications to approved site plan.
19.10.100 Compliance required and expiration.
19.10.110 Completion prior to occupancy.
19.10.120 Phasing.

19.10.010 Purpose.
The purpose of site plan approval is to ensure compatibility between new developments, existing uses and future developments in a manner consistent with the goals and objectives of the comprehensive plan, the Woodland Municipal Code, and City development standards in order to create healthful and safe conditions. Site plan approval is required according to the provisions of this chapter in order to promote developments that are harmonious with their surroundings and maintain a high quality of life for area residents. Site plan approval is required for all developments as specified in this chapter.

19.10.020 Applicability.
The provisions of this chapter shall apply to all changes of use, new construction, expansion or alteration of the use of land unless expressly exempted by this chapter. No use shall be established, no structure erected or enlarged, and no other improvement or construction undertaken except as shown upon an approved plan which is in conformance with the requirements set out in this chapter.

19.10.030 Exemptions.
The following are exempt from the site plan review provisions of this chapter unless otherwise classified as a Type I or II site plan review or a binding site plan:

A. New construction of or modification to existing single-family detached and duplex residential dwellings within an approved plat.

B. Modifications to the interior of an existing structure that does not change the use or the degree of a use.

C. Subdivisions, short plats, boundary line adjustments, and lot consolidations subject to WMC Title 16.

D. The installation or replacement of underground utilities.

E. Any change in commercial or industrial land use to another commercial or industrial land use permitted in the applicable zoning district.

F. Landscaping or landscape alterations, unless such landscaping or alterations would modify or violate a condition of approval or landscaping requirements.

G. Normal or emergency repair or maintenance of public or private buildings, structures, landscaping or utilities.

H. New parking lots having 10 or fewer parking spaces.

I. On-site utility permits, e.g., sewer hook-ups, water hook-ups.

J. Comprehensive Plan map and text amendments and associated zoning changes and site-specific rezoning requests not associated with any other land use permit.

K. Fire and Life Safety permits.

L. Other development determined by the Development Review Committee to be exempt because it does not result in an appreciable increase in land use activity or intensity or in adverse off-site impacts, and because the City can assure the development complies with applicable standards without site plan review.

19.10.040 Site plan review types and procedures.
A. Except for exempt activities listed in WMC 19.10.040, site plan reviews shall be classified and processed as follows:

1. Type I Site Plan Review. Type I site plan reviews are typically relatively minor in nature, consistent with the zoning of surrounding land uses and do not have a substantial impact on the natural and built environment. Type I applications are decided by the Director of Public Works or his/her designee without public notice prior to the decision and without public hearing. The following are classified as Type I site plan reviews:
   a. Changes in use of an existing structure or site not exempt under WMC 19.10.030.
   b. Any change of use that will result in 30 or fewer PM peak trips and that requires payment of a Traffic Impact Fee. Trips shall be based on the latest edition of the International Transportation Engineer’s (ITE) Trip Generation Manual, or substantial evidence by a professional engineer licensed in the State of Washington with expertise in traffic engineering.
   c. New construction or expansions of existing construction which does not trigger review under the stormwater ordinance and that does not exceed any of the following:
      i. Four thousand (4,000) square feet of additional floor area,
      ii. Twenty (20) new parking spaces, or
      iii. Four new multifamily residential units, except as provided for in WMC 19.10.030.

2. Type II Site Plan Review. Type II site plan reviews are typically more substantial in nature and may have potential incompatibility with surrounding zoning or land uses or may have a more substantial impact on the natural and built environment. Type II procedures are decided by the Public Works Director or his/her designee with public notice and an opportunity for comment. The following are classified as Type II site plan reviews:
   a. Any development which is not listed as a Type I site plan in subsection (A)(1) of this section or listed as exempt under WMC 19.10.030;
   b. Any development subject to SEPA pursuant to WMC Chapter 15.04 (Environmental Policy).
   c. An increase in vehicular traffic to and from the site of 31 or more PM peak trips, based on the latest edition of the International Transportation Engineer’s (ITE) Trip Generation Manual, or substantial evidence by a professional engineer licensed in the State of Washington with expertise in traffic engineering.
   d. Any development that requires stormwater review under the city’s stormwater management ordinance, WMC Chapter 15.12.
3. Binding Site Plan Reviews. A binding site plan functions as an alternative to dividing commercial or industrial property through the platting process by designating a specific use and configuration and binding that to the site through a restrictive covenant. A binding site plan is required for any proposal which involves the division of commercial or industrial property for the purposes of sale, lease or transfer of ownership without completing the platting process pursuant to WMC Title 16 and RCW Chapter 58.17. Binding site plans shall be completed consistent with the requirements and provisions of RCW 58.17.035 and this chapter:

   a. Binding site plans shall be valid for the same period as a Type I or II site plan. If the development has not been completed within the time frame, the binding site plan shall expire.

   b. Revisions to binding site plans are permitted so long as any revisions are made through the site plan review process and are consistent with the regulations in effect at the time of application for revisions.

   c. If a binding site plan expires or is vacated the parcel boundaries shall return to the original configuration.

   d. Vacation of a binding site plan shall require the signatures of all current owners of the parcels involved.

B. If a site plan review is part of an overall application that is subject to a higher review process (Council or hearing examiner approval needed), the site plan review shall be considered in conjunction with the overall application by the higher approval authority.

17.143.050 Submittal requirements.
A. For a Type I site plan review application, the applicant shall submit the information:

1. A completed land-use application.

2. A site plan meeting the standards of subsection (B)(4) of this section.

3. A landscaping plan meeting the standards of subsection (B)(8) of this section unless such information is included on the site plan.

4. Architectural elevations meeting the standards of subsection (B)(9) of this section (not required if the development will not result in changes to existing exterior elevations).

5. A lighting plan meeting the standards of subsection (B)(10) of this section unless such information is included on the site plan.

6. Payment of all applicable review fees.

B. For Type II site plan review applications, the applicant shall submit the following:
1. A completed land-use application.

2. Written narrative description of uses, types of structures proposed, hours of operation, abutting properties, proposed access, frequency of deliveries and construction schedule including project phasing, if known.

3. Five copies of an existing conditions plan drawn to scale on a sheet no larger than twenty-four inches by thirty-six inches and one reduced eleven-by-seventeen-inch copy. The existing conditions plan shall, at a minimum include the following:
   a. Vicinity map showing location of subject site within the city of Woodland and the surrounding existing street system.
   b. Property boundaries, dimensions and size of the subject site.
   c. Graphic scale of the drawing and the direction of true north.
   d. Zoning and uses of subject site and of properties adjacent to the subject site.
   e. Current structural setbacks.
   f. Location of on-site driveways and access points within 100 feet of the subject site.
   g. Location of existing on-site structures and the approximate location of existing structures within 100 feet of the site.
   h. Location of existing aboveground electrical, telephone or utility poles and traffic control poles.
   i. Location of existing fire hydrants.
   j. Location, centerline and dimensions of existing public rights-of-way and easements on-site and within 100 feet of the site.
   k. Location, centerline and dimensions of existing private streets on-site and within 100 feet of the site.
   l. Approximate on-site slopes and grades within 100 feet of the site (not required for Type I site plan reviews).
   m. Approximate location of significant natural conditions such as rock outcroppings, floodplain, drainage patterns and courses, slopes in excess of fifteen percent, unstable ground, high seasonal water table or impermeable soils, areas of severe erosion potential, areas of weak foundation soils, areas of significant wildlife habitat, areas of known or suspected historic, and areas known to have cultural or archaeological resources.
4. Five copies of a site plan drawn to a minimum scale on a sheet no larger than twenty-four inches by thirty-six inches and one reduced eleven-by-seventeen-inch copy. The site plan shall at a minimum indicate the following:

a. Property boundaries, dimensions and size of the subject site.

b. Location, dimensions and height of proposed buildings and location, and dimensions of existing buildings to remain on site.

c. Location of building accesses.

d. Proposed building setbacks.

e. Proposed project-phasing boundaries, if applicable.

f. Legend indicating total site area, the total square footage of proposed buildings or structures including percentage of total site area, the total square footage amount of impervious area including percentage of total site area, the total square footage amount of on-site landscaping including percentage of total site area, the total amount of dedicated parking area including percentage of total site area, the proposed number of parking spaces including the number of standard parking spaces, the number of compact parking spaces and the number of handicapped-accessible parking spaces. The required number of parking spaces should also be indicated.

g. Location of proposed access points including vehicular driveways and designated pedestrian access points including the proposed depth of the vehicular driveway throats.

h. Location and dimensions of proposed on-site parking areas including required parking landscaping islands and indicating whether proposed parking is standard, compact or handicapped-accessible. Demonstrate compliance with applicable state and federal guidelines including, but not limited to, adequate sizing, the provision of handicapped access ramps and appropriate labeling and signing. On-site cross-aisles and circulation areas shall be indicated including their dimensions.

i. Location and dimensions of proposed on-site pedestrian connections between the public street and buildings, between on-site buildings, and between on-site buildings and on-site or off-site parking areas.

j. Location and size of off-site parking areas, if applicable, including details on the number and type of off-site parking spaces and existing or proposed cross-aisles and circulation areas including dimensions.

k. Location, centerline and dimensions of proposed on-site public or private streets and public and private easements.

l. Location, centerline and dimensions of proposed dedications, and identification of proposed frontage improvements including roadway improvements, curb and gutter installation, landscaped planter strip installation and public sidewalk installation.
m. The location and dimensions of loading and service areas, recreational or open space features, aboveground utilities, location of fences and signs, and the size and location of solid waste and recyclable storage areas.

n. Specialized site treatments including but not limited to pedestrian plazas, heavy duty paving, concrete score patterns, bicycle parking and outdoor seating areas.

5. Preliminary utilities plan indicating the proposed location, size, connection points to existing public systems, and terminus points for sanitary sewer, water and stormwater drainage and control. Public and private easements for sanitary sewer, water and stormwater shall also be indicated.

6. Stormwater information shall be provided in conformance with WMC Chapter 15.12.

7. Preliminary grading and erosion control plan consistent with WMC Chapter 15.10 indicating proposed on-site excavation and fill activities.

8. A preliminary landscape plan is due at the time of application for site plan review. The preliminary landscape plan need not include the detail required for final approval, although areas of proposed landscaping must be shown. Final project approval cannot be given until a final landscape plan is submitted and approved. The final plan shall show the location of proposed vegetation, the common and botanical name of the proposed vegetation, the initial planting size (height or gallon) and the mature planting size, and proposed methods of irrigation, if any. Landscaping proposed in and around buildings, on the perimeter of the site and within proposed parking areas shall be indicated. In addition, street trees or other forms of landscaping within the public rights-of-way shall be indicated.

9. Architectural elevations, showing north, south, west and east elevations and specifying a measurable scale, structural dimensions and structural heights.

10. Lighting plan indicating the location, height and type of proposed exterior lighting fixtures (pole-mounted or wall-mounted) (required for Type I and Type II site plans reviews). Photometric point or curve detail shall be provided for the subject site, abutting properties and abutting public streets or rights-of-way at final civil plan review (not required for Type I site plan reviews).

11. Legal description for the parcel(s) in question (not required for Type I site plan reviews).

12. A certified document, typically a title report, that is provided by a title company and issued within the last 60 days that details all encumbrances, easements, ownership (not required for Type I site plan reviews).

13. State Environmental Policy Act (SEPA) checklist, completely filled out in ink or type and signed, if applicable (not required for Type I site plan reviews).

15. Signed agreement to reimburse the city for professional services used in the processing of applications for site plan approval.

16. Traffic study, if applicable.

17. Any additional items requested in the pre-application conference report.

19.10.060 Criteria for site plan approval.

A. In approving site plans, it shall be the responsibility of the planning official to review each plan for compliance with all provisions of this chapter and any other applicable regulations that may affect the final plan as submitted or revised. The planning official shall coordinate review with the public works director, building official, staff or contract fire professionals, and the City’s reviewing consultants.

B. In reviewing a site plan for approval, the planning official shall find that all of the following have been met:

1. The proposed use is permitted within the district in which it is located.

2. The proposal meets the lot, yard, building, height and other dimensional requirements of the district within which it is located.

3. The proposal meets the screening, buffering and landscaping requirements, as set forth in WMC Title 17.

4. Minimum parking and loading space requirements are met, as required by WMC Chapter 17.56.

5. All applicable conditions and criteria contained in other titles of the Woodland Municipal Code are met.

6. Improvement requirements are provided in accordance with the applicable sections of the Woodland Municipal Code.

7. All conditions of any applicable previous approvals have been met.

9. Public water, sewer and stormwater lines for nonresidential development have been installed in conformance with the standards of the city code. Public water, sewer and stormwater lines within or along the frontage of a development have been extended to the extreme property lines of that development unless it can be demonstrated to the city engineer that such extensions are impractical, infeasible or inappropriate.

10. Proposed phasing plans comply with the requirements of WMC 19.10.120 and any necessary performance bonds or other suitable securities per WMC 19.10.110 have been secured.

11. The following information shall appear on the face of binding site plans:
PROPERTY OWNERS:
Known all men by these presents that ______________, the undersigned, as the owner(s) in fee simple of the land hereby divided by this Binding Site Plan and dedicate(s) to the use of the public forever, all streets and easements or whatever public property there is shown on the plat and the use thereof for any and all public purposes; also the right to make all necessary slopes for cuts or fills upon the lots, blocks, tracts, etc., shown on this plat in the reasonable original grading of all streets, shown hereon.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s) this _____, day of ______, 20___.
(Signed) __________________________________
_______________________________________
_______________________________________

STATE OF WASHINGTON   )
COUNTY OF COWLITZ      ) ss

THIS IS TO CERTIFY THAT on ______________ the day of ______________ 20__________, before me, the undersigned, a Notary Public, personally appeared ____________, to me known to be the person(s) who executed the foregoing dedication and acknowledged to me that ____________ (he/she/they) signed and sealed the same as ____________ (his/her/their) free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year last above written.

___________________________________________________________

NOTARY PUBLIC in and for the State of Washington, residing at_________________

CITY OF WOODLAND:
Examined and Approved:
This ________ Day of ____________, 20______.
(Signed) ___________________________________________________________________
Public Works Director

AUDITOR:
Filed for Record at the Request of:____________________________
This _____ Day of 20___, and Recorded in Volume ______ of
________, on Page _______ Records of Cowlitz County, Washington.

(Signed) ________________________________
Cowlitz County Auditor
(Signed) ________________________________
Deputy Auditor

TREASURER:
I hereby certify that the taxes on the land described hereon have been
paid to date.
Dated: __________
(Signed) ________________________________

SURVEYOR:
I hereby certify that the Binding Site Plan known as
___________________________ is based on actual survey and subdivision of
Section ____________________, Township _____________ North,
Range, W.M., and that the distances, courses and angles are shown
thereon correctly and that proper monuments have been set.
___________________________ (Seal)
Professional Land Surveyor

C. Prior to decision, the planning official may refer site plans for development proposals to the
planning commission for review and comment and shall make such referral when requested by the
planning commission or as the planning official or public works director deems appropriate.

D. Approved binding site plans shall be filed with the County auditor at the applicant’s expense and
three (3) copies of the recorded document shall be returned to the city planning department. All lots or
parcels created through the binding site plan procedure shall be legal lots of record.

19.10.070 Appeal.
Appeal procedures for administrative decisions are set forth in WMC 19.06 and 19.08.

19.10.070 Final site plan approval.
Where a site plan is issued subject to conditions that require the submittal of additional materials or
changes to existing plans, the planning official may require that the applicant submit for final site plan
approval to determine if the revised plans comply with the conditions of site plan approval.

19.10.090 Modifications to approved site plan.
No approved site plan shall be modified or amended except after reapplication for site plan review and approval. The determination of the application type (type I or type II site plan review) for site plan modifications will be based upon the criteria in WMC 19.10.040.

19.10.100 Compliance required and expiration.
A. All development of the property for which a site plan was approved shall conform to the approved site plan and any conditions imposed thereon unless amended or replaced by a subsequent city approval.

B. Site plan approval shall be valid for five \(^1\) years from the date of issuance, during which time substantial completion of the project improvements shall have occurred. Expiration of site plan approval shall not apply to applicants with complete applications before the effective date of this ordinance, Month, Day, Year. The public works director or his/her designee may approve up to two, one-year extensions if:

1. There have not been any substantial changes in the laws governing the development of the site, with which lack of compliance would be contrary to the changed laws; and

2. The applicant has pursued development in good faith. Good faith shall be evidenced by progress on final permitting, surveying, engineering, and construction of improvements.

19.10.110 Completion prior to occupancy.
All required public and site improvements and other conditions of site plan approval shall be met prior to occupancy of any site unless required sooner as a condition of approval; provided, that completion and occupancy may be accomplished in phases if approved by the public works director or his/her designee as part of the site plan review process. Incomplete items may be secured by the issuance of a performance bond or other suitable security as a condition of approval of a site plan to secure applicant’s obligation to complete the provisions and conditions of the approved site plan.

19.10.120 Phasing.
1. Upon written request, the Planning Official may approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than 6 years without reapplying for site plan review. Phasing plans shall be reviewed by means of a Type I procedure, using the approval criteria contained in Subsection (2) below.

2. The criteria for approving a phased site plan review application shall be as follows:

a. All public facilities necessary to serve a phase shall be completed prior to or with the development of the phase.

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\(^1\) Currently there is no expiration on site plan approval. The expiration would not apply to property owners and developers with existing approvals (vesting rights).
b. The development and occupancy of any phase is not dependent on the use of temporary public facilities. A temporary public facility is any facility not constructed to the applicable City standard.

c. The phased development shall not result in requiring the City, other property owners, or latecomers, to construct public facilities that were required as part of the approved development proposal.
Chapter 17.52 - SIGN REQUIREMENTS

**17.52.010 - Purpose.**

The purpose of this chapter is to create a more attractive economic and business climate while improving the overall quality in the city. It is to promote and protect the public health, safety, welfare and aesthetics by regulating outdoor signs of all types and to encourage the installation of advertising signs that harmonize with buildings, natural settings, neighborhoods, and other signs in the area.
This chapter applies to all signs that are visible from the public right-of-way, built or altered after the effective date of the ordinance codified in this chapter. No sign, unless exempted by this chapter, shall be constructed, displayed or altered without a sign permit issued by the city.

17.52.030 - General requirements.

A. Sign standards and conditions shall be as follows:

1. The structure and installation of all signs shall comply with the latest adopted edition of the building code and sign code and with all applicable state, county, and city building and fire codes;

2. Awnings, bulletin boards, canopies, display cases and marquees shall be subject to standards outlined in the latest adopted edition of the building code, and shall require, a building permit and inspection by the city building official;

3. All electrically illuminated signs shall have electrical components, connections and installations that conform to all federal, state and local requirements;

4. All signs, including all of their supports, braces, guys and anchors shall be maintained in good repair and in a safe, neat, clean and attractive manner.

B. Illumination. The light directed on, or internal to any sign shall be shaded, shielded or directed so that its brightness or glare does not adversely affect the safe vision of drivers or pedestrians to an unreasonable degree. Lighted signs visible from nearby residences shall be shielded in such a way to prevent glare and reduce brightness.

17.52.040 - Prohibited signs.

The following types of signs and advertising displays or structures are not permitted, except as indicated. Prohibited signs are subject to removal at the owner's expense after appropriate notification by the city:

A. Off-premise Signs. Any second party sign that advertises goods, products, services or facilities, or directs persons to a location different from where the sign is installed, and that does not relate strictly to the lawful use of the premise on which it is located. Lawful use is defined as a sign which indicates the business transacted, services rendered, goods sold or produced on the premises, name of the business, and name of person, firm or corporation occupying the premises (exception: off-premise signs as allowed in Section 17.52.070).

B. Flashing, animated, rotating, moving or audible signs.

C. Billboards. Billboards are prohibited in all zones.

D. Signs that Obstruct. Any sign that substantially obstructs free and clear vision of an exit, traffic intersection entrance, traffic sign or signal or constitutes a traffic hazard by reasons thereof.
E. Signs Containing Unwarranted Content. Any sign, which contains statements, words and pictures of an obscene nature.

F. Window signs containing material unrelated to the merchandise for sale or service performed by the person or business on whose premises or property the sign is located; provide, however, on-premises signs may call the attention of the public to public holidays or community events.

G. Miscellaneous Signs and Poster. The tacking, pasting, painting or otherwise affixing of any sign or signs of a miscellaneous character, visible from a public right-of-way, located on exterior walls of any building, barn, shed, tree, pole, post, fence or other structure is prohibited unless otherwise permitted as official sign.

H. Signs which purport to be, or are in imitation of, or resemble an official traffic sign or signal, or which bear the words, "stop," "caution," "danger," "warning," or similar words.

I. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be construed as a traffic-control sign, signal or device, or the light of an emergency or radio equipment vehicle; or which obstruct the visibility of any traffic or street sign or signal device.

J. Signs which, by reason of their size, location, movement or manner of illumination, obstruct the visibility of any aviation flight path.

K. Any sign or advertisement on a vehicle, trailer or cart parked or located for the primary purpose of gaining signage not allowed by this chapter. This provision shall not be construed as prohibiting the identification of businesses or products on vehicles or to prohibit normal delivery of goods and services or transport.

L. Any other sign that does not conform to all provisions of this code.

17.52.050 - Definitions.

The following definitions and terms shall be used in the interpretation of this chapter:

"Advertising copy" means any letters, figures, symbols, logos, trademarks or similar devices which identify or promote the sign user or any product or service; or which provides information about the sign user, the premises, the building or the products or services available.

"Awning, retractable" means a hood or cover projecting from, but not a permanent part of, an exterior wall of a building and supported by that wall and that is collapsible, retractable, or capable of being folded against the face of the supporting building.

"Awning, fixed" means a hood or cover projecting from, but not a permanent part of, an exterior wall of a building and supported by that wall, and is held in place with rigid frames and covered with a flexible material.
"Banner" means an on-site sign such as those used to announce an open house, a grand opening or to make a special announcement. Normally, it is constructed of cloth, canvas, or similar material and is without a rigid frame. It will be considered either as a fascia or freestanding sign, depending on the method of attachments, and will have to comply with the normal zone requirements.

"Building code" means the current building code as adopted by the state and Woodlands Municipal Code.

"Building frontage—Primary" means as follows:

1. In a building containing only one business, primary frontage shall be the width, as defined in this section, of that side of the building, which contains the main public entrance to that business.

2. In a building containing more than one business, all of which businesses have their main public entrances on the same side, primary frontage shall be the width, as defined in this section, of that side of the building, which contains those public entrances.

3. In a building containing more than one business, where those businesses have their main public entrances on more than one side of the building, each such side shall constitute a primary frontage. Each primary frontage shall be the width, as defined in this section, of that frontage.

"Building frontage—Secondary" means as follows:

1. In a building containing one or more businesses, and having all main public entrances on one side, one secondary frontage may be designated by the building owner. That frontage shall be the width, as defined in this section, of that side of the building so designated.

"Bulletin board" means a board utilized for posting public notices, i.e. garage sales, for sale, etc.

"Business complex" means two or more commercial businesses on a lot or contiguous lots with common access and parking.

"Canopy" means a freestanding permanent structure providing protection from the elements, such as a service station gas pump island.

"Changing image sign" means any sign that, through the use of moving elements, flashing or sequential lights, lighting elements, or other automated method, results in movement, the appearance of movement, or change of sign image or text. Changing image signs do not include otherwise static signs where illumination is turned off and back on not more than once every twenty-four hours.

"Directional sign" means any sign which is designed and erected solely for the purpose of traffic or pedestrian direction (i.e. menu boards, bank machines, height warning) and which are placed on the property to which the public is directed.

"Facade" means the entire building front or the street sidewall of a building from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.
"Flashing sign" means an illuminated sign, which changes intensity of lighting and/or switches on and off in a constant pattern or in which lighting is not maintained stationary and constant intensity and color.

"Freestanding sign" means a sign or advertising display which is not supported by a building, but which is supported by one or more upright poles or braces which are in or on the ground.

"Gross area of a sign" means the area within a continuous perimeter enclosing the outer limits of the sign face, but not including structural elements, which are not a part of the display. The gross area of a two-faced sign equals the area of one side. The gross area of a spherical, cubical or polyhedral sign equals one-half the total surface area.

"Marquee" means a permanent roof or hood structure attached to, supported by, and projecting from a building over the public right-of-way or public place. It provides protection from weather elements, but does not include a projecting roof.

"Monument sign" means a sign and supporting structure, which has similar top and bottom dimensions and is constructed as a solid structure or one, which gives the appearance of a continuous, nonhollow, unbroken mass.

"Nameplate sign" means a sign, which indicates no more than the name, address and home occupation of the resident of the premises.

"Off-premise sign" means any sign that draws attention to or communicates information about business establishment (or any other enterprise) that exists at a location other than the location of that which the sign has been placed.

"On-premise sign" means a sign which carries only advertisements strictly related to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted, services rendered, goods sold or produced on the premises, name of the business, and name of the person, firm or corporation occupying the premises.

"Outdoor advertising" means all publicly displayed messages such as signs, placards, pennants or posters whose purpose is to provide official or commercial information, direction and advertising.

"Political signs" means a sign that is deemed to include information pertaining to levies, nonpartisan, partisan, initiative and/or referendum elections.

"Projecting sign" means a sign attached to and supported by a wall of a building or structure which projects more than one foot horizontally from the vertical face of a building, awning, canopy or parapet.

"Public or semipublic sign" means a sign, which directs attention to public or semipublic buildings, including but not limited to churches, schools, libraries and hospitals.

"Real estate sign" means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.
"Roof sign" means a sign or advertising display supported by and erected on or above a roof or parapet of a building or similar structure.

"Sign" means a display or device affixed to the ground, attached to a building, or other structure using graphics, logos, symbols, and/or written copy designed specifically for the display of a commercial or other advertisement to the public.

"Street frontage—Primary" means the property width as measured along the street right-of-way at the primary entrance to the property. In cases of pipestem lots or similar reduction in street right-of-way, the lot width which is most parallel to the primary building frontage.

"Street frontage—Secondary" means the property width at the street frontage that is not the primary frontage as measured along the street right-of-way.

"Temporary sign" means a sign that is (1) used in connection with a circumstance, situation or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (2) is intended to remain on the location where it is erected or placed for a period of not more than thirty days. In case of construction project signs, they may be maintained for the duration of the construction. If a sign display area is subject to periodic changes, that sign shall not be regarded as temporary.

"Wall sign" means a sign attached to and supported by a wall of a building or structure, with the exposed face of the sign parallel to the wall. Any sign placed behind glass, or affixed to a window of a building and located in such a manner as to have an obvious intent to capture interest of persons outside the building, shall be considered a wall sign and shall be treated in the same manner.

"Width" means the horizontal distance measured in a straight line between any two corners of a building, exclusive of corners having an angle of greater than ninety degrees.

"Window sign" means a sign attached to or otherwise obscuring vision, in whole or in part, through a window. It is intended to be viewed by persons outside of the building.

17.52.060 - Residential (LDR, MDR and HDR) districts.

The following signs are permitted in the LDR, MDR and HDR zoning districts with an approved building permit:

A. Public or Semipublic Uses.

1. Public or semipublic use freestanding identification sign and/or bulletin board. Such signs shall not exceed sixty square feet in gross area per face, shall be placed a minimum of ten feet behind all property lines, and shall not be over sixteen feet in height from ground level to sign top. No more than one double-faced freestanding sign shall be allowed per use. Such sign shall be located on the premises of the use to which the sign refers and shall be unobtrusive and in keeping with the character of the neighborhood.
2. Wall, Roof or Projecting Signs. Public or semipublic use, wall, roof or projecting identification sign and/or bulletin board shall not exceed six percent of the building face to which the sign is attached and in no event shall there be more than a total of two signs of either the freestanding, wall, roof or projecting type allowed per use.

B. Residential.

1. A sign advertising a subdivision, housing development or construction thereof; no more than two double-faced signs shall be allowed per subdivision or housing development. Such signs shall be located on the premises, of the use, to which the sign refers and shall be unobtrusive and reflect the character of the neighborhood. Such signs shall not exceed thirty-two square feet, shall be setback a minimum of ten feet behind all property lines, and shall be no more than ten feet in height from ground level. Once all lots or units have been sold or otherwise disposed of, the sign or signs shall be removed by the original owner, property developer, builder or agent.

2. A permanent sign identifying a subdivision, multifamily complex or building, mobile home park or subdivision, or similar housing development and located on the premises of the development. Such sign shall not exceed sixteen square feet in gross area per face, shall be placed a minimum of ten feet from all property lines, and shall not be over ten feet in height from ground level if a wall sign or five feet in height from ground level if freestanding. Each entrance is allowed one sign of either the freestanding or wall type, to a maximum of two per subdivision and/or development. Freestanding signs shall be set in a landscaped setting and designed and constructed of materials compatible with the development and the neighborhood and shall be unobtrusive.

3. For sale, lease or rent signs—Allowable area six square feet, sign shall be located inside property lines as not to restrict site distance and shall be considered a temporary sign to be removed upon the sale, rental or lease of said property. Sign shall be located on property for which the sale, lease or rental is referring.

4. Directional signs; for real estate purposes (open house or special sale)—One four square foot sign per function per street frontage, which shall be removed at completion of open house or special sale or a maximum of seven continuous days.

5. Illumination of signs in any residential district shall be limited to ground or sign level flood lighting, illuminating only the sign and not casting glare or light into neighboring properties. With the exception of individual residence nameplates and permanent development identification signs, all lighting of signs shall terminate at ten p.m.

6. Identifying home occupation signs shall not exceed four square feet in gross area, shall be limited to one per property, and shall be set back a minimum of ten feet from all property lines. The style and materials used shall be in keeping with the character of the neighborhood.

17.52.070 - Commercial (C-1, C-2 and C-3) districts. 
The following signs are permitted in the C-1, C-2 and C-3 zoning districts with an approved building permit:

A. On-premise Freestanding Signs.

1. Allowable Area. Primary frontage within the C-1 and C-3 districts shall be calculated at one square foot per linear foot of street frontage of the premises up to a maximum of one hundred square feet, provided that premises with less than thirty-two feet of linear street frontage shall be allowed a maximum of a thirty-two square foot sign. Secondary frontage shall be calculated at one-half square foot of sign area for each linear foot of street frontage up to a maximum of fifty square feet.

2. Primary frontage within the C-2 district shall be calculated at one square foot per linear foot of street frontage of the premises up to a maximum of two hundred square feet; provided that a premises with less than thirty-two feet of linear street frontage shall be allowed a maximum of a thirty-two square foot sign. Secondary frontage shall be calculated at one-half square foot of sign area for each linear foot of street frontage up to a maximum of one hundred square feet.

3. Number of Signs. Each commercial building shall have not more than one freestanding sign to be located either on a primary frontage or a secondary frontage. A business complex shall have not more than two freestanding signs; one sign to be located on a primary frontage and the second sign located on the secondary frontage.

4. Height of Sign. Maximum height in all C-2 districts shall not exceed thirty feet. Businesses or business complexes of 1.5 acres or greater located within five hundred feet of the traveled way of the I-5 corridor (including off ramps and the frontage roads known as Pacific and Atlantic) may be allowed one freeway oriented sign not to exceed forty-five feet in height. Distance to the I-5 corridor shall be measured from the nearest point of the building or associated yard to the corridor. Maximum height in C-1 and C-3 districts shall not exceed twenty-five feet.

5. The placement of freestanding signs or pole signs shall be in such a fashion and location as to not unreasonably obstruct the safe vision of motorists and pedestrians, nor unreasonably obstruct the view of signs on adjacent properties.

6. Freestanding or pole signs shall not be located closer than one hundred feet to another freestanding sign along the same side of the street or right-of-way, except if the establishment's lot width would result in less than one hundred feet, the distances between signs shall be the maximum possible.

7. Each freestanding or pole sign shall have a landscaped area twice the size of the sign face area around at the base of the sign. Pre-existing developments may be exempt from the landscape requirement subject to the approval of the public works director or his or her designee.

8. If more than one business in an area where businesses share the use of a parking lot, structure, parcel or facility, has the need of a freestanding, pole sign, or monument type sign, all signs shall be located together on the same joint use sign.
9. One sandwich board or A frame sign is allowed. The sign shall be situated on the private property of the location of the business or that portion of public sidewalk or planting strip right-of-way immediately at the front of said business, and is erected only during hours of operation. Such signs shall not be placed so as to obstruct traffic or visibility. A minimum of forty-four inches of pedestrian travel area must be maintained at all times.

10. For the purpose of informing and directing traffic, on-premises directory signs, menu boards, bank machines and height warning signs are permitted; provided the signs are not oriented to and not intended to be legible from a street or other private property. On-site directory signs shall not exceed thirty-two square feet in area and eight feet in height.

11. For the purpose of informing and directing traffic; on-premise directional signs are permitted; provided the placement of such signs shall be situated in such a way as not to create a vehicle or pedestrian hazard; shall be limited to not more than two signs per business; shall not exceed sixteen square feet in area and eight feet in height.

B. Off-premise Signs.

1. Any second party sign that advertises goods, products, services or facilities, or directs persons to a location different from where the sign is installed and that does not relate strictly to the lawful use of the premises on which it is located may be allowed in the highway commercial (C-2) district provided; such signs shall be unobtrusive in nature; shall not exceed thirty-two square feet in gross area per sign face; shall be limited to one double faced sign on the premise of either the off-premise type or on-premise type; and shall be subject to written permission by the property owner of said site where the off-premise sign is located. Off-premise signs shall not exceed ten feet in height. Off-premise sign shall be subject to building permit approval.

2. Off-premise signs shall not be posted in state, county or city rights-of-way, on telephone poles, utility poles, bridge abutments, traffic signs or other public structures. Off-premise signs shall not be affixed to or painted on trees, rocks, or other natural features. Such signs shall observe the corner vision requirements and shall be placed in such a manner that does not create any type of traffic hazard. All off-premise signs shall be aesthetically pleasing and unobtrusive in nature.

C. On-premise Wall, Window, Roof Projecting.

1. Allowable Area. Primary frontage within the C-1 and C-3 districts shall be calculated at one square foot per linear foot of building frontage as measured horizontally along the side building elevation at the appropriate frontage, up to a maximum of one hundred square feet total sign area. Primary frontage within the C-2 district shall be calculated at one square foot per linear foot of building frontage as measured horizontally along the side building elevation at the appropriate frontage, up to a maximum of two hundred square feet total sign area; provided that a building elevation with less than thirty-two feet of horizontal length shall be allowed a maximum of thirty-two square feet of sign area. Secondary frontage shall be calculated at one-half square foot of sign area for each linear foot of building frontage up to a maximum of fifty square feet.
2. Number of Signs. Three per primary frontage; one per secondary frontage; and in no event shall there be more than a total of four wall, roof or projecting signs per business.

3. In any building occupied by more than one business, the maximum sign area on each primary frontage shall be shared proportionally by those businesses whose main public entrance is along that frontage. Where applicable, the sign allowed on the secondary frontage shall be a joint use sign.

4. The maximum sign area per primary frontage may be divided between projecting, wall and first floor window signs. The total sign area per frontage shall be determined by adding together the area for all types of signs.

5. Each business shall be allowed one painted window sign in addition to the maximum number of signs and square footage allowed by this chapter for the limited purpose of identifying the business owner, business name and hours of operation. The sign shall not cover more than six square feet of window area where it is located.

6. For buildings located on or within one foot of the street right-of-way line, projecting signs shall project no more than five feet from the walls to which they are attached.

7. All projecting signs shall be at least ten feet above sidewalks and walkways.

D. Awnings and Canopies.

1. Awnings and canopies shall not be considered signs, except that the area of any awning or canopy, which displays advertising copy, shall be considered a sign.

2. Advertising copy, which appears on any side of an awning, or canopy, which most nearly parallels the side of the building, shall be treated as a wall sign, and shall be subject to all the requirements of this chapter which apply to wall signs affixed directly to a building.

3. Advertising copy which appears on any side of an awning or canopy which is generally perpendicular to the side of the building, shall be treated as a projecting sign, and shall be subject to all of the requirements of this chapter which applies to projecting signs affixed directly to a building. In the event advertising copy appears on two sides of an awning or canopy which are perpendicular to the same wall, those sides shall be considered one projecting sign.

4. Marquees, awnings, and canopies shall not extend further than the curb of the street.

E. Sign Illumination. The light from any illuminated sign shall be shaded, shielded or directed so that the light will not be objectionable to surrounding uses, residential areas and public safety. No sign shall have rotating, flashing or blinking lights or other illuminating device that changes in lights or other illuminating device that changes in light intensity, brightness or color except as follows:

1. In the central business (C-1) district and the highway commercial (C-2) district one changing image sign shall be allowed per business.
2. In the central business (C-1) district and the highway commercial (C-2) district, changing image signs are allowed for alphanumeric messages. Changing image signs may scroll, travel and may not change information more frequently than once every two seconds.

3. In the central business (C-1) district changing image signs shall not exceed eight square feet in area and the lighting of the message area shall not consist of more than one color. The allowed changing image sign area is to be included in the total allowed sign area, not in addition to.

4. In the highway commercial (C-2) district changing image signs shall not exceed fifty percent of the total allowed sign area up to a maximum of thirty-two square feet in area. The lighting of the message area shall not consist of more than one color. The allowed changing image sign area is to be included in the allowed sign area, not in additions to.

5. Rotating barber poles are allowed in all commercial districts.

F. For Sale, Lease or Rent Signs. No more than one, double-face sign Allowable area six thirty-two square feet in area shall be allowed. The sign shall be located inside property lines as not to restrict site distance and shall be considered a temporary sign to be removed upon the sale, rental or lease of said property. Sign shall be located on property for which the sale, lease or rental is referring and shall be no more than ten feet in height from ground level and more than ten feet from all property lines.

17.52.080 - Industrial (I-1 and I-2) districts.

The following signs are permitted in the I-1 and I-2 zoning districts with an approved building permit:

A. On-premise Freestanding Signs.

1. Allowable Area. Primary frontage shall be calculated at one square foot per linear foot of street frontage of the premises up to a maximum of two hundred square feet, provided that premises with less than thirty-two feet of linear street frontage shall be allowed a maximum of a thirty-two square foot sign.

2. Secondary frontage shall be calculated at one-half square foot of sign area for each linear foot of street frontage up to a maximum of one hundred square feet, provided that a premises with less than thirty-two feet of linear street frontage shall be allowed a maximum of a thirty-two square foot sign.

3. Number of Signs. Each industrial business shall have not more than one freestanding business identification sign, located on the primary or secondary frontage. An industrial complex shall have not more than two freestanding signs; one to be located on a primary frontage and the second sign located on the secondary frontage. Entrance, delivery, warning and other strictly directional signs are permitted; provided each sign does not exceed sixteen square feet in area and eight feet in height.

4. Height of Sign. Maximum height shall not exceed thirty feet.
5. The placement of freestanding signs or pole signs shall be in such a fashion and location as to not unreasonably obstruct the safe vision of motorists and pedestrians, nor unreasonably obstruct the view of signs of adjacent property owners.

6. Freestanding or pole signs shall not be located closer than one hundred feet to another freestanding sign along the same side of the street or right-of-way, except if the establishment’s lot width would result in less than one hundred feet, the distances between signs shall be the maximum possible.

7. Each freestanding or pole sign shall have a landscaped area twice the size of the sign face area around at the base of the sign. Pre-existing developments may be exempt from the landscape requirement subject to the approval of the public works director or his or her designee.

8. If more than one business in a complex where businesses share the use of a parking lot, structure, parcel or facility, has the need of a freestanding, pole sign or monument type sign, all signs shall be located together on the same joint use sign.

9. One sandwich board or A frame sign is allowed. The sign shall be situated on the private property of the location of the business or that portion of public right-of-way immediately at the front of said business, and is erected only during hours of operation. Such signs shall not be placed so as to obstruct traffic or visibility. A minimum of forty-four inches of pedestrian travel area must be maintained at all times.

B. On-premises Wall, Window, Roof Projecting.

1. Allowable Area. One square foot per linear foot of building frontage as measured horizontally along a side building elevation, at the appropriate frontage, up to a maximum of two hundred square feet per sign; provided that a building elevation with less than thirty-two feet of horizontal length shall be allowed a maximum thirty-two square foot sign.

2. Number of Signs. One per primary frontage; one per secondary frontage; and in no event shall there be more than a total of two wall, roof or projecting signs per business.

3. In any building occupied by more than one business, the maximum sign area on each primary frontage shall be shared proportionally by those businesses whose main public entrance is along that frontage. Where applicable, the sign allowed on the secondary frontage shall be a joint use sign.

4. Each business shall be allowed one painted window sign in addition to the maximum number of signs and square footage allowed by this chapter for the limited purpose of identifying the business owner, business name and hours of operation. The sign shall not cover more than six square feet of window area where it is located.

C. Awnings and Canopies.

1. Awnings and canopies shall not be considered signs, except that the area of any awning or canopy, which displays advertising copy, shall be considered a sign.
2. Advertising copy, which appears on any side of an awning, or canopy, which most nearly parallels the side of the building, shall be treated as a wall sign, and shall be subject to all the requirements of this chapter which apply to wall signs affixed directly to a building.

3. Advertising copy which appears on any side of an awning or canopy which is generally perpendicular to the side of the building, shall be treated as a projecting sign, and shall be subject to all of the requirements of this chapter which apply to projecting signs affixed directly to a building. In the event advertising copy appears on two sides of an awning or canopy which are perpendicular to the same wall, those sides shall be considered one projecting sign.

4. Marquees, awnings and canopies shall not extend further than the curb of the street.

D. Sign Illumination. The light from any illuminated sign shall be shaded, shielded or directed so that the light will not be objectional to surrounding uses, residential areas and public safety. No sign shall have rotating, flashing or blinking lights or other illuminating device that changes in lights or other light intensity, brightness or color.

E. For Sale, Lease or Rent Signs. No more than one, double-face sign Allowable area six thirty-two square feet in area shall be allowed. The sign shall be located inside property lines as not to restrict site distance and shall be considered a temporary sign to be removed upon the sale, rental or lease of said property. Sign shall be located on property for which the sale, lease or rental is referring and shall be no more than ten feet in height from ground level and more than ten feet from all property lines.

17.52.090 - Temporary signs.

A. Signs endorsing bond elections, levies, fairs, political signs, little league sign up, and similar activities shall be removed within five days following the election, event and/or last showing of any fair, show or similar activity. It shall be the joint responsibility of the property owner or tenant and the party or parties who initiated the placement of the sign or signs to remove said sign or signs, within five days after the election or event for which the sign(s) are displayed. Failure to comply with this requirement shall be deemed a violation of this chapter and each and every day for which said violation continues shall be deemed a distinct and separate violation (See Section 17.52.130).

B. Political signs shall be deemed to include those pertaining to nonpartisan, partisan, initiative and/or referendum elections. Political signs shall not exceed four feet in height or width and eight feet in length, shall not be placed or situated in such a manner to obstruct or impede the sight distance of those using the public streets and shall not be erected on public right-of-way.

C. Outdoor Sale and Temporary Advertising Signs. Individual business establishments may utilize special but temporary advertising signs or displays related only to the services and goods offered by the business. No more than two signs are to be used and the gross areas of each sign will not exceed twenty-five square feet with the total area of all signs, not exceeding fifty square feet, shall be placed in such a fashion and location as to not unreasonably obstruct the safe vision of motorists and pedestrians, and shall not exceed fifteen days unless through an approved temporary use or conditional use permit.
D. Displays utilizing banners, flags, pennants, streamers, twirlers or propellers, strings of light, flares, balloons and similar devices are permitted as seasonal decorations, grand openings or special sales. Such signs may be used for a maximum of thirty consecutive days with no more than three events per year, provided it does not adversely affect the safe vision of drivers, pedestrians or aviation traffic.

E. Beacon and Searchlights. Individual business establishments may utilize special but temporary beacons or search lights for special sales, and/or grand openings and may be used for a maximum of three consecutive days provided it does not adversely affect the safe vision of drivers, pedestrians or aviation traffic.

17.52.100 - Conditional uses.

Signs for all conditional uses in all zoning districts will be permitted as part of the conditional use approval. The sign code applicable to that zoning district, in which the conditional use is approved, shall designate the size, number and location of each sign unless otherwise noted on the conditional use allowed.

17.52.110 - Abandoned or illegal signs.

A. Any abandoned or illegal sign, any sign that exists after a business closes that advertised the closed business, any graffiti placed on a sign, building, parking lot or landscaped area, or any temporary sign that exists after its expiration time is hereby declared to be a danger to the health, safety, and welfare of the citizens of Woodland. Any sign that is partially or wholly obscured by the growth of vegetation or weeds or by the presence of debris or litter also presents a danger to the health, safety and welfare of the citizens.

B. Any such signs as set forth in subsection A of this section are hereby deemed to be a public nuisance. Any such sign shall be removed by the property owner within ten days after notice from the public works director or designee. Any sign not removed within ten days after such notice, may summarily be abated by the public works director or designee. Costs of such abatement may be assessed against the property using the procedures established in Woodland Municipal Code Chapter 8.12. C. Legal, conforming structural supports for abandoned signs may remain, if installed with a blank sign face and supporting structures are maintained.

17.52.120 - Maintenance of nonconforming signs.

Except as restricted in specific zoning districts, legally pre-existing nonconforming signs may be maintained, or altered if:

A. Structural revisions or alterations will not increase the sign's nonconformity with the provisions of this chapter.

B. Such alteration or relocation is required because of government action.

C. The sign is not changed to another nonconforming sign.
D. The sign is not reestablished after discontinuance for ninety days or more.

E. The sign is in full compliance with all other ordinances of the city.

17.52.130 - Exemptions.

The following types of signs are permitted without benefit of a building permit, all signs are required to conform to the provision of this chapter.

A. A residential nameplate sign not to exceed two square feet and bearing only the name and address of the occupant.

B. A sign announcing a product is being offered for sale at a reduced price for a limited period, provided that the sign is located within the building where the product is sold, to include the interior surface of windows and doors.

C. Special event signs, provided that all of the following conditions are met:

1. The promoter of the event **receives permission from the Public Works Director or his/her designee that the event meets the following criteria for a special event, 1) the event is open to the general public, and 2) the event has broader benefits related to tourism, promotion of a charitable or civic cause, or fostering community pride and identity. Events such as the Planters Days Festival, the farmers market, the Lilac Festival, and the Tulip Festival are examples of special events; shall have first met with the public works director or designee to obtain a determination that the proposed sign falls within the definition of a special event sign;**

2. No such sign shall include moving parts or flashing lights;

3. No such sign shall be erected or displayed more than ten days before the special event it announces; and

4. Special event signs less than 6 square feet in size and no more than 3 feet in height above ground level may be placed in the public right-of-way or with permission on private property. Signs placed in the public right-of-way shall not be placed so as to obstruct traffic or visibility. A minimum of forty-four inches of pedestrian travel area must be maintained at all times.

5. All such signs shall be removed within three days after the conclusion of the event.

D. Temporary signs to indicate that the premises are for sale or rent. Such signs using terms such as quitting business, open for business, for sale, inquire within, for rent, open house, sold, may also include a telephone number and insignia. These signs shall not exceed two square feet.

E. Signs erected by a public official in the performance of his or her duty, on property under the jurisdiction of that official shall be allowed without a permit.
F. Campaign political signs are permissible providing the sign copy is limited to information about a candidate, political party or public issue in a current election campaign. They shall be removed within five days after the applicable election.

G. Public service directional signs for public buildings such as public schools, libraries, hospitals and similar public services facilities placed within public rights-of-way.

H. Signs of a public, noncommercial nature including, but not limited to, safety, direction, danger, and no trespassing.

I. Traffic signs, traffic control devices, traffic signals and markings installed by the city.

J. "No hunting," "no trespassing," "no dumping," "no parking," "private" and other informational warning signs, shall not exceed four square feet in gross area per sign.

K. Plaques, tablets or inscriptions indicating the name of a building, its date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are non-illuminated, and which do not exceed three square feet in surface area.

L. Product Dispensers.

M. Sandwich board or A Frame.

N. Reasonable seasonal decorations within the appropriate public holiday season. However, such displays shall be removed promptly at the end of the public holiday season.

O. The Flag of a Commercial Institution. No more than one flag is permitted per business premises, the flag shall not exceed twenty square feet in surface area, and shall be left loose to fly in the breeze.

P. Sculptures, fountains, mosaics and design features which do not incorporate advertising or identification.

Q. Advertisement on existing theater marquees (freestanding and/or building-mounted).

R. Repair, maintenance and/or modification of existing conforming or pre-existing nonconforming signs; provided the sign's conformance or nonconformance is not structurally altered and/or increased.

17.52.140 - Permit requirements.

A. A sign permit shall be required before the placing, erecting, moving, reconstructing, altering or displaying of any sign within the city, unless expressly exempted by Section 17.52.130 of this chapter. Signs requiring permits shall comply with this chapter and all other applicable laws and ordinances.

B. Sign permit applications shall be made on forms provided by the city of Woodland, public works department. The completed application form and plans shall be accompanied by the required fee as set forth from time to time by the Woodland city council by resolution.
17.52.150 - Review procedures.

A. All sign permit applications shall be reviewed to comply with this chapter by the public works director or designee as provided in this section:

1. Name, address and telephone number of sign owners;

2. Name, address and telephone number of sign contractor or erectors;

3. Address of sign by site location;

4. Two site plans showing locations of proposed sign(s);

5. Two plans of the proposed sign with sign style and size included with a scaled design;

6. Type of sign, whether illuminated or non-illuminated;

7. Electrical permit for the sign, if illuminated.
Code Examples from Other Jurisdictions

(Vehicles & Trailers Used as Signs)

**ISSAQUAH**

18.11.480 Listing of specifically prohibited signs and devices. The following signs or devices are specifically prohibited and violators shall be subject to the penalty provisions set out in IMC 1.36.030, Enforcement:

M. Parked vehicles, trailers or carts with signs. Signs pertaining to or associated with any business along a public right-of-way which are attached, painted or otherwise affixed to parked vehicles, trailers or carts and are visible from a public right-of-way are prohibited except when the vehicle/trailer is:

1. An authorized government vehicle; or
2. Being temporarily loaded or unloaded; or
3. On private property where the business is located; and:
   a. Within one hundred (100) feet of the space occupied by the business being promoted; and
   b. Is parked for a period not exceeding twenty-four (24) consecutive hours; and
   c. Is promoting a business with a valid City business license.

**POULSBO**

18.64.030 Prohibited signs.

The following types of signs are prohibited within the city limits of Poulsbo:

H. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying the sign, usually at a location other than the business site. This does not apply to signs or lettering on buses, taxis, or vehicles operating during the normal course of business;

**KIRKLAND**

100.85 Prohibited Devices

1. General – Except as specifically allowed under subsection (2) of this section, the following devices and facilities are specifically prohibited:
h. Any sign attached to or placed on a vehicle or trailer parked on public or private property. The prohibition of this subsection does not prohibit the identification of a firm or its principal products on a vehicle operating during the normal course of business.

**Definition:** “Advertising vehicle” means any vehicle or trailer on a public right-of-way or public property or on private property so as to be visible from a public right-of-way which has attached thereto, or located thereon any sign or advertising device for the basic purpose of providing advertisement or products or directing people to a business activity located on the same property or nearby property or any other premises. The vehicle must be used primarily for the purpose of advertising, as opposed to serving some other function such as delivery of goods or services or transport.

**AUBURN**

I. Prohibited Signs. From and after the effective date of the ordinance codified in this chapter it **shall** be unlawful for any **person** to erect or place within the city, except as otherwise authorized:

6. Signs attached to, or placed on, a vehicle or trailer parked on private or public property that is not associated with the business advertised on said sign(s). This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle **used** in the normal course of business. This does not include automobile for sale **signs** or **signs** attached to franchised buses or taxis;

**PORT TOWNSEND**

17.76.070 Prohibited signs.

The following signs are prohibited within the city:

K. Signs larger than two square feet in area attached to or placed on a vehicle or trailer on public or private property to purposefully gain additional signage not allowed in that zone; provided, however, that this provision shall not be construed as prohibiting the identification of a franchise or its products on a vehicle operating during the normal course of business. Franchised delivery vehicles, buses or taxis are exempt from this provision;
1. **Shoreline Master Program (SMP) Update**
   - The City received a $50,000 grant to update its SMP by June 2014. Consultant work products must be reviewed by staff and the Planning Commission. The City’s consultant made one presentation to the Planning Commission in 2012. It is estimated that five of the Planning Commission’s agendas in 2013 will include Shoreline issues.

2. **Comprehensive Plan and Map Amendments**
   - The City is required to consider proposed comprehensive plan amendments annually. It is currently unknown if the City will see amendment proposals in 2013.

3. **Sign Code Review**
   - Council approved a review of the sign code on May 7, 2012. The purpose of the review is to address vehicles used as signs. In addition, staff has become aware of a number of conflicting or confusing provisions of the sign code that should be clarified. This includes provisions related to the size of “for sale” / “for lease” signs, the location of special event signs, signs in the right of way, and off-premise commercial signs. Although this was added to the list of 2012 work items, no work has been done on this item to date.

4. **Non-conforming Uses Zoning Code Text Change (LU# 211-913)**
   - Amendments are being sought to address a number of issues. The existing code uses terms such as “actively used” that are undefined and difficult to interpret. Further, our existing code is unclear on what changes in use are (un)acceptable when dealing with a property with non-conforming use rights. Finally, the Hearing Examiner’s Final Order on the 208 Buckeye (Foglia House) matter called into question current code language and the way the ordinance has been administered.

5. **Comprehensive Site Plan Review Ordinance**
   - For all intensive purposes, the City has been operating without a site plan review ordinance. The current code says little to nothing about what site plan approval is, when it is required, submittal requirements, the approval process, the expiration period on approvals, revisions to approved plans, and approval extensions. Site plan approval is the most common land use process in the City of Woodland and there is a need to address the inadequacies of the current code.

6. **Expiration on Approved Variances**
   - The code is currently silent on the period for which variance approval extends. This issue was first brought up in 2010.

7. **Subdivision Phasing After Preliminary Approval**
   - During the 2012 Joint Session, Commissioner Simpson asked that subdivision phasing after preliminary approval be added to the list of possible 2013 work items. Review would entail reviewing provisions in WMC 16.14.030 that allow for phasing after preliminary plat approval.
8. **Amending Multi-family Zoning Standards**
   - Mr. Perry expressed concern during the March 2013 joint session meeting about the quality of apartment housing in Woodland. Specifically, he mentioned parking availability, garages, and the general quality of apartment housing. Mr. Perry will forward the Planning Commission example ordinances that he feels have worked well in other communities.

9. **Low-density Residential Yard Standards**
   - After listening to a citizen’s concerns regarding yard maintenance in low-density residential districts, the Council asked that a list of concerns go first through Council Committee and then to the Planning Commission. Carolyn Johnson is to develop a list for Committee based on Mr. Patrick’s concerns.