



JEFFERSON COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

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Staff Report and Recommendation on UDC Amendment – JCC 18.30.150 & 18.18.100 Signs

- To:** Jefferson County Planning Commission, and Interested Parties
From: David Wayne Johnson, Associate Planner
Date: October 24, 2012
Re: DCD report and recommendation on MLA12-00226, a proposed UDC text amendment to Jefferson County Code (JCC) Chapters 18.30.150 Signs and JCC 18.18.100 Signs
- Proposal:** The current proposal is to revise the sign codes for both JCC 18.30.150 & 18.18.100 (Port Hadlock UGA code) to conform to be constitutionally sound and defensible under Federal and State requirements; and to clearly define and describe when a permit is required.

Recommendation: Based upon the analysis and recommendations of Consulting Planner Neil Aaland, DCD staff recommends the following changes to the Sign Code:

- Create a new section on temporary signs
- Political signs and real estate signs would be included in this new section
- Definitions for “temporary sign”, “political sign”, “directional sign” and “real estate sign” would be added to the definitions section of the code
- Establish that permits are not needed for temporary signs
- Provide a time for removal for both political signs and real estate signs – 15 days following an election for political signs, upon a new owner taking possession for real estate signs
- Establish size requirements – maximum of 32 square feet
- Clarify when engineered plans are required (not tied to a building permit) by referring to the sign policy within this ordinance
- Incorporate the existing criteria for allowing signs in rights-of-way directly into the ordinance
- Make a minor grammatical change to correct an inadvertent omission (in section (3)(d) the word “not” was inadvertently omitted from the final code text and should be included in the revision.)

As such, Staff recommends JCC sections 18.30.150 & 18.18.100 be amended as indicated in attachment B.

Staff further recommends that the Planning Commission hold a public hearing for November 7, 2012 to hear testimony on the proposed amendments, and that, following the public hearing, the Planning Commission deliberate and formulate a recommendation to the BoCC.

- Attachments:**
- A. Consulting Planner’s Memorandum to Staff
 - B. Proposed Text Revision for JCC 18.30.150¹

¹ JCC 18.18.100 will be amended consistent with JCC 18.30.150

Background

In September, 2006 a lawsuit was filed in Clallam County Superior Court by a Jefferson County citizen challenging certain provisions of the sign ordinance, now codified as JCC 18.30.150 Signs. The Citizen's concerns centered on restrictions of free speech relating to political signs as outlined in JCC 18.30.150. A permanent injunction was issued October 13, 2006 by the court prohibiting Jefferson County from enforcing section 18.30.150(2)(f) of the Code. This section lists the signs that are exempt from the provisions of the sign code; subsection (f) states "personal signs displaying personal messages such as 'yard sale' or 'no trespassing' or political messages not to exceed eight square feet" (emphasis added).

Staff findings²

Relevant Federal and State Court Decisions

There are two key court decisions, one federal and one state, that set the current parameters for regulating signs. The federal case is a United States Supreme Court decision in "City of Ladue vs. Gilleo."³ This case was decided in 1994 and addresses the ability to regulate the content of signs. As described by Washington State's Municipal Research Services Center (MRSC): "The Court concluded that the ordinance violated the First Amendment's free speech protection by suppressing too much speech. Although the Court invalidated Ladue's restrictions, it did not provide any meaningful guidance as to what would be a permissible content-neutral regulation of signs on residential property."

The state case is a Washington State Supreme Court case known as "Collier vs. Tacoma"⁴ that addresses political signs. A memo prepared for the King County Bar Association discusses what may be regulated under Collier: "Although municipalities may not categorically ban campaign signs altogether, most local governments do regulate the non-communicative aspects (e.g. size, location and duration) of such signs. Common restrictions include forbidding vehicular or pedestrian traffic blockage, square footage requirements for each sign face, and prohibiting the display of campaign signs on public property beyond a specified post-election period. Regulations of this type address the physical attributes, as opposed to the content, of campaign signs."⁵

In Collier, the court invalidated Tacoma's regulation on when a sign can be placed before an election, but left intact its requirement that signs be removed within seven days after an election. The court also addressed the issue of signs in Tacoma's public rights-of-way. Specifically within the city of Tacoma, they found that parking strips constituted a public forum and limitations could not be so imposed. This is not a finding that necessarily applies everywhere; it depends on the traditions and history of the specific jurisdiction.⁶

The key take-home messages from these two cases are:

1. Sign requirements must be content neutral, and not attempt to differentiate sign regulations based on the content of a sign. This could run counter to the free speech provisions of the First Amendment.
2. Political signs may be regulated, but these need to be carefully tailored. Such signs may not be banned.

² Staff findings, analysis and recommendations were incorporated from memorandum (attachment A) to Staff dated October 11, 2012 by Consulting Planner Neil Aaland

³ 512 U.S. 43, 129 L. Ed. 2d 36 (1994)

⁴ 121 Wn.2d 737 (1993)

⁵ "Local Regulation of Campaign Signs", Zach Lell, *King County Bar Bulletin*, September 2004. Found at MRSC website: <http://www.mrsc.org/artdocmisc/zachlell.pdf>

⁶ Attorney general informal opinion by James K Pharris re whether RCW 42.17.130 is violated if a city allows the use of city-owned property, including real estate, for the placement of election campaign signs. 2009. Found at MRSC website: <http://www.mrsc.org/govdocs/w3ag11-10-09.pdf>

Discussion: Jefferson County Sign Code

As discussed in the first paragraph, a 2006 Clallam County Superior Court decision issued a permanent injunction against the enforcement of sub-section 18.30.150(2)(f) of Jefferson county’s sign code. One of the key findings was that the sign code was not content-neutral; the findings cite the difference in regulations between political signs and real estate signs. Real estate signs were not limited in size; political signs were. The result of the permanent injunction was the removal of the size limitation on political signs.

Table 1 below shows the requirements established for political signs by five jurisdictions – size of sign, whether they are allowed in public rights-of-way, and when they must be removed:

<i>Jurisdiction</i>	<i>Size limitation?</i>	<i>Allowed in R-O-W?</i>	<i>Number of days after election for removal</i>	<i>Permit Required?</i>
Kitsap County	No size limitations on private property	Yes; no greater than 4 sq. feet and no higher than 36” from ground	14 days	No
Pierce County	16 square feet	Not specified	10 days	No
Thurston County	No size limitation	No	15 days	No
Clallam County	32 square feet and five feet above grade	No	Not specified	No
City of Shelton	Specified by zone; 10 square feet maximum in residential zones	Not specified	7 days	No

TABLE 1: REGULATIONS FOR POLITICAL SIGNS FROM FIVE JURISDICTIONS

Presently, with the permanent injunction in place, the sign code addresses these same issues as follows:

- There is no size requirement for these signs (the 8 square foot size limit was eliminated by the permanent injunction)
- The code prohibits signs in public rights-of-way unless approved by public works; criteria are provided in a separate administrative document
- No time limit is specified for removal of political signs following an election
- No time limits are established for real estate signs
- When required as noted above, engineered plans are required to be submitted with building permits

UDC Amendment Process

UDC amendments are governed by Jefferson County Code, JCC 18.45.090, and subject to review under the State Environmental Policy Act (SEPA), WAC 197-11. The UDC amendment process can be simplified to **8 Steps** detailed below. This amendment proposal is at **Step 3**.

1. Amendment initiated by DCD staff, the BOCC, the PC or by application.
2. DCD staff provides preliminary review of the proposed amendment and presents to BOCC for direction on whether or not to place on DCD work plan.
3. DCD staff reviews the amendment, prepares a staff report and makes a recommendation.
4. Notice of Intent to amend the development regulations shall be provided, and public hearing before the PC is scheduled
 - a. At least 10 days prior to the date of the hearing per JCC 18.45.090(2)(b); and
 - b. At least 60 days prior to final adoption per WAC 365-195-620.
5. The PC shall hold a public hearing, JCC 18.45.090(3)
6. The PC shall make a recommendation to the BOCC using the site-specific criteria set forth in JCC 18.45.080(1)(b) and (1)(c), as applicable.
7. The BOCC shall consider the proposed amendment at a regularly scheduled meeting and apply the criteria set forth in JCC 18.45.080(1)(b) and (1)(c), as applicable.

The BOCC may adopt the PC recommendation or may conclude a change in the recommendation is necessary. A change requires the Board conduct its own public hearing and comply with notice requirements.

Because the proposal is not site-specific the proposed amendment will be reviewed under SEPA as a “non-project action” (WAC 197-11-704). The required notice of public hearing will incorporate a SEPA comment period. A SEPA determination will be issued after the comment period and prior to final action by the Board. Additional “project action” SEPA review is required for those developments that do not meet the threshold exemptions under WAC 197-11-800.

Department of Community Development Recommendation

Based upon the analysis and recommendations of Consulting Planner Neil Aaland, DCD staff recommends the following changes to the Sign Code:

- Create a new section on temporary signs
- Political signs and real estate signs would be included in this new section
- Definitions for “temporary sign”, “political sign”, “directional sign” and “real estate sign” would be added to the definitions section of the code
- Establish that permits are not needed for temporary signs
- Provide a time for removal for both political signs and real estate signs – 15 days following an election for political signs, upon a new owner taking possession for real estate signs
- Establish size requirements – maximum of 32 square feet
- Clarify when engineered plans are required (not tied to a building permit) by referring to the sign policy within this ordinance
- Incorporate the existing criteria for allowing signs in rights-of-way directly into the ordinance
- Make a minor grammatical change to correct an inadvertent omission (in section (3)(d) the word “not” was inadvertently omitted from the final code text and should be included in the revision.)

As such, Staff recommends JCC sections 18.30.150 & 18.18.100 be amended as indicated in attachment B. Note: proposed changes to JCC 18.30.150 as indicted in attachment will also be made to JCC 18.18.100.

Staff further recommends that the Planning Commission hold a public hearing for November 7, 2012 to hear testimony on the proposed amendments, and that, following the public hearing, the Planning Commission deliberate and formulate a recommendation to the BoCC.

ATTACHMENT A

MEMORANDUM

TO: David W. Johnson, Department of Community Development

FROM: Neil Aaland, AICP
Planning Consultant

DATE: October 11, 2012

SUBJECT: Briefing memo on revisions to sign ordinance

Background

The Jefferson County sign code is found in Section 18.30.150 (Attachment A) of the Jefferson County Code (JCC). The sign code addresses:

- prohibited signs;
- exempt signs;
- design standards;
- specialty signs; and
- non-conforming signs.

A type 1 permit is required for all allowed signs. Type 1 permits are issued administratively and no public hearings are required. The sign policy (described in the document titled "Department of Community Development Sign Policy) requires that signs exceeding certain size, placement or construction types must provide engineered plans. Political signs are exempt from the requirement to obtain a permit.

In September, 2006 a lawsuit was filed in Clallam County Superior Court by Mr. Mike Belenski challenging certain provisions of the sign ordinance. Mr. Belenski's concerns centered on political signs. A permanent injunction was issued October 13, 2006 by the court prohibiting Jefferson County from enforcing section 18.30.150(2)(f) of the Code. This section lists the signs that are exempt from the provisions of the sign code; subsection (f) states "personal signs displaying personal messages such as 'yard sale' or 'no trespassing' not to exceed eight square feet".

The current project is to revise the sign code to conform to be constitutionally sound and defensible under Federal and State requirements; and to clearly define and describe when a permit is required.

Relevant Federal and State Court Decisions

There are two key court decisions, one federal and one state, that set the current parameters for regulating signs. The federal case is a United States Supreme Court decision in "City of Ladue vs. Gilleo."¹ This case was decided in 1994 and addresses the ability to regulate the content of signs. As described by Washington State's Municipal Research Services Center (MRSC): "The Court concluded that the ordinance violated the First Amendment's free speech protection by suppressing too much speech. Although the Court invalidated Ladue's restrictions, it did not provide any meaningful guidance as to what would be a permissible content-neutral regulation of signs on residential property."

¹ 512 U.S. 43, 129 L. Ed. 2d 36 (1994)

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The state case is a Washington State Supreme Court case known as “Collier vs. Tacoma²” that addresses political signs. A memo prepared for the King County Bar Association discusses what may be regulated under Collier: “Although municipalities may not categorically ban campaign signs altogether, most local governments do regulate the non-communicative aspects (e.g. size, location and duration) of such signs. Common restrictions include forbidding vehicular or pedestrian traffic blockage, square footage requirements for each sign face, and prohibiting the display of campaign signs on public property beyond a specified post-election period. Regulations of this type address the physical attributes, as opposed to the content, of campaign signs.³”

In Collier, the court invalidated Tacoma’s regulation on when a sign can be placed before an election, but left intact its requirement that signs be removed within seven days after an election. The court also addressed the issue of signs in Tacoma’s public rights-of-way. Specifically within the city of Tacoma, they found that parking strips constituted a public forum and limitations could not be so imposed. This is not a finding that necessarily applies everywhere; it depends on the traditions and history of the specific jurisdiction.⁴

The key take-home messages from these two cases are:

1. Sign requirements must be content neutral, and not attempt to differentiate sign regulations based on the content of a sign. This could run counter to the free speech provisions of the First Amendment.
2. Political signs may be regulated, but these need to be carefully tailored. Such signs may not be banned.

Discussion : Jefferson County Sign Code

As discussed in the first paragraph, a 2006 Clallam County Superior Court decision issued a permanent injunction against the enforcement of sub-section 18.30.150(2)(f) of Jefferson county’s sign code. One of the key findings was that the sign code was not content-neutral; the findings cite the difference in regulations between political signs and real estate signs. Real estate signs were not limited in size; political signs were limited in size. The result of the permanent injunction was the removal of the size limitation on political signs.

In preparing this memo, I reviewed the sign regulations governing political signs from five other jurisdictions in Washington State. These regulations are excerpted in Attachment B. Table 1 below shows the requirements established for political signs by five jurisdictions – size of sign, whether they are allowed in public rights-of-way, and when they must be removed:

<i>Jurisdiction</i>	<i>Size limitation?</i>	<i>Allowed in R-O-W?</i>	<i>Number of days after election for removal</i>	<i>Permit Required?</i>
Kitsap County	No size limitations on private property	Yes; no greater than 4 sq. feet and no higher	14 days	No

² 121 Wn.2d 737 (1993)

³ “Local Regulation of Campaign Signs”, Zach Lell, *King County Bar Bulletin*, September 2004. Found at MRSC website: <http://www.mrsc.org/artdocmisc/zachlell.pdf>

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		than 36" from ground		
Pierce County	16 square feet	Not specified	10 days	No
Thurston County	No size limitation	No	15 days	No
Clallam County	32 square feet and five feet above grade	No	Not specified	No
City of Shelton	Specified by zone; 10 square feet maximum in residential zones	Not specified	7 days	No

TABLE 1: REGULATIONS FOR POLITICAL SIGNS FROM FIVE JURISDICTIONS

Presently, with the permanent injunction in place, the sign code addresses these same issues as follows:

- There is no size requirement for these signs (the 8 square foot size limit was eliminated by the permanent injunction)
- The code prohibits signs in public rights-of-way unless approved by public works; criteria are provided in a separate administrative document
- No time limit is specified for removal of political signs following an election
- No time limits are established for real estate signs
- When required as noted above, engineered plans are required to be submitted with building permits

Recommendations:

I recommend the sign ordinance be revised in the following ways:

- Create a new section on temporary signs
- Political signs and real estate signs would be included in this new section
- Definitions for “temporary sign”, “political sign”, “directional sign” and “real estate sign” would be added to the definitions section of the code
- Establish that permits are not needed for temporary signs
- Provide a time for removal for both political signs and real estate signs – 15 days following an election for political signs, upon a new owner taking possession for real estate signs
- Establish size requirements – maximum of 32 square feet
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- Incorporate the existing criteria for allowing signs in rights-of-way directly into the ordinance
- Make a minor grammatical change to correct an inadvertent omission (in section (3)(d) the word “not” was inadvertently omitted from the final code text and should be included in the revision.)

ATTACHMENT A: JEFFERSON COUNTY SIGN CODE

18.30.150 Signs.

No sign shall hereafter be erected or used for any purpose or in any manner except as permitted by the regulations of this section or as specified elsewhere in this code. All signs subject to this section shall be subject to approval and issuance of a sign permit by the administrator according to a Type I permit approval process as specified in Chapter [18.40 JCC](#). The administrator may waive certain requirements of this section or require additional conditions for any sign permit, if deemed necessary to maintain consistency with the Comprehensive Plan.

- (1) Prohibited Signs. The following signs are prohibited:
 - (a) Abandoned signs;
 - (b) Billboards;
 - (c) Flashing, revolving or moving signs, excepting clocks;
 - (d) Off-site signs which advertise a business;
 - (e) Signs or sign structures, which by coloring, shape, working, or location resemble or conflict with traffic-control signs or devices;
 - (f) Signs which create a safety hazard for pedestrians or vehicular traffic; and
 - (g) Signs attached to utility poles or traffic signs.
- (2) Exemptions. The following signs are exempt from the provisions of this section:
 - (a) Traffic and standardized public signs installed by a government entity;
 - (b) Window and merchandise displays, point of purchase advertising displays such as product dispensers and barber poles;
 - (c) National flags, flags of a political subdivision, and symbolic flags of an institution or business;
 - (d) Legal notices required by law;
 - (e) Historic site plaques and markers and gravestones;
 - (f) Personal signs on private property displaying personal messages such as "yard sale" or "no trespassing" or political messages not to exceed eight square feet;
 - (g) Structures intended for separate use, such as recycling containers and phone booths;
 - (h) Real estate signs; and
 - (i) Lettering painted on or magnetically flush-mounted onto a motor vehicle operating in the normal course of business.
- (3) Design Standards. All signs must meet the following standards:
 - (a) The following standards apply to the illumination and illustration of signs:
 - (i) The illumination of signs shall be shaded, shielded, or directed so the light intensity or brightness shall not adversely affect surrounding properties or public and private rights-of-way or create a hazard or nuisance to the traveling public, or to surrounding properties.
 - (ii) No sign or part thereof shall consist of rotating, revolving, or moving parts; consist of banners, streamers, or spinners; or involve flashing, blinking, or alternating lights. An exception to this standard is temporary signs associated with local festivals, fairs, parades, or special events pursuant to subsection (4)(a) of this section.
 - (b) Sign size shall be regulated as follows:
 - (i) The total square footage of signs shall not exceed 64 square feet for any business within any commercial or industrial land use district. Multitenant developments may have one freestanding sign for each access point, commonly identifying the businesses within multitenant developments provided such signs total no more than 64 square feet in aggregate. The maximum aggregate size for projection signs placed on a building is limited to one percent of the floor areas of the building, except that each occupant is allowed a sign of at least two square feet. In no case may an individual occupant's sign be larger than 15 square feet.
 - (ii) The square footage of signs shall be calculated by the outside dimensions necessary to frame the information displayed. No sign mounted on a building shall extend above or beyond the eave, rake, or parapet of the wall on which it is mounted. Any sign projecting beyond six inches from a perpendicular wall shall be at least seven feet above grade.

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- (iii) Directional, identification or advertising signs for any use located in any rural residential district shall not exceed 32 square feet, with the exception of institutional use signs, which shall not exceed 64 square feet.
 - (c) Uses located in any rural commercial or industrial land use districts shall have no more than two on-premises signs, except as allowed in this section for multitenant developments.
 - (d) Signs attached to or painted against the structure to which it relates shall not⁵ be computed as a part of the overall total square footage, or number of signs allowed.
 - (e) All signs shall be continuously maintained. Signs that present a public hazard as determined by the Jefferson County building official or department of public works shall be subject to abatement.
 - (f) The design of freestanding signs shall include measures to restrict vehicles from passing beneath them, unless otherwise permitted by the Jefferson County department of public works. All freestanding pole signs or projecting signs shall provide pedestrian clearance to a minimum of eight feet, where applicable.
 - (g) Signs should be incorporated into the landscaping of the site when landscaping is provided.
 - (h) No signs, other than those related to water dependent uses, such as a marina, are permitted to face seaward, excepting signs relating to safety concerns, such as cable-crossing, construction-dredging, fuel area, etc.
 - (i) No sign shall be placed in the public right-of-way or in the vision clearance triangle of intersections and curb cuts, unless otherwise approved by the Jefferson County department of public works.
- (4) Specialty Signs. Specialty signs may be established when consistent with the standards set forth below:
- (a) Signs and banners promoting public festivals, community or special events, and grand openings may be displayed up to 30 days prior to the event, and shall be removed no later than seven days after the event. The sponsoring entity is responsible for sign removal. Event signs may be located "off-site."
 - (b) Signs which identify a recognized community or unincorporated place are permitted at each entrance to the community. Said signs are limited to one per entrance, and may not exceed 64 square feet or eight feet in height. Signs relating to clubs, societies, orders, fraternities and the like shall be permitted as part of the community sign.
 - (c) Businesses may erect temporary on-site sandwich board signs subject to the following criteria:
 - (i) No more than two sandwich board signs may be erected per business;
 - (ii) Sandwich board signs shall not exceed four feet in height or three feet in width;
 - (iii) Sandwich board signs shall be displayed during business hours only;
 - (iv) Sandwich board signs shall not be placed on sidewalks; and
 - (v) Sandwich board signs shall not be placed in public road rights-of-way unless approved by the Jefferson County department of public works.
 - (d) Off-site signs may only be allowed when they meet all of the following standards:
 - (i) Are directional in nature;
 - (ii) Located on private property along a major or minor arterial;
 - (iii) Located no more than 600 feet from an intersection; and
 - (iv) No larger than 12 square feet.
- (5) Nonconforming Signs. Legally established signs in place prior to the adoption of these standards and not in conformance with these standards shall be considered legal, nonconforming signs, and may remain as provided below:
- (a) Nonconforming off-premises signs shall be removed within five years of adoption of this code. Until then, such signs must be continually maintained, not relocated, and not structurally altered. Nonconforming off-premises signs may be replaced by off-site directional signs as allowed in this section.
 - (b) Nonconforming on-premises signs may remain provided they are continually maintained, not relocated, and not structurally altered.
 - (c) Billboards which are in place prior to the adoption of the ordinance codified in this code may remain provided they are continually maintained, not relocated, and not structurally altered. [Ord. 8-06 § 1]

⁵ The word "not" was inadvertently omitted from the final code text

ATTACHMENT B
EXAMPLES OF POLITICAL SIGN REGULATIONS FROM OTHER COUNTIES

Kitsap County:

17.445.090 Conditionally exempt signs. The following signs are not regulated by this title provided the following conditions are met...

D. Political campaign signs shall be subject to the following:

1. Political campaign signs must be removed fourteen days following an election with the exception that candidates or issues which will remain on the ballot for the general election following a primary election may remain until fourteen days following the general election;
2. Any political campaign signs located within county right-of-way are subject to the following requirements:
 - a. Use of metal signs, metal supports, metal frames, or wire frames is prohibited,
 - b. Political campaign signs placed within a county right-of-way are limited to a size no greater than four square feet and may not extend higher than thirty-six inches measured from the point in which they are placed in the ground to the top of the sign;
3. A political campaign sign may not be placed on a utility pole, or on any state or county regulatory or informational sign or post;
4. Any political campaign sign found to be inconsistent with the requirements contained within this subsection is subject to removal and disposal by the county, and the candidate or campaign may be held responsible for the cost of removal...

Pierce County:

18B.10.030 2. Exemptions. A sign permit will not be required for the following...

g. Political signs.

(1) Signs relating to the nomination or election of any individual for a public political office or advocating any measure to be voted on at any special or general election are political signs and exempt from the sign permit requirement; provided, that such political signs shall not be displayed more than 10 days after the date of the election for which intended. In cases where a general election follows a primary election, those signs for candidates whose names will appear on the ballot in the general election may be displayed during the interim period and up to 10 days after the general election. If political signs are not removed within the specified times, they will be subject to removal by Pierce County in addition to any other remedies provided in this Chapter;

(2) No political sign shall be erected upon any private property without permission of the resident or owner thereof; and

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(3) Political signs shall not exceed 16 square feet in area and shall not obstruct safe visibility of any mobile or pedestrian traffic.

Thurston County

20.40.035 - Exempt signs.

The following signs shall be permitted and are exempt from the provisions of this chapter, and shall not be included in the computation of sign size area for regulated signs. This shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with any other applicable law or ordinance. Exempt signs are...

15. Political campaign signs advertising a candidate or candidates for public elective office, or a political party, or a sign urging a particular vote on a public issue decided by ballot may be erected on any privately owned lot or parcel, excluding right-of-way. Each sign shall be removed within fifteen days after that election. For a successful candidate in a primary election, the sign may remain until the final election but shall be removed within fifteen days after that election. The candidate or committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this title...

Clallam County

33.57.060 Exempt signs.

The following types of signs shall be exempt from the standards established within this code and from the certificate of compliance requirements of this chapter; provided, that any standards in this section are met...

...(10) Election signs no greater than thirty-two (32) square feet in area and five (5) feet in height above grade.

City of Shelton

20.38.100 Temporary signs.

The following signs are classified as temporary (nonpermanent). Temporary signs are permitted subject to the following applicable limitations...

D. Political Signs. No sign permit is required. Political signs or posters may be placed only upon private property with owner's consent. Signs in the residential zones, which includes neighborhood residential (NR), and professional office/residential mix (PR-A) zones, shall not exceed ten square feet in sign area. Signs placed in the commercial and industrial zones, which includes the downtown (DT), general commercial (GC), commercial residential valley (CR-V), commercial residential Goose Lake (CR-G), low-intensity mixed use (MU), low-intensity commercial (LI-C), medical educational (ME), commercial industrial (CI) and the industrial (I) zones shall not exceed thirty-two square feet in sign area. The signs shall not exceed six feet in height. Signs shall not be posted or attached to trees, telephone poles, power poles or other public utility facilities. It is unlawful to place, erect or maintain any political sign so as to pose a visibility hazard to pedestrian or motor vehicle traffic along streets, sidewalks, or street corners. Political signs shall be removed within seven days after the election in which the candidate or issue advertised on a sign has been determined. For a successful candidate in a primary election, the sign may remain until the final election, but shall be removed within seven days after the election. The candidate or committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this chapter.

ATTACHMENT B

Jefferson County sign code Proposed Revisions

18.30.150 Signs.

No sign shall hereafter be erected or used for any purpose or in any manner except as permitted by the regulations of this section or as specified elsewhere in this code. All signs subject to this section shall be subject to approval and issuance of a sign permit by the administrator according to a Type I permit approval process as specified in Chapter [18.40](#) JCC. The administrator may waive certain requirements of this section or require additional conditions for any sign permit, if deemed necessary to maintain consistency with the Comprehensive Plan.

1) Definitions:

- a) “Directional sign” means a sign which serves solely to designate the location of any place, area, organization or business, whether on premises or off-premises.
- b) “Movable sign, A-frame” means a portable two-faced, A-frame, or sandwich board style sign that is readily movable and has no permanent attachment to a building, structure, or the ground.
- c) “Political sign” means signs relating to the nomination or election of any individual for a public political office or advocating any measure to be voted on at any special or general election.
- d) “Real estate sign” means a temporary sign which directs attention to the sale, lease, or rental of a particular building, property, or premise upon which it is displayed.
- e) “Temporary sign” means a nonpermanent sign intended for use for a limited period of time.
- f) “Projection sign” means a sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.
- g) “Sandwich board sign”: See “Movable sign, A-frame.”

42) Prohibited Signs. The following signs are prohibited:

- a) Abandoned signs;
- b) Billboards;
- c) Flashing, revolving or moving signs, excepting clocks;
- d) Off-site signs which advertise a business;
- e) Signs or sign structures, which by coloring, shape, working, or location resemble or conflict with traffic-control signs or devices;
- f) Signs which create a safety hazard for pedestrians or vehicular traffic; and
- g) Signs attached to utility poles or traffic signs.

23) Exemptions. The following signs are exempt from the provisions of this section:

- a) Traffic and standardized public signs installed by a government entity;
- b) Window and merchandise displays, point of purchase advertising displays such as product dispensers and barber poles;
- c) National flags, flags of a political subdivision, and symbolic flags of an institution or business;
- d) Legal notices required by law;
- e) Historic site plaques and markers and gravestones;
- f) Personal signs on private property ~~displaying personal messages such as “yard sale” or “no trespassing” or political messages not to exceed eight square feet;~~
- g) Structures intended for separate use, such as recycling containers and phone booths;
- h) ~~Real estate signs;~~ and

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- 45) Lettering painted on or magnetically flush-mounted onto a motor vehicle operating in the normal course of business.
- 34) Design Standards. All signs must meet the following standards:
- a) The following standards apply to the illumination and illustration of signs:
 - i) The illumination of signs shall be shaded, shielded, or directed so the light intensity or brightness shall not adversely affect surrounding properties or public and private rights-of-way or create a hazard or nuisance to the traveling public, or to surrounding properties.
 - ii) No sign or part thereof shall consist of rotating, revolving, or moving parts; consist of banners, streamers, or spinners; or involve flashing, blinking, or alternating lights. An exception to this standard is temporary signs associated with local festivals, fairs, parades, or special events pursuant to subsection (4)(a) of this section.
 - b) Sign size shall be regulated as follows:
 - i) The total square footage of signs shall not exceed 64 square feet for any business within any commercial or industrial land use district. Multitenant developments may have one freestanding sign for each access point, commonly identifying the businesses within multitenant developments provided such signs total no more than 64 square feet in aggregate. The maximum aggregate size for projection signs placed on a building is limited to one percent of the floor areas of the building, except that each occupant is allowed a sign of at least two square feet. In no case may an individual occupant's sign be larger than 15 square feet.
 - ii) The square footage of signs shall be calculated by the outside dimensions necessary to frame the information displayed. No sign mounted on a building shall extend above or beyond the eave, rake, or parapet of the wall on which it is mounted. Any sign projecting beyond six inches from a perpendicular wall shall be at least seven feet above grade.
 - iii) ~~Directional, identification or advertising~~ On-site signs for any use located in any rural residential district shall not exceed 32 square feet, with the exception of institutional use signs, which shall not exceed 64 square feet.
 - c) Uses located in any rural commercial or industrial land use districts shall have no more than two on-premises signs, except as allowed in this section for multitenant developments.
 - d) Signs attached to or painted against the structure to which it relates shall not be computed as a part of the overall total square footage, or number of signs allowed.
 - e) All signs shall be continuously maintained. Signs that present a public hazard as determined by the Jefferson County building official or department of public works shall be subject to abatement.
 - f) The design of freestanding signs shall include measures to restrict vehicles from passing beneath them, unless otherwise permitted by the Jefferson County department of public works. All freestanding pole signs or projecting signs shall provide pedestrian clearance to a minimum of eight feet, where applicable.
 - g) Signs should be incorporated into the landscaping of the site when landscaping is provided.
 - h) No signs, other than those related to water dependent uses, such as a marina, are permitted to face seaward, excepting signs relating to safety concerns, such as cable-crossing, construction-dredging, fuel area, etc.
 - i) No sign shall be placed in the public right-of-way or in the vision clearance triangle of intersections and curb cuts, unless otherwise approved by the Jefferson County department of public works.

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45) Specialty Signs. Specialty signs may be established when consistent with the standards set forth below:

- a) ~~Signs and banners promoting public festivals, community or special events, and grand openings may be displayed up to 30 days prior to the event, and shall be removed no later than seven days after the event. The sponsoring entity is responsible for sign removal. Event signs may be located "off-site."~~
- a) Signs which identify a recognized community or unincorporated place are permitted at each entrance to the community. Said signs are limited to one per entrance, and may not exceed 64 square feet or eight feet in height. Signs relating to clubs, societies, orders, fraternities and the like shall be permitted as part of the community sign.
- b) ~~Businesses may erect temporary on-site sandwich board signs subject to the following criteria:~~
 - i) ~~No more than two sandwich board signs may be erected per business;~~
 - ii) ~~Sandwich board signs shall not exceed four feet in height or three feet in width;~~
 - iii) ~~Sandwich board signs shall be displayed during business hours only;~~
 - iv) ~~Sandwich board signs shall not be placed on sidewalks; and~~
 - v) ~~Sandwich board signs shall not be placed in public road rights-of-way unless approved by the Jefferson County department of public works.~~
- b) Off-site signs may only be allowed when they meet all of the following standards:
 - i) ~~Are directional in nature as defined in subsection 1) above;~~
 - ii) Located on private property along a major or minor arterial;
 - iii) Located no more than 600 feet from an intersection; and
 - iv) No larger than 12 square feet.

56) Nonconforming Signs. Legally established signs in place prior to the adoption of these standards and not in conformance with these standards shall be considered legal, nonconforming signs, and may remain as provided below:

- a) Legal Nonconforming off-premises signs shall be removed within five years of adoption of this code. Until then, such signs must be continually maintained, not relocated, and not structurally altered. Nonconforming off-premises signs may be replaced by off-site directional signs as allowed in this section.
- b) Legal Nonconforming on-premises signs may remain provided they are continually maintained, not relocated, and not structurally altered.
- c) Billboards which are in place prior to the adoption of the ordinance codified in this code may remain provided they are continually maintained, not relocated, and not structurally altered. [Ord. 8-06 § 1]

7. Temporary Signs. Temporary signs are exempt from the requirement to obtain a permit, but will require engineered plans if they meet the criteria in subsection 4 (j), and are subject to the following standards:

- a) Temporary signs shall be limited in size to 32 square feet and shall not obstruct safe visibility or of any mobile or pedestrian traffic.
- b) Signs and banners promoting public festivals, community or special events, and grand openings may be displayed up to 30 days prior to the event, and shall be removed no later than seven days after the event. The sponsoring entity is responsible for sign removal. Event signs may be located "off-site."
- c) Businesses may erect temporary on-site sandwich board signs subject to the following criteria:
 - i) No more than two sandwich board signs may be erected per business;
 - ii) Sandwich board signs shall not exceed four feet in height or three feet in width;
 - iii) Sandwich board signs shall be displayed during business hours only;

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- iv) Sandwich board signs shall not be placed on sidewalks; and
- v) Sandwich board signs shall not be placed in public road rights-of-way unless approved by the Jefferson County department of public works.
- d) Real estate signs are allowed subject to the following additional criteria:
 - i) Real estate signs shall be removed within 15 days of either:
 - (1) the date the new owner or lessee takes possession of the property, or
 - (2) the date of the expiration of the listing.
 - ii) Subdivision Real Estate Sales Signs. Real estate signs advertising the sale of lots located within a subdivision shall be permitted; provided, that there shall be no more than 1 sign per subdivision entrance, and each sign shall be no greater than 32 square feet in area and no greater than 8 feet in height. These signs shall be removed upon the closing of subdivision sales.
- e) Political signs are subject to the following additional conditions:
 - i) Political signs shall not be displayed more than 15 days after the date of the election for which intended. In cases where a general election follows a primary election, those signs for candidates whose names will appear on the ballot in the general election may be displayed during the interim period and up to 15 days after the general election.
 - ii) No political sign shall be erected upon any private property without permission of the resident or owner thereof.
 - iii) Political signs may be placed in county right-of-way subject to the following conditions:
 - (1) Signs may not be installed where they will
 - (a) Block sight distance at intersections and driveways;
 - (b) Hinder pedestrian and bicycle use of the road shoulder;
 - (c) Be attached to traffic sign posts or utility poles;
 - (d) Interfere with the visibility of traffic signs or distract from the message of traffic regulatory or warning signs; or
 - (e) By color, shape, or symbol resemble traffic signs.
 - (2) Signs that are installed and do not conform to these conditions may be removed by the Public Works Department.
 - (3) Additional guidelines may be found in guidance issued by the Public Works Department.