Adoption of amendments to the  
East Wenatchee Municipal Code  
) ) LAND SERVICES

WHEREAS, Douglas County has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which covers all unincorporated areas within Douglas County, through a series of planning area Comprehensive Plans which were found to be consistent with each other and with the adopted GMA plans of adjoining jurisdictions; and

WHEREAS, Douglas County and the City of East Wenatchee have agreed to plan jointly within the unincorporated area of the East Wenatchee Urban Growth Boundary consistent with the GMA and Douglas County Regional Policy Plan; and

WHEREAS, on February 11, 2014 the City of East Wenatchee passed Ordinance 2014-03, adopting amendments to the East Wenatchee Municipal Code;

WHEREAS, the Douglas County Planning Commission transmitted a recommendation to this Board regarding the adoption of amendments to the East Wenatchee Municipal Code effective on unincorporated lands of the County inside the East Wenatchee Urban Growth Boundary; and

WHEREAS, notice of all public hearings and public meetings on this matter have been published according to law; and

NOW, THEREFORE, the Board of County Commissioners hereby accepts the Findings of Fact and Conclusions adopted by the Douglas County Planning Commission, entering those findings into the record as their own as set forth in Exhibit A and incorporating them in this ordinance by this reference as though fully set forth herein.

BE IT FURTHER, hereby resolved and ordained that the recommendation of the Douglas County Planning Commission is accepted and the amendments to the East Wenatchee Municipal Code attached as Exhibit B are adopted, effective immediately.

Dated this 1st day of April, 2014 in Waterville, Washington.

Dayna Prewitt, Clerk of the Board

Dale Snyder, Chair

Ken Stanton, Vice Chair

Steven D. Jenkins, Member
EXHIBIT A

Findings of Fact:

1. Douglas County has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which covers all unincorporated areas within Douglas County, through a series of planning area Comprehensive Plans there were found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions.

2. The Douglas County Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure compliance with the growth management act for unincorporated areas of Douglas County. These measures include updates and amendments to the comprehensive plan; development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.

3. The Notice of Public hearing was published on February 27, 2014.

4. The Douglas County Planning Commission conducted an advertised public hearing on March 12, 2014. The Planning Commission entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal.

5. The Douglas County Planning Commission has reviewed the record including the goals and policies of the comprehensive plan and public testimony as it relates to the proposed development regulations.

6. The adopted amendments to the East Wenatchee Municipal Code are consistent with the Greater East Wenatchee Area Comprehensive Plan and Growth Management Act, RCW 36.70A.

7. The City of East Wenatchee ("City") commercial area serves as the commercial center of Douglas County and the surrounding rural and urban area.

8. The City adopted comprehensive sign standards in 2000, codified as Chapter 17.74 EWMC. The purpose of a sign ordinance is to protect the health, safety, property and welfare of the citizens of the city by establishing standards for the structural design, placement, size and maintenance of all signs and sign structures in the city.

9. The proposal is a text amendment to the East Wenatchee Municipal Code chapter 17.74 – Sign Code intended to increase the allowance for freestanding signage for multi-tenant complexes based upon property frontage; add auto dealers to the definition of multi-tenant complexes; increase the height of freestanding signs to 30 feet; expand sandwich board signs regulations; and other housekeeping changes.

10. Douglas County has adopted city codes for application within the unincorporated areas located inside the urban growth area (UGA) boundary. Any amendments adopted by the city are subsequently adopted by Douglas County. The proposal will be applicable within the residential and commercial zoning districts in the City of East Wenatchee, WA and the unincorporated area of Douglas County within the Greater East Wenatchee Urban Growth Area.

Ordinance No. TLS 14-01-12B
11. The City adopted a comprehensive plan in accordance with the Growth Management Act (GMA), RCW Chapter 36.70A, which is a generalized, coordinated land use policy statement of the City. The Greater East Wenatchee Area Comprehensive Plan (March 2012) includes policies that encourage the development of consistent design standards for signage and stresses visual appeal and community attractiveness.

12. Chapters 35A.63 and 36.70A RCW authorize the City to adopt development regulations governing land use activities.

13. The City hereby finds that this development regulation amendment is consistent with the spirit and intent of the GMA. Standards and criteria permit and encourage the design of signs which are responsive to the needs of the public in locating a business establishment by identifying the business and the product and/or services provided.

14. The proposed text amendments clarify and add standards and provisions for various signs and more properly relate the number and height of signs in relation to the scale of a proposed project.

15. An Environmental Checklist was prepared on January 10, 2014. A threshold determination and environmental review pursuant to RCW 43.21C the State Environmental Policy Act was completed and a Determination of Nonsignificance (DNS) was issued on January 10, 2014.

16. In accordance with the provisions of RCW 36.70A, the proposed development code amendment has been transmitted to the Washington State Department of Commerce and other state agencies on January 10, 2014 initiated the state review and comment period. Expedited review was requested.

17. Expedited review was granted by Commerce on January 27, 2014.

CONCLUSIONS

1. It is the determination of the responsible lead agency that no more than a moderate effect on the environment is a reasonable probability as a result of the proposed action. The proper exercise of the threshold determination process as required by WAC 197-11 is than an environmental impact statement is not required to be prepared for this project.

2. The proposed text amendment is consistent with and implements the goals and policies in the comprehensive plan.

3. Proper legal requirements of RCW 36.70A.106 and Title 19 EWMC were met and the community was given the opportunity to comment on the proposal at duly noticed public workshops and a public hearing.

4. Approval of the proposal will not be detrimental to the public health, safety, and general welfare.

Ordinance No. TLS 14-01-12B
An ordinance of the City of East Wenatchee, Washington, amending the East Wenatchee Municipal Code sections 17.74.030, 17.74.050, 17.74.060, 17.74.080, 17.74.110, 17.74.120 – Sign Code - expand sandwich board and garage sale signs regulations, increase the allowance and the height of freestanding signs, clarify nonconforming sign regulations, add definitions, and other general housekeeping changes, containing a severability clause, and establishing an effective date.

THE CITY COUNCIL OF THE CITY OF EAST WENATCHEE DO ORDAIN AS FOLLOWS:

Section 1: Authority.
(1) The City of East Wenatchee ("City") is a non-charter code city duly incorporated and operating under the laws of the State of Washington.
(2) RCW 35A.11.020 and RCW 35A.12.190 authorize the City Council to adopt ordinances of all kinds to regulate its municipal affairs and appropriate to the good governance of the City.
(3) RCW 35A.63 and RCW 36.70A authorize the City Council to adopt and amend development regulations.

Section 2: Amendment 1. The City Council amends EWMC 17.74.030 to read as follows.

17.74.030 Exemptions.
The following signs do not require a permit and are exempt from the permit application and fee requirements of this chapter. This exemption shall not be construed as relieving the owner of the sign from the responsibility of erecting and maintaining it in conformance with the intent of this chapter, the East Wenatchee Municipal Code, Chapter 468-66 WAC, and other applicable laws or ordinances.

A. Official flags, emblems, or insignia of the United States, or other governmental unit; and flags of internationally and nationally recognized organizations.

B. Official and legal notices by any court, public body, persons or officer in performance of a public duty, or in giving any legal notice.

C. Directional, warning, regulatory, or information signs or structures required or authorized by law; or by federal, state, or the city of East Wenatchee.

D. Political signs which, during a campaign, advertises a candidate for public elective office, a political party, or promotes a position
of a public issue, provided such signs are not posted in a city of East Wenatchee right-of-way. Said signs shall be removed within 30 days following the election; provided those signs promoting successful candidates or ballot propositions in a primary election may remain displayed through the general election and shall be removed within 30 days following the election. Said signs shall not exceed 16 square feet in area within any residential district and 32 square feet in area within other zoning districts.

E. Temporary unlighted construction and real estate signs, provided there shall be only one such sign per street frontage, and the area of each sign shall not exceed 16 square feet in area within a residential district and not exceeding 32 square feet in area in other zoning districts. Such signs shall not be posted in a city of East Wenatchee right-of-way. All such signs shall be removed within 30 days of completion of the building or project or closing of a sale or lease.

F. Structures intended for a separate use such as phone booths, donation collection containers, or other similar structures.

G. Gravestones.

H. Historical markers or site plaques.

I. On-premises directional signage, not visible from a public street and providing only site-specific directional information which may contain both the directions to the business and the name of the business with no advertising copy (examples: directories of businesses, parking restrictions or reservations, etc.).

J. Painting, repainting of an approved sign or the changing of the advertising copy or message thereon unless structural change is made.

K. Grand openings and special event signs which would include banners, decorative flags, pennants or streamers and temporary signs (except portable signs), searchlights, balloons and flags, provided they are displayed only for a period not exceeding 30 days, and provided the materials do not obstruct pedestrian or vehicular travel. Said signs must have the date of initial posting clearly written on the face of the sign, banner, pennant, or streamer.

L. Community activity signs or banners; provided they are installed no sooner than 30 days prior to the event or activity and removed within 14 days of the completion of the activity or event.
M. A-frame or sandwich board sign. Located in a commercial or industrial district provided the sign is placed in front of the business establishment the sign is advertising during business hours only. It shall be placed adjacent to the curb; provided, that such sign shall not be placed in any location which obstructs visibility or creates blind spots at intersections or obstructs pedestrian or vehicular travel. Sandwich board signs shall be limited to one per business, shall not exceed 36 inches in height and 30 inches in width, and shall not be illuminated.

a. Permitted districts – mixed use, commercial or industrial.
b. Maximum height - 36 inches.
c. Maximum width – 30 inches.
d. Number of signs per business – 1.
e. Lighting – no illumination may be attached to the sign.
f. Placement.

i. For individual businesses, signs must be located directly in front of the sponsoring business and on the walkway which is directly in front of the business entrance and within 20 feet of the front wall of the business.

ii. For multiple-tenant complexes, the signs may be placed on the sidewalk adjacent to the street fronting the complex.

iii. Signs may be placed in the landscape strip on those properties that have a landscape strip adjacent to the sidewalk. No vegetation may be removed or damaged in the placement of the sign.

iv. Signs are to be displayed during business hours only.

v. Signs must not create a traffic safety hazards by interfering with the vision of drivers entering or leaving the premises.

vi. Signs located next to the curb edge of a sidewalk must be placed in a manner that does not interfere with the opening of vehicle doors, use of bicycle parking facilities, bus stops, loading zones.

vii. No sign may obstruct or impair access or visibility of a traffic control sign, bus stop, fire hydrant, or any other type of street furniture, or otherwise create a hazard.
C-viii. Sign placement must not restrict pedestrian travel or create a tripping hazard. Signs must be located in manner that maintains an unobstructed passageway of 36 inches for pedestrian travel on all public and private pedestrian walkways and must be located in compliance with the Americans with Disabilities Act (ADA).

i-ix. Sandwich board signs are not permitted to be placed on the street.

M-N. Subject to the requirements set forth in EWMC 17.72.080, signs in a residential zoning district not exceeding four square feet in area that are not illuminated and that are not of a commercial nature.

N-O. Exterior holiday lights or decorations, provided they are removed within 14 days following the holiday.

O-P. Barber poles.

P-Q. Menu signs for drive-in restaurants.

Q-R. Menu signs for other than drive-in restaurants; provided, that the menu displayed is the same as that given to customers and such sign shall have a maximum size of four square feet and be mounted flat against the wall of the building.

R-S. Movie theater display cases, provided there are only two signs per screen and each sign does not exceed 18 square feet in area.

S-T. Signs proclaiming noncommercial messages subject to the following requirement: One nonilluminated sign per lot not more than four square feet in area and not more than 42 inches in height.

T-U. Seasonal sales signs. Vendors who receive a temporary business license from the city for seasonal or temporary sales activities (e.g., Christmas tree sales or fireworks) are permitted one sign not to exceed 32 square feet in sign area. This sign shall be mounted to the booth or trailer used for temporary sales and must be removed from the premises at the termination of the sale period.

U-V. Garage sale signs (yard sales, moving sales, patio sales, etc.) are permitted with a limit of one sign on the premises. Additional signs may be placed on other private property after obtaining the permission of the property owners. The sign shall not exceed a size of four square feet in sign area. The sign may be displayed for 2 days before the event preceding and
during the sale. The sign or signs must be removed the day the sale ends within 24 hours of the end of the event. All signs must display the date of the event and the address of where the sale will be held. No signs may be placed on public property, including but not limited to, public right of way, street signs, light poles or utility poles. The person or persons for which the sign or signs are displayed shall be responsible for its sign removal and are subject to the penalties provided in this code. A sign placed in violation of this section will be confiscated by the City.

V.W. Home occupation signs subject to the conditions enumerated in EWMC 17.74.080(A)(3). (Ord. 10-02 § 3 (Exh. A), 2010; Ord. 2000-03 § 1, 2000)

Section 3: Amendment 2. The City Council amends EWMC 17.74.050 to read as follows.

17.74.050 Performance standards.
The following standards are general provisions and are applicable to all zoning districts established in this title:

A. No more than one freestanding sign is permitted per single or multi-tenant complex facing on only one street. Single or multi-tenant complexes with frontage on more than one street, with customer entrances on each street, are permitted one freestanding sign per street frontage; provided, that each freestanding sign is located on different street frontages and are separated by more than 100 feet, as measured horizontally. Individual businesses in multi-tenant complexes are not permitted to have individual freestanding signs. However, no freestanding signs shall be permitted on streets abutting residential districts, except when located within an R-H district.

B. Signs shall only identify uses being conducted on the site, provided the sign is located on the same parcel of land as the principal use. Off-premises signs are prohibited.

C. All signs shall comply with Greater East Wenatchee urban growth area design standards and guidelines Urban Growth Area Design Standards & Guidelines, as amended.

D. Wall signs shall be attached flat against the building and shall not project above the eaves of the roof or the top of the parapet or beyond the eave lines or beyond the outer limits of the wall.

E. In addition to any setbacks required by this chapter, a clear-view triangle shall be maintained at all intersecting public or private streets, driveways, and/or curb cuts for vision safety purposes in compliance with the sight distance requirements in Chapter 10.28 EWMC, as amended.
F. All freestanding signs shall include, as part of their design, landscaped areas having a minimum of 50 square feet of planting area. The planting area shall be located around the base of the sign so as to prevent vehicles from hitting the sign, and to improve the overall appearance of the installation. Landscaping shall meet the minimum provisions established in EWM C 17.72.060.

G. Substitution Clause. Unless inconsistent with another provision of this chapter, noncommercial copy may be substituted for commercial copy on any lawful sign structure.

H. Notwithstanding any other provisions of this chapter, no sign shall be subject to any limitation based upon the content of the message contained on the sign.

I. Sign Maintenance. All signs must be kept in a safe and secure manner at all times. Any sign determined by the director to be unsafe shall be removed or adequately repaired by the owner and/or occupant of the site on which the sign is located within five days after receiving notice from the director. The area surrounding freestanding signs must be kept free of weeds, litter and debris at all times. All signs must be maintained in a clean condition including, but not limited to: nonpeeling paint, working light bulbs, and unbroken plastic.

J. Window Signs. The total surface area of all window signs shall not exceed the lesser of: 25 square feet, or 30 percent of the window area. Such signs shall not be included in determining the permissible sign area for each wall; provided, that such signs shall not exceed an area total of 25 square feet, or 30 percent of the window area.

K. Projecting, pole signs, canopy signs and awning signs shall maintain a minimum clearance of seven and one-half feet above the finished grade.

L. Any signs visible from SR 28, as defined in WAC 468-66-010(27), shall comply with the provisions of Chapter 468-66 WAC including any permitting required by the Washington State Department of Transportation. (Ord. 10-02 § 3 (Exh. A), 2010; Ord. 2000-03 § 1, 2000)

Section 4: Amendment 3. The City Council amends EWM C 17.74.060 to read as follows.

17.74.060 General standards.
The type, number, height, setbacks, and maximum sign area are subject to the review procedures of this chapter, and are hereby established for all signs in all zoning districts.

Ordinance 2014-03
Sign Code Amendments
A. Development Standards.

1. Construction shall satisfy the requirements of EWMC Title 15 and the Uniform Sign Code, as amended.

2. All signs, together with their supports, braces, and guys shall be maintained in a safe and secure manner.

3. Except for exempt signs as provided in EWMC 17.74.030, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

4. The ratio of the area of the sign support, framing structure, and/or other decorative features that contain no written or advertising copy, to the sign cabinet shall not be greater than 1:1.

B. Setback and Sight Distance. Freestanding signs may be permitted anywhere on the premises, except in a required side yard; provided, the sign does not project over any sidewalk or within five feet from the face of curb, except as provided in EWMC 17.74.080.

C. Clearance. Clearance shall be measured as the distance from the lowest point of any sign to the finished grade directly below the sign.

1. Over Pedestrian Ways. All signs over pedestrian ways shall provide a minimum of seven and one-half feet of clearance.

2. Over Vehicular Ways. All signs over vehicular ways shall provide a minimum of 13.5 feet of clearance.

D. Illumination. Illumination from any sign shall be shaded, shielded, directed, or reduced so as to avoid undue brightness, glare, or reflection of light onto private or public property or right-of-way in the surrounding area, and so as to avoid unreasonable distractions of pedestrians or motorists.

E. Computations. The following principles shall control the computation of sign area and sign height:

1. Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including the area encompassing the address of the property, any supporting framework, bracing, or
decorative fence or wall that is clearly incidental to the display itself. If there is a space between letters or groups of letters (horizontally or vertically) of 24 inches or more, the area of each grouping shall be calculated separately using the above method. In the case of a mural incorporating commercial wording, the sign area shall include only the portion of the mural that contains the wording, circumscribed as set forth above.

2. Area of Multi-Faced Signs. The sign area shall be computed by adding together the area of all sign faces. When two identical sign faces are placed back to back or in opposition of 130 degrees or less, the sign area shall be computed by the measurement of one of the faces. No more than two faces are permitted per freestanding sign. If the opposing faces of a sign are more than 130 degrees, both opposing faces shall be used in calculating sign size.

3. Height. The height of a sign shall be computed as the vertical distance from the base of the sign at the average finished grade of the lot to the top of the highest attached component of the sign. The “base” is the lowest part of the surface of the ground that a solid object stands on. For examples, see the figures below.

In cases where the average finished grade cannot reasonably be determined, due to topographical irregularities or the property is improved with curbs and gutters, sign height shall be computed on the assumption that the elevation of the average finished grade at the sign is equal to the average elevation of the area surrounding the proposed sign location and for a distance of 50 feet in either direction of the proposed sign.
Section 5: Amendment 4. The City Council amends EWMC 17.74.080 to read as follows.

17.74.080 District regulations.
This section shall apply to all zoning districts, special uses, planned developments, and conditional uses designated in this title.

A. R-L and R-M Zoning Districts.

1. Address numbers on individual homes or building complexes shall be three inches in height or larger and shall be visible from the street.


a. Each use is permitted one monument or freestanding sign having a maximum sign area of 20 square feet. The sign structure together with the sign shall not exceed a height of 48 inches, provided the location of the sign complies with the provisions of Chapter 10.28 EWMC for visibility at intersections. One additional monument or freestanding sign is permitted if there is more than one primary entrance located on an adjacent street.

b. One flush-mounted wall sign having a maximum sign area of eight square feet. In lieu of a monument or freestanding sign, the attached sign may be increased in area to the total square footage of the monument or freestanding sign plus the square footage of the attached sign for a total of 16 square feet.

3. Home Occupations, Adult Family Homes, and Day Care Facilities. Signs relating to such uses shall be unlighted, flush-mounted wall signs and shall not exceed eight square feet in area. For such uses that are located in a manner that does not permit visibility of a wall-mounted sign from the street, a freestanding sign not exceeding four square feet in area and located on the property housing the use or an access easement may be permitted. For properties that are not corner lots and have frontage on more than one public street, a second freestanding sign may be permitted on the other public street. The total height of the sign shall not exceed three and one-half feet above the grade of the surface of the ground or driveway and shall be placed in a manner that does not impede vehicular access to the property.
4. Rentals. One unlighted sign indicating the renting of rooms, apartments or other dwellings. The sign shall not exceed 16 square feet in area and shall be placed flat against the building.

5. Residential Subdivisions, Short Subdivisions, Multifamily Developments, Manufactured Housing Complexes or Mobile Home Parks, and Planned Residential Developments. Decorative subdivision or area name signs of a permanent character at the street entrance or entrances to the housing development which identify the development shall be permitted, subject to the following conditions:

   a. One monument sign may be permitted per entrance from an access street to the property, provided the sign does not exceed 20 square feet and is 48 inches or less in height, provided the location of the sign complies with the provisions of Chapter 10.28 EWMC for visibility at intersections, or as approved by the city at the time of preliminary subdivision approval.

   b. The sign shall be located in a maintained landscaped area in accordance with EWMC 17.72.060, General landscaping, as amended.

   c. The sign shall be indirectly illuminated and shall be shielded to prevent glare visible from public rights-of-way and neighboring properties; no internal illumination is permitted.

B. R-H District. In addition to the signage permitted in the R-L and R-M zoning districts, the following standards apply to general or professional offices for uses established under EWMC 17.32.020(D):


   a. One monument or freestanding sign. The freestanding or monument sign shall not exceed a maximum area of 20 square feet or exceed a height of 48 inches; provided, the location of the sign complies with the provisions of Chapter 10.28 EWMC for visibility at intersections. Signs shall be unlighted if located along a residential street other than an arterial. The sign may be illuminated when located on an arterial street frontage; and

   b. One attached sign, unlighted or with low intensity lighting, placed flat against the wall of the main building, having a surface area not greater than 32 square feet, is permitted. In lieu of a monument sign the attached sign may be increased in area to the total square footage of the
monument sign plus the square footage of the attached sign for a total of 52 square feet.

2. Multi-Tenant Complex. One freestanding or monument business or park identification sign not exceeding 40 square feet, nor exceeding a height of 48 inches, provided the location of the sign complies with the provisions of Chapter 10.28 EWMC for visibility at intersections, except where enumerated elsewhere in this title. Individual occupancies or buildings are not permitted a separate freestanding or monument sign. The sign may be illuminated when located on an arterial street frontage.

   a. One additional freestanding or monument sign is permitted per arterial or collector street as determined by the director if all of the following conditions exist:

      i. The premises has frontage on two or more arterial or collector streets; and

      ii. Vehicular access is provided to the property from that street; and

      iii. The signs are separated by more than 100 feet as measured horizontally; and

      iv. The additional sign is not located on a street abutting an R-L district.

   b. In lieu of erecting the second freestanding or monument sign (as provided for in subsection (B)(2)(a) of this section), the office/business may elect to use only one freestanding or monument sign and may increase the sign size to 60 square feet; and

   c. One wall identification sign not exceeding an area of 32 square feet shall be permitted for each principal building or occupancy. Identification signs shall be attached flat against the building and shall not project above the eaves of the roof, the top of the parapet, beyond the eave lines, or beyond the outer limits of the wall.

C. Commercial or Industrial Districts.

   1. Single Business or Building.

      a. One freestanding sign for each lot. The sign shall not exceed a maximum area of 50 square feet, nor exceed a height of 26-30 feet. Additionally, a parcel with more than 50 lineal feet of frontage on any one street may increase the maximum size of the freestanding sign located on that street frontage by one square foot for each one lineal foot of street frontage over 50 feet, to a maximum sign copy
area of 120 square feet. Signs may be internally or externally illuminated.

b. Wall or canopy signage per building side shall be permitted for each principal building or occupancy based upon the provisions of Table 17.74.080A. Wall signs other than canopy or awning style signs shall be attached flat against the building and shall not project above the eaves of the roof or the top of the parapet or beyond the eave lines or beyond the outer limits of the wall.

2. Multi-Tenant Complex, Including Commercial or Industrial Land Uses.

a. Freestanding Signs.

i. One freestanding sign not exceeding 80 square feet in area, nor exceeding a height of 26 feet. Additionally, if the parcel has more than 100 feet of frontage on any street providing vehicular access to the customer parking for the complex, the sign located on that street frontage may be increased by one square foot for each one foot of lineal frontage over 100 feet, to a maximum sign area of 200 square feet.

ii. If four or more buildings, offices or businesses are proposed, the freestanding sign may be increased by 10 square feet for each business; however, the total sign area shall not exceed 300 square feet.

iii. All tenants in multi-tenant complexes shall utilize the multiple business freestanding signage. Individual occupants or buildings in the complex are not permitted separate freestanding signs.

i. Number of Signs. For each street abutting a multi-tenant complex where there is a vehicular access driveway connecting to the street, the complex will be permitted freestanding signage in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Street Frontage</th>
<th># of Signs Allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-300 feet</td>
<td>1</td>
</tr>
<tr>
<td>301-600 feet</td>
<td>2</td>
</tr>
<tr>
<td>601-900 feet</td>
<td>3</td>
</tr>
<tr>
<td>901+ feet</td>
<td>4</td>
</tr>
</tbody>
</table>

ii. Maximum sign height – 30 feet.

iii. Maximum sign area 200 square feet per sign.
b. Wall signage per building side shall be permitted for each principal building or occupancy based upon the provisions of Table 17.74.080A.

c. Unused wall signage area may be used by any enterprise within the same multi-tenant complex, if:

i. The applicant files with the city a written statement signed by the enterprise that earned the sign area under this code permitting the applicant to utilize the unused sign surface area. The statement shall be in the form of a recordable document that will be recorded by the Douglas County auditor at the sole expense of the applicant. The agreement shall indemnify and hold harmless the city of East Wenatchee and include a provision restricting the revocation of the permission without the written consent of the city.

ii. The display of a sign on the wall by the applicant will not create a significant adverse impact on other users of that wall area.

iii. The display of the applicant’s sign is necessary to reasonably identify the enterprise, and the provisions of this code do not provide the enterprise with adequate sign display options.

Table 17.74.080A

The surface area of any wall-, awning- or canopy-mounted sign shall not exceed the figures derived from the following schedule:

<table>
<thead>
<tr>
<th>Architectural Building Elevation Wall Area</th>
<th>Maximum Sign Surface Area (for that wall area)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below 100 sq. ft.</td>
<td>32 sq. ft.</td>
</tr>
<tr>
<td>100 – 199 sq. ft.</td>
<td>32 sq. ft. + 11% of wall area over 100 sq. ft.</td>
</tr>
<tr>
<td>200 – 499 sq. ft.</td>
<td>42 sq. ft. + 12% of wall area over 200 sq. ft.</td>
</tr>
<tr>
<td>500 – 999 sq. ft.</td>
<td>75 sq. ft. + 11% of wall area over 500 sq. ft.</td>
</tr>
<tr>
<td>1,000 – 1,499 sq. ft.</td>
<td>131 sq. ft. + 7.5% of wall area over 1,000 sq. ft.</td>
</tr>
<tr>
<td>1,500 – 2,999 sq. ft.</td>
<td>169 sq. ft. + 3% of wall area over 1,500 sq. ft.</td>
</tr>
<tr>
<td>Over 3,000 sq. ft.</td>
<td>214 sq. ft. + 3% of wall area up to a maximum of 400 sq. ft. in total sign area</td>
</tr>
</tbody>
</table>
3. Regional Shopping Center. A regional shopping center (site size more than 20 acres and more than 250,000 square feet in total floor area of all buildings) is permitted one primary freestanding sign not exceeding 30 feet in height and 400 feet in sign area. Such sign must be located at least 20 feet from all property lines and rights-of-way and must be located along the frontage of an arterial with direct access to the shopping center. One additional freestanding sign not exceeding 80 percent of the height and area of the primary freestanding sign may be permitted along each right-of-way which provides direct vehicular access to the property.

4. Informational Signs. Informational signs indicating only the name of a particular use and the direction in which it is located. Such signs shall be used for informational purposes only, and not for advertising copy. Such signs may be a maximum of four feet in height, and must be designed in a uniform manner using a single background color and single color and typeface for wording.

5. Internal Circulation Signs to Aid Customers in Circulation within Parking Lots. Such signs may also be used to indicate entrances, exits or customer drive-thrus, but may not contain advertising or logos. Maximum size is three and one-half feet in height as measured to the highest point of the sign and two feet in width. The maximum lettering size is six inches in height and these signs may be designed as small monument style signs or placed on poles.

6. Electronic reader boards are permitted in commercial districts subject to the following provisions.

   a. The reader board shall be counted in the total sign area allowed for the uses on the subject property.

   b. Reader boards may be incorporated into permitted wall signage or freestanding signage and the maximum size for an electronic reader board is subject to the same size, height and location restrictions based upon the type of sign.

   c. If an electronic reader board is located within 200 feet, measured in any direction, from a residential zoning district, the sign shall not be illuminated between 10:00 p.m. and 6:00 a.m.

   d. Only commercial messages advertising on-premises business services and products may be displayed. Messages with noncommercial advertising for community
activities and events may be displayed. Off-premises commercial messages are not permitted.

e. No chasing, blinking, rotating or flashing shall be employed in displaying a message or image, or during the change from one message or image to another.

f. Text messages that are longer than the display area and do not contain any nontext graphics shall scroll in a consistent and predictable manner.

g. No streaming video shall be displayed.

h. These signs shall not change displays or images at a rate less than once every five seconds.

i. The motion created by streaming text or images shall not exceed 10 feet per second for any sign within 20 feet of a public street. An additional five feet per second shall be added for each additional 10-foot setback from the street up to a maximum of 30 feet per second.

j. There shall be no more than a three-second delay between messages.

k. The sign shall be equipped with an automatic dimming system to reduce the intensity of the light emitted during evening hours.

l. No freestanding electronic reader boards shall be erected within 100 feet of a controlled intersection.

7. Time-Temperature-Date Signs. Such signs are permitted as a permanent accessory sign on commercially developed parcels subject to the requirements below:

a. These signs may only display numerical information in an easily comprehensible way and shall be kept accurate.

b. They may be ground-mounted or building signs, and are subject to the regulations applicable to such signs.

c. The area of the said sign shall be included in the allowable signage for the subject property.

d. There shall be no more than a three-second delay between messages.

e. The sign shall be equipped with an automatic dimming system to reduce the intensity of the light emitted during evening hours.

D. Community Bulletin Board Signs. One community bulletin board sign is permitted when associated with a government or municipal
Section 6: Amendment 5. The City Council amends EWMC 17.74.110 to read as follows.

17.74.110 Nonconforming signs.
A. Purpose. The ultimate purpose of any zoning or land use regulation is to confine certain classes of buildings to certain localities and to restrict other uses. The continued existence of those which are nonconforming are inconsistent with these goals, and therefore nonconforming buildings and uses should be reduced to conformity as completely and quickly as possible without causing substantial injustice.

B. Abatement and Loss of Nonconforming Status. A nonconforming sign shall immediately lose its nonconforming designation and shall either be removed or brought into compliance with this chapter if:

1. The sign is structurally altered in any way which tends to or makes the sign less in compliance with the requirements of this code than it was before the alteration; or

2. The sign is relocated; or

3. The sign is altered, damaged or destroyed and the value of the alteration, damage or destruction exceeds 50 percent of the value of the sign based upon the market value of a similar sign using no depreciation; or
4. The sign is replaced if the property is vacated for a 12-month period; or

5. The business or tenant associated with the sign undergoes substantial improvements or any new sign, of any type, is erected or placed in connection with the enterprise using the nonconforming sign proposed for the site.

6. If the sign has been improperly maintained or has become structurally unsound.

On the applicability of any one of subsections (E)(1) through (E)(5) of this section, the sign shall no longer be designated a nonconforming sign. The director shall notify the sign user, sign owner or owner of the property upon which the sign is located of cancellation of the designation. The sign shall immediately be brought into compliance with this chapter and a new sign permit secured therefore for the replacement sign, or the sign shall be removed. Such sign shall be designated as a nuisance and processed in accordance with the nuisance abatement procedures set forth in Chapter 8.20 EWMC, as amended.

C. Nonconforming Sign Maintenance and Repair. Nothing in this section shall relieve the owner or user of a nonconforming sign or owner of the property on which the nonconforming sign is located from the provisions of this code regarding safety, maintenance and repair of signs, and from the provisions on prohibited and abandoned signs. Any nonconforming sign that is maintained or repaired in a manner in which the sign loses its nonconforming status pursuant to subsection B of this section shall immediately be brought into compliance with this code and a new permit secured therefore, or the sign shall be removed.

D. Exemption. The city may elect not to apply any provisions of this section if the removal of a sign would require the city to pay compensation under any federal, state or other law, including Chapter 47.42 RCW. (Ord. 10-02 § 3 (Exh. A), 2010; Ord. 2000-03 § 1, 2000)

Section 7: Amendment 6. The City Council amends EWMC 17.74.120 to read as follows.

17.74.120 Definitions.
A. “A-frame sign” or “sandwich board sign” means a two-faced, hinged in an A-frame style sign which is readily movable and has no permanent attachment to a building, structure or the ground.

B. “Abandoned sign” means any sign located on property that is vacant and unoccupied for a period of six months or more, or any sign which pertains to any occupant, business or event unrelated to the present occupant or use.

C. “Alteration of sign” means any construction material, size, or location change except for normal maintenance to an existing sign.
D. “Animation” means the presentation of pictorials and/or graphics on signs displayed in a progression of frames which give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light.

E. “Awning” means an architectural projection covered with cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use and is entirely supported from an exterior wall of a building.

F. “Awning or canopy sign” means any sign that is painted on or forms part of or is integrated into an awning or canopy and that does not extend beyond the limits of such awning or canopy. A marquee is not a canopy.

G. Building Elevation Wall Area. The area of the building elevation wall shall be calculated by multiplying the height of the building wall by the width of the wall. The height of the wall is represented by the vertical distance measured from the average elevation of the finished grade to the lowest point of the eave of the roof.

H. “Canopy” means a permanent roof-like structure providing protection from the elements, such as a service station gas pump island that is either entirely freestanding or attached to a building on one side with posts supporting the opposite side.

I. “Changing message center sign” means an electronically controlled sign where different automatic changing messages are shown on the lamp bank. This definition does not include time and temperature displays.

J. “Construction sign” means any sign used to identify the architects, engineers, contractors, or other individuals or firms involved with the construction of a building; and to show the design of the building or the purpose for which the building is intended.

K. “Drive-in restaurant” or “refreshment stand” means any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

L. “Directional sign” means a sign designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience, and may include incidental graphics such as trade names and trademarks but does not contain advertising or promotional information.

M. “Directory sign” means a sign listing the names, uses, addresses or locations of the various businesses or activities conducted within a
multi-tenant building or multi-tenant complex for the purpose of identification and direction only, and containing no advertising.

N. "Flashing or blinking sign" means an electric sign or a portion thereof (except changing message centers) which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the incandescent light source is off at any one time.

O. "Freestanding sign" means a sign permanently supported from the ground in a fixed location by a structure of poles, uprights, braces or monumental base and not supported by nor attached to a building. The base of such sign shall be located on the business property. Pole signs and monument signs are considered to be freestanding signs.

P. "Illuminated sign" means an electric sign or other sign employing the use of lighting sources for the purpose of decorating, outlining, accentuating or brightening the sign area.

1. Indirectly illuminated signs are signs that are illuminated from an external source that may or may not be attached to the sign.

2. Internally illuminated signs are signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than being reflected off the surface of the sign from an external source.

Q. "Informational sign" means an on-premises sign which is incidental and necessary for public safety and convenience and general information that has a purpose secondary to the use of the property on which it is located, such as restrooms, telephone, help wanted, hours of operation, acceptable credit cards, recycling containers, no trespassing, parking space designations (compact, handicapped, no parking, etc.), and vehicle impound signs required under RCW 46.55.070.

R. "Landscaping" means any material used as a decorative feature, such as shrubbery or planting materials, planter boxes, concrete bases, brick work, decorative framing or pole covers, used in conjunction with a sign which expresses the theme of the sign and related structure but does not contain advertising copy.

S. "Marquee" means a permanent roof-like structure extending from part of a wall of a building and supported solely by the building.

T. "Marquee sign" means any sign that forms part of or is integrated into a marquee and that does not extend beyond the limits of such marquee.

U. "Monument sign" means a freestanding sign permanently affixed to the ground by a wide, solid base that is the same or nearly the same
width as the sign face, with no open space between the sign and the ground.

V. "Mural" means a drawing or picture painted on a wall which contains no printed words and which depicts no logo or other business symbol.

W. "Multi-tenant complex" means all of the following: a group of separate buildings operating under a common name or ownership; a group of separate buildings which share a common lot, access and/or parking facility; a group of separate buildings on adjoining lots for which the property owners have requested in writing to be considered as a multi-tenant complex; a building or lot containing multiple dealership franchises or service support facilities; or a single building containing multiple tenant spaces where there are specific exterior pedestrian entrances for individual tenants.

X. "Nonconforming sign" means a sign which was legally installed under laws or ordinances in effect prior to the effective date of the ordinance codified in this chapter or subsequent revisions, but which is in conflict with the current provisions of this chapter.

Y. "Normal maintenance" means to restore a sign to a state comparable to its original condition within a reasonable period after decay or partial destruction except where repair involves a total replacement.

Z. "Off-premises sign" means a sign which advertises or promotes merchandise, service, goods, or entertainment which are sold, produced, manufactured or furnished at a place other than on the property on which the sign is located.

AA. "On-premises sign" means a sign incidental to a lawful use of the premises on which it is located, advertising the business transacted, services rendered, goods sold or products produced on the premises or the name of the business, person, firm, or corporation occupying the premises.

BB. "Parapet" means that portion of a building wall which extends above the roof of a building.

CC. "Projecting sign" means any sign, other than a wall sign, which projects from and is supported by a wall of a building or structure, excluding awnings.

DD. "Pole sign" means a freestanding sign permanently supported by one or more uprights, poles, pylons or braces in or on the ground, and is not defined as a monument sign. The base of such sign shall be located on the business property.
EE. "Political sign" means temporary signs for local, state or national purposes advertising a candidate or candidates for public elective office or a political party, signs urging a particular vote on a public issue or referendum decided by ballot, or signs expressing a noncommercial viewpoint.

FF. "Portable sign" means a sign that is capable of being moved easily and not permanently affixed to the ground, a structure, or a building (does not include sandwich board signs).

GG. "Reader board" means a sign on which different messages can be displayed.

1. A manual reader board includes messages which are changed by use of removable letters that must be physically placed and arranged on the sign. Messages are usually displayed for periods of 24 hours or longer.

2. Electronic reader boards utilize computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix, and may also enable changes to be made to messages from locations other than at the sign.

HH. "Real estate sign" means a sign that advertises the real estate on which it is located for rent, lease, or sale.

II. "Residential sign" means any sign located in a residential district that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service location conforms with all requirements of this title.

JJ. "Roof sign" means any sign erected upon, against, or directly above a roof or roof eave, or on top or above the parapet, or on a functional architectural appendage above the roof or roof eave which exceeds the highest point of a roof or parapet wall.

KK. "Sign" means a communication design, device, structure, or fixture that incorporates graphics, graphic designs, symbols, colors, figures, logos, trademarks, or written copy, for the purpose of conveying a particular message to public observers. Painted designs, murals, or patterns located on a building wall or roof which do not represent a
product, service or registered trademark/copyright, and which do not identify the user, are not considered signs.

LL. "Streaming video" means electronic video displays utilizing content in motion picture form similar to or otherwise depicting a television screen.

MM. "Substantial improvement" means any maintenance, repair, structural modification, addition or other improvement of a site, the cost of which within any 60-month period equals or exceeds 50 percent of the assessed value of the buildings on the site, either before the maintenance, repair, modification or addition is started or before the damage occurred, if the building has been damaged and is being restored.

NN. "Suspended sign" means a sign that hangs below the permanent overhang, marquee or canopy extending over public or private sidewalks, pedestrian way, or rights-of-way.

OO. "Temporary sign" means any sign, banner, pennant, valance, or advertising display constructed of cloth, paper, canvas, cardboard, and/or other light, nondurable materials. Types of display included in this category are: signs for grand openings, special sales, special events, and garage sales.

PP. "Wall sign" means any sign attached to or erected on the exterior wall of the building with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall of the building, projecting less than 12 inches and not extending above the eave line. The top of a parapet wall shall be considered the eave line. The lowest part of a mansard-style roof shall be considered the eave line. Where a parapet wall is combined with a mansard roof, the eave line shall be the top of the parapet.

QQ. "Window sign" means any sign that is painted or mounted onto either side of an exterior windowpane or within three feet of an exterior window. Also, any sign that is hung inside the window with the intent of being visible from the exterior in a more than incidental manner, including advertisements for services or products in the form of decals, emblems, paint, exposed neon, banners, etc. If inside the window, the sign message must be visible from the exterior to be considered a window sign. The term does not include merchandise located within three feet of a window. (Ord. 10-02 § 3 (Exh. A), 2010; Ord. 2000-03 § 1, 2000)

Section 8: Findings of Fact. The City Council adopts the following the findings of fact and conclusions.

(1) Findings of Fact
1. The City of East Wenatchee ("City") commercial area serves as the commercial center of Douglas County and the surrounding rural and urban area.

2. The City adopted comprehensive sign standards in 2000, codified as Chapter 17.74 EWMC. The purpose of a sign ordinance is to protect the health, safety, property and welfare of the citizens of the city by establishing standards for the structural design, placement, size and maintenance of all signs and sign structures in the city.

3. The proposal is a text amendment to the East Wenatchee Municipal Code chapter 17.74 – Sign Code intended to increase the allowance for freestanding signage for multi-tenant complexes based upon property frontage; add auto dealers to the definition of multi-tenant complexes; increase the height of freestanding signs to 30 feet; expand sandwich board signs regulations; and other housekeeping changes.

4. Douglas County has adopted city codes for application within the unincorporated areas located inside the urban growth area (UGA) boundary. Any amendments adopted by the city are subsequently adopted by Douglas County. The proposal will be applicable within the residential and commercial zoning districts in the City of East Wenatchee, WA and the unincorporated area of Douglas County within the Greater East Wenatchee Urban Growth Area.

5. The City adopted a comprehensive plan in accordance with the Growth Management Act (GMA), RCW Chapter 36.70A, which is a generalized, coordinated land use policy statement of the City. The Greater East Wenatchee Area Comprehensive Plan (March 2012) includes policies that encourage the development of consistent design standards for signage and stresses visual appeal and community attractiveness.

6. Chapters 35A.63 and 36.70A RCW authorize the City to adopt development regulations governing land use activities.

7. The City hereby finds that this development regulation amendment is consistent with the spirit and intent of the GMA.

8. Standards and criteria permit and encourage the design of signs which are responsive to the needs of the public in locating a business establishment by identifying the business and the product and/or services provided.

9. The proposed text amendments clarify and add standards and provisions for various signs and more properly relate the
number and height of signs in relation to the scale of a proposed project.

10. An Environmental Checklist was prepared on January 10, 2014. A threshold determination and environmental review pursuant to RCW 43.21C the State Environmental Policy Act was completed and a Determination of Non-significance (DNS) was issued on January 10, 2014.

11. In accordance with the provisions of RCW 36.70A, the proposed development code amendment has been transmitted to the Washington State Department of Commerce and other state agencies on January 10, 2014 initiating the state review and comment period. Expedited review was requested.

12. Expedited review was granted by Commerce on January 27, 2014.

13. The East Wenatchee Planning Commission has reviewed the entire record including the goals and policies of the comprehensive plan and public testimony as it relates to the proposed development regulations.

(2) Conclusions

1. The processing of the proposal complies with the procedural and substantive requirements of the State Environmental Policy Act, chapter 43.21C RCW.

2. The processing of the proposal complies with the procedural requirements of RCW 36.70A.

3. It is the determination of the responsible lead agency that no more than a moderate effect on the environment is a reasonable probability as a result of the proposed action. The proper exercise of the threshold determination process as required by WAC 197-11 is than an environmental impact statement is not required to be prepared for this project.

4. The proposed text amendment is consistent with and implements the goals and policies in the comprehensive plan.

5. Proper legal requirements of RCW 36.70A.106 and Title 19 EWMC were met and the community was given the opportunity to comment on the proposal at duly noticed public workshops and a public hearing.

6. Approval of the proposal will not be detrimental to the public health, safety, and general welfare.

Section 9: Severability. If a court of competent jurisdiction declares any provision in this Ordinance to be contrary to law, such declaration shall not affect the validity of the other provisions of this Ordinance.

Ordinance 2014-03
Sign Code Amendments
Section 10: **Publication.** The City Council directs the City Clerk to publish a summary of this Ordinance. The summary shall consist of the title of this Ordinance

Section 11: **Effective Date.** This Ordinance becomes effective five days after the date its summary is published.

Passed by the City Council of East Wenatchee, at a regular meeting thereof on **11th day of February, 2014.**

CITY OF EAST WENATCHEE,
WASHINGTON

By

Steven C. Lacy, Mayor

ATTEST:

Dana Barnard
Dana Barnard, City Clerk

APPROVED AS TO FORM ONLY:

Bevin Poulson, City Attorney

FILED WITH THE CITY CLERK: 2/5/2014
PASSED BY THE CITY COUNCIL: 2/11/14
PUBLISHED: 2/14/14
EFFECTIVE DATE: 2/19/14
SUMMARY OF ORDINANCE NO. 2014-03
Of the City of East Wenatchee, Washington

On the 11th day of February, 2014, the City Council of the City of East Wenatchee, Washington, passed Ordinance No. 2014-03. A summary of the content of said Ordinance, consisting of the title, provides as follows:

An ordinance of the City of East Wenatchee, Washington, amending the East Wenatchee Municipal Code sections 17.74.030, 17.74.050, 17.74.060, 17.74.080, 17.74.110, 17.74.120 – Sign Code - expand sandwich board and garage sale signs regulations, increase the allowance and the height of freestanding signs, clarify nonconforming sign regulations, add definitions, and other general housekeeping changes, containing a severability clause, and establishing an effective date.

The full text of this Ordinance will be mailed upon request.

Dated: February 11, 2014

CITY CLERK, DANA BARNARD