

## **EXHIBIT O: Docket Item 14-10D**

**14-10D Kittitas County Proposal:**

**Amend Kittitas County Code in Adding Chapter 17.70, Sign Regulations and Repealing Chapter 17.72, thereby Creating a New Sign Ordinance**

### **Exhibit O**

Ordinance 2014-015 Kittitas County Comprehensive Plan and Development Code Update

December 2, 2014

Page O-1

Kittitas County Code Title 17, Zoning, is amended with a New Chapter 17.70, Signs, as follows:

## **Title 17 | ZONING\***

### **Chapters**

- | [17.70 Signs](#)
- | [17.72 ~~Signs~~ Repealed](#)

### **Chapter 17.70** **SIGNS**

#### **Sections**

- [17.70.010 Purpose.](#)
- [17.70.020 Applicability](#)
- [17.70.030 Definitions](#)
- [17.70.040 Exempt signs](#)
- [17.70.050 Prohibited signs](#)
- [17.70.060 General regulations. .](#)
- [17.70.070 Specific sign regulations.](#)
- [17.70.080 Nonconforming signs.](#)
- [17.70.090 Administration and enforcement.](#)
- [17.70.100 Maintenance and termination of signs..](#)

#### **17.70.010 Purpose.**

The purpose of this chapter is to accommodate and promote signs by providing minimum standards to safeguard life, health, and visual quality. This is accomplished by regulating and controlling the number, size, design, construction and location of all signs and sign structures. This chapter is further intended to preserve and improve the appearance of the County as a place to live and as an attraction to nonresidents who want to visit or do business. It encourages sound signing practices as an aid to business and public information while preventing excessive, confusing sign displays.

#### **17.70.020 Applicability.**

1. No sign governed by the provisions of this chapter shall be erected, structurally altered, relocated, or have its illumination characteristics changed or relocated by any person, firm or

## **Exhibit O**

Ordinance 2014-015 Kittitas County Comprehensive Plan and Development Code Update

December 2, 2014

Page O-2

corporation without a permit from the department. Sign permits shall be processed pursuant to KCC Section 15A.03 Project Permit Application Review.

2. No permit shall be required for repainting, cleaning, or other normal maintenance and repair of a sign, or for sign face and copy changes that do not alter the size or structure of the sign.

### **17.70.030 Definitions.**

1. "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.
2. "Building face" is the exposed building front or exposed exterior wall, including windows and doors, of a building from the grade of the building to the eave line or parapet and the entire width of the building elevation.
3. "Building side" is a surface of a building that extends more or less perpendicularly from an observer standing in front of a building.
4. "Canopy" is a freestanding permanent roof-like structure composed of rigid materials providing protection from the elements that may have support columns and/or it may be supported in whole or in part by an adjacent structure.
5. "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.
6. "Changing message center sign" means an electronically controlled sign where different automatic changing messages are shown on the lamp bank. This definition includes time and temperature displays.
7. "Directional sign" means signs indicating entrances, exits, service areas, loading only, and parking areas, and which do not contain advertising or promotional information.
8. "Electronic display systems" means an outdoor advertising sign, display, or device whose message may be changed by electrical or electronic process, and includes the device known as the electronically changeable message center for advertising on-premises activities.
9. "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.
10. "Freestanding sign" means any sign supported by one or more uprights, poles or braces in or upon the ground and that are independent from any building or other structure.
11. "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.
12. "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.
13. "Monument signs" means a sign permanently affixed to the ground by a wide, solid base that is nearly the same width as the sign face.
14. "Multiple building complex" means a group of structures containing two or more retail, office and/or commercial uses sharing the same lot, access and/or parking facilities, or a coordinated site plan. For purposes of this section, each multiple building complex shall be considered a single use.

## **Exhibit O**

Ordinance 2014-015 Kittitas County Comprehensive Plan and Development Code Update

December 2, 2014

Page O-3

15. "Multiple tenant building" means a single structure housing two or more retail, office, or commercial uses. For purposes of this section, each multiple tenant building shall be considered a single use.
16. "Off-premises sign" means a sign which advertises or promotes merchandise, service, goods, or entertainment which is sold, produced, manufactured or furnished at a place other than on the property on which the sign is located.
17. "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.
18. "Outdoor advertising signs and billboards" means any card, paper, cloth, metal, wooden or other display or device of any kind or character, including but not limiting the same to any poster, bill, printing, painting or other advertisement of any kind whatsoever, including statuary, placed for outdoor advertising purposes on or to the ground or any tree, wall, rack, fence, building, structure or thing. Outdoor advertising signs and billboards does not include:  
A. Official notices issued by any court or public body or officer;  
B. Notices posted by any public officer in performance of a public duty or by any person in giving legal notice;  
C. Directional, warning or information structures required by or authorized by law or by federal, state, county or city authority.
19. "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.
20. "Sight triangle" means areas along intersection approach legs and across their included corners where obstructions may cause a driver's view of approaching vehicles to be blocked. Object heights are limited in the sight triangle in accordance with current AASHTO standards
21. "Sign" means any communication device, structure, or fixture (including the supporting structure) that identifies, advertises and/or promotes an activity, product, service place, business, or any other use.
22. "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 displays included in this category are signs for grand openings, special sales, special events, and garage sales.
23. "Wall sign" means any sign attached to or painted directly on the wall, or erected against and parallel to the wall of a building, not exceeding more than twelve inches from the wall.
24. "Window sign" means any sign placed upon or painted on the interior or exterior surface of a window or placed inside the window within three feet of the window surface, which faces the outside and which is intended to be seen primarily from the exterior.

#### **17.70.040 Exempt signs.**

The following signs do not require a permit and are exempt from the application, permit, and fee requirements of this Title. This 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 or other applicable law or ordinances.

1. Official flags, emblems and/or insignia and including the flagpole of any governmental unit and internationally or nationally recognized organizations;

## **Exhibit O**

Ordinance 2014-015 Kittitas County Comprehensive Plan and Development Code Update

December 2, 2014

Page O-4

2. Official and legal notices by any court, public body, persons or officer in performance of a public duty, or in giving any legal notice;
3. Directional, warning, regulatory, or information signs or structures required or authorized by law; or by federal, state, county, or city authority;
4. Political signs not exceeding thirty-two (32) square feet which, during a campaign, advertise a candidate for public elective office, a political party, or promote a position of a public issue, provided such signs are not posted in a county right-of-way and are removed within thirty days following the election;
5. Construction and real estate signs not exceeding thirty-two (32) square feet in area;
6. All temporary signs, provided such signs shall not be displayed for more than sixty (60) days, and provided they do not exceed thirty-two square (32) feet in area;
7. Structures intended for a separate use such as phone booths, donation collection containers or other similar structures;
8. Gravestones;
- 4.9. Non-commercial artistic images painted on or affixed to a building, including barn quilts & old commercial signs as long as the intent of the sign is that of decoration and not advertisement;
10. Farm, ranch, or single family residence identification sign;
11. Painting or repainting an advertising structure; changing the advertising copy message thereon, unless structural change is made; or replacing the illumination bulbs or equipment on a sign without changing illumination characteristics.
12. One sign less than four (4) square feet in area not otherwise addressed within this chapter;
13. Farm product identification signs, provided they do not exceed ten (10) square feet in area;
14. Grand openings and special event signs not exceeding thirty-two (32) square feet which would include banners, streamers and temporary signs, provided they do not exceed a period of more than thirty-five (35) days, and provided they do not obstruct pedestrian or vehicular travel;
15. One (1) A-frame or sandwich board sign, provided the sign is no taller than forty-eight (48) inches and no wider than thirty (30) inches, and provided that one (1) such sign shall be allowed per business/use and only be placed in front of that business/use during business hours.

**17.70.050 Prohibited signs.**

The following signs and sign components are prohibited:

1. Signs which purport to be, are an imitation of, or resemble an official traffic sign or signal, or which obstruct the visibility of any such signal, or which could cause confusion with any official sign or signal;
2. Signs attached to utility poles, street lights, and traffic control standard poles;
3. Signs attached to trees, or painted or drawn upon rocks or other natural features.
4. Signs in a dilapidated or hazardous condition;
5. Abandoned signs;
6. Signs on doors, windows, fire escapes or pedestrian paths that restrict free ingress, egress or movement;
7. Flashing/blinking signs, except electronic display systems as defined in Section 17.72.030;

**Exhibit O**

8. Signs placed within a right-of-way or projecting over public rights-of-way, roads, streets or sidewalks;
9. Signs with animated or moving parts.
10. Beacons;
11. Inflatable signs.
12. Swooper advertising flags or banners

**17.70.060 General regulations.**

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

1. Development Standards.

- a. Construction shall satisfy the requirements of KCC Title 14 and the International Codes.
  - b. All signs, together with their supports, braces, and guys, shall be maintained in a safe and secure manner.
  - c. Except for exempt signs as provided in KCC Section 17.72.030, 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.
  - d. The ratio of the area of the sign support, framing structure and/or other decorative features which contain no written or advertising copy to the sign cabinet shall not be greater than one to one (1 to 1).
  - e. Setbacks. All signs shall be at least ten (10) feet from the front property line, but must be setback additional distance if right of way extends onto property so that the sign is no closer than ten (10) feet from the edge of the right of way.
  - f. Sight Triangles: Signs must be located in conformance with KCC Section 12.04.030.E for sight triangles.
  - g. Height. Except where allowed or restricted otherwise in this chapter, all signs and supporting structures shall be no higher than the allowed building height in the applicable zoning district.
  - h. Projecting, hanging, and awning signs shall maintain a minimum clearance of eight (8) feet above the finished grade.
2. 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.
3. Computations. The following principles shall control the computation of sign area and sign height:
- a. 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 any supporting framework, bracing, or decorative fence or wall that is clearly incidental to the display itself.

**Exhibit O**

- b. 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, the sign area shall be computed by the measurement of one of the faces. No greater than two (2) faces are permitted per freestanding sign.
  - c. Height. The height of a sign shall be computed as the 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. In cases in which the normal grade cannot reasonably be determined, or the property is improved with curbs and gutters, sign height shall be computed on the assumption that the elevation of the normal grade at the sign is equal to the average elevation of the roadway within fifty (50) feet in either direction of the proposed sign.
4. Number of signs.
- a. Only one (1) monument sign is allowed on each frontage, including for multi-tenant buildings, provided it is not located on the same street frontage as an allowed freestanding sign.
  - b. Only one (1) freestanding sign is allowed on each frontage, including for multi-tenant buildings, provided it is not located on the same street frontage as an allowed monument sign.
  - c. Single or multiple occupancy buildings whose premises extend through a block to face on two (2) parallel or nearly parallel roads with customer entrances on each road are permitted one (1) freestanding sign or monument sign per road frontage; provided, that each freestanding sign or monument sign is located on different road frontages. Where a multi-tenant development does not abut a public street frontage, one (1) multi-tenant sign shall be allowed. However, no signs shall be permitted on roads abutting residential districts.
  - d. Unless otherwise addressed in this chapter, the number of wall or window signs shall not be limited as long as the maximum sign surface area per building face is not exceeded.
  - e. Only one (1) suspended and/or projecting sign shall be permitted per exterior building entrance;
  - f. One (1) suspended and/or projecting sign per business shall be allowed under a canopy.
5. Any signs visible from a Washington State-designated scenic byway shall comply with the requirements of Chapter 47.42 RCW and other applicable state requirements, as administered by the appropriate state agency, including any permitting required by the Washington State Department of Transportation.
6. One (1) informational sign per business or use may be permitted indicating the use or business name and the direction in which it is located. The name or logo may be listed but shall not be the primary focus or feature of the sign. Such signs may be a maximum of four (4) feet in height.

**17.70.070 Specific sign regulations.**

All permitted signs shall comply with one of the following types of structural and/or construction-related requirements:

**Exhibit O**

1. Monument Signs

- a. Unless otherwise permitted herein, each monument sign shall be no larger than thirty-two (32) square feet;
- b. Unless otherwise permitted herein, each monument sign shall be no taller than forty-two (42) inches above street grade when located within the sight triangle, and no taller than seventy-two (72) inches above finished grade when located outside of the sight triangle;
- c. Monument signs shall be constructed as ground-mounted signs with the message component of the sign located above the average ground elevation and attached to the ground by means of a wide base of solid appearance.

2. Freestanding Signs

- a. Unless otherwise permitted herein, each freestanding sign shall be no larger than thirty-two square feet (32); except that a multi-tenant freestanding signs shall not exceed a maximum of one hundred fifty (150) square feet in area.
- b. The maximum size for outdoor advertising signs shall be thirteen (13) feet in height and twenty-five (25) feet in length or three hundred twenty-five (325) square feet in area, including border and trim, but excluding supports, In no case shall more than two signs outdoor advertising signs be permitted on the same lot.

3. Wall or Window Signs

- a. Signs attached to a building shall not project above the roof line;
- b. Wall signs shall not extend more than twelve (12) inches out from wall, and shall be mounted parallel with the building face;
- c. Each wall and/or window sign, calculated together for any single building face, shall not exceed the figures derived from the following table:

<b><u>Building Face</u></b>	<b><u>Maximum Sign Surface Area Per Building Face</u></b>
<u>Below 100 square feet</u>	<u>Up to 12 square feet.</u>
<u>100 – 200 square feet</u>	<u>Up to 20 square feet, not to exceed 10% of the building face.</u>
<u>201 – 500 square feet</u>	<u>Up to 42 square feet, not to exceed 10% of the building face.</u>
<u>501 – 1,000 square feet</u>	<u>Up to 75 square feet, not to exceed 10% of the building face</u>
<u>1,001 – 1,500 square feet</u>	<u>Up to 150 square feet, not to exceed 10% of the building face.</u>
<u>1,501 – 3,000 square feet</u>	<u>Up to 169 square feet, not to exceed 10% of the building face; and also provided that no single sign shall exceed 160 square feet.</u>
<u>Over 3,001 square feet</u>	<u>Up to 214 square feet, not to exceed 10% of the building, face; and also provided, that no single sign shall exceed 160 square feet.</u>

4. Suspended and Projecting Signs

**Exhibit O**



- a. No signs shall project into the public right of way.
- b. Projecting signs may be placed in lieu of freestanding signs. Projecting signs are limited to one-half of the size of a freestanding sign.
- c. The size of a suspended and/or projecting sign shall not exceed four (4) square feet;
- d. Each suspended and/or projecting sign shall have at least two (2) attachments to the building from which they project and such other guy wires, chains, or cables as may be deemed necessary by the county building official. Additional attachments may be required based on required engineering;
- e. Any projecting sign located under the canopy shall be mounted perpendicular to the building face. It shall be attached to the building and in no case shall a projecting sign be attached to the canopy posts;
- f. Each projecting sign shall not project more than five feet from the building face for an individual business. The structure around or supporting the sign, such as wrought iron work, shall not be included in the total sign area;
- g. All guy wire supports shall be engineered and reviewed and approved by the county building official. No guy wires shall be spread at an angle less than twenty-five degrees and shall be fastened with approved expansion bolts to a solid brick or stone wall or by machine screws in an iron building face, or by light screws if the building face is solid woodwork.

5. Off-Premises directional signs.

- a. The maximum height of an off-premises directional sign shall not exceed ten (10) feet from the ground level at its base.
- b. The maximum sign dimensions for an off-premises directional sign shall be four (4) feet in height and eight (8) feet in length, excluding supports and foundations, for a total maximum sign area of thirty-two (32) square feet per face. Off-premises directional signs may be either single-faced or doublefaced.
- c. Lighting. Lighting on off-premises directional signs shall be for the sole purpose of illuminating the advertising message on the display surface and shall not constitute any part of the message itself, directly or indirectly. There shall be no blinking, flashing or fluttering lights. All lighting shall be directed towards the display surface and shall not create a hazard to motorists or a nuisance to adjoining property owners.
- d. State Scenic Byways. All off-premises directional signs visible from Washington State-designated scenic byway shall comply with the requirements of Chapter 47.42 RCW Highway Advertising Control Act and other applicable state requirements, as administered by the appropriate state agency.
- e. Location Restrictions.
  - i. Four (4) off-premises directional signs may be located within a six hundred (600) foot diameter from a public road intersection; provided, that a greater distance may be required if the county finds that a specific off premises directional sign at a specific location will obstruct or physically interfere with a motorist's view of approaching, merging or intersection traffic.
  - ii. Off-premises directional signs shall not be located on a public right-of-way.
  - iii. Off-premises directional signs shall not be less than fifteen (15) feet from the outside edge of the public right-of-way.

**Exhibit O**

- iv. An off-premises directional sign shall not be located within six hundred (600) feet of another sign on the same side of the street (excepting for road intersections described above). Back-to-back and v-type sign structures shall be considered one sign structure.
- v. Off-premises directional signs shall not be permitted as roof signs.
- vi. Off-premises directional signs shall not block the public visibility of any on-premises signs or the visibility for motorists of any official traffic sign, signal or device.

#### 6. Informational Signs

- a. Signs may be used to indicate entrances, exits, parking areas, or drive-throughs to aid customers in circulation within parking lots. Signage shall be limited to a maximum of one sign per circulation component. The maximum size is four (4) feet in height. The name of the business or business logo may be listed but shall not be the primary focus or feature of the sign.

#### 7. Signs for Seasonal Agricultural Sales

Farm stands dealing primarily in fresh, perishable produce, for any continuous period not to exceed six (6) months in any one calendar year, may have any number of signs; provided that:

- a. The signs are affixed to the building within which the produce is sold;
- b. No such single sign shall exceed four hundred (400) square feet;
- c. The premises shall be permitted one additional freestanding, two-sided sign not to exceed two hundred fifty (250) square feet on each side and located not more than fifty feet (50) from the building in which the produce is sold;
- d. No sign on the building shall advertise any produce unless the produce is immediately available for sale on the premises; and
- e. At the end of the six-month period all additional signs permitted by this section shall be promptly removed and stored out of view. (Res. 83-10, 1983)

#### **17.70.080 Nonconforming signs.**

Any sign lawfully existing under all codes and regulations prior to the adoption of this chapter may be continued and maintained as a legal nonconforming sign, provided:

1. No sign shall be changed in any manner that increases its noncompliance with the provisions of this chapter;
2. If the sign is structurally altered or moved, its legal nonconforming status shall be void and the sign will be required to conform to the provisions of this chapter;
3. The sign is not hazardous or abandoned;
4. The burden of establishing the legal nonconformity of a sign under this section is the responsibility of the person or persons, firm, or corporation claiming legal status of a sign. An asserted nonconformity shall be approved or denied by the director under advice from the County Prosecutor.

#### **17.70.090 Administration and enforcement**

Administration and enforcement of the provisions of this chapter shall be as established in Title 15A, Project Permit Application Process and Title 18A Code Enforcement.

## **Exhibit O**

**17.70.100 Maintenance and termination of signs.**

1. All signs shall be maintained in their original condition and the display surface shall be neatly painted or posted at all times. (Res. 83-10, 1983)
2. The right to maintain any sign shall terminate and shall cease to exist whenever the sign is:
  - A. Damaged or destroyed beyond fifty percent of the cost of replacement, as determined by the director; or
  - B. Structurally substandard to the extent that the sign becomes a hazard or a danger to the public health, safety, and welfare as determined by the appropriate review authority.

**Chapter 17.72  
SIGNS**

**Sections**

~~17.72.010 Applicability.~~

~~17.72.020 Purpose.~~

~~17.72.030 Definitions.~~

~~17.72.040 Setback restrictions.~~

~~17.72.050 Erection or painting on natural features prohibited.~~

~~17.72.060 Obstruction of driver's view prohibited.~~

~~17.72.070 Flashing or moving lights prohibited.~~

~~17.72.080 Moving signs or parts prohibited.~~

~~17.72.090 Maintenance.~~

~~17.72.100 Encroachment of county property—Indemnity.~~

~~17.72.110 Near intersection, railroad crossing or centerline—Restrictions.~~

~~17.72.120 Distance from right of way edge—Measurement.~~

~~17.72.130 Height, length and area.~~

~~17.72.140 Erection over property or right of way—Owner permission required.~~

~~17.72.150 Removal when function or business ceases.~~

~~17.72.160 State or federal prohibition not overridden.~~

~~17.72.170 Produce stands—Exemptions and requirements.~~

~~17.72.180 Permitted signs—Protected or scenic areas.~~

~~17.72.190 Permitted signs—R and UR and RR zones.~~

~~17.72.200 Permitted signs—A, C or I zones.~~

~~17.72.210 Prohibited signs declared nuisance.~~

~~17.72.220 Removal notice—Noncompliance deemed misdemeanor—Remedies.~~

~~17.72.230 Removal notice—Owner not located—Property posting and sign abatement.~~

~~17.72.240 Existing signs deemed nonconforming.~~

~~17.72.250 Class 3 or 4 sign—Permit required—Application—Contents.~~

~~17.72.260 Class 3 or 4 sign—Permit—Expiration and renewal.~~

~~17.72.270 Class 3 or 4 sign—Permit—Application fees—Term—Report of changes—Revocation—Renewal withheld when.~~

**17.72.010 Applicability.**

This chapter shall apply to the entire county. (Res. 83-10, 1983)

**17.72.020 Purpose.**

The erection and maintenance of outdoor advertising signs should be controlled in order to promote the

**Exhibit O**

Ordinance 2014-015 Kittitas County Comprehensive Plan and Development Code Update

December 2, 2014

Page O-11

public health, safety and welfare; to promote the safety and recreational value of public travel; and to preserve the natural beauty of the county. (Res. 83-10, 1983)

#### **17.72.030 Definitions:**

1. ~~"Centerline of the highway" means the line equidistant from the edges of the median separating the main traveled ways of the divided interstate highway, or the centerline of the main traveled way of any highway.~~
2. ~~"Commission" means the Kittitas County planning commission.~~
3. ~~"Entrance roadway" means any public road or turning roadway including acceleration lanes, by which traffic may enter the main traveled way of an interstate highway from the general road system within a state, irrespective of whether traffic may also leave the main traveled way by such road or turning roadway.~~
4. ~~"Erect" means to construct, build, raise, assemble, place, affix, create, paint, draw, or in any other way bring into being or establish.~~
5. ~~"Exit roadway" means any public road or turning roadway including deceleration lanes, by which traffic may leave the main traveled way of an interstate highway to reach a general road system within a state, irrespective of whether traffic may also enter the main traveled way by such road or turning roadway.~~
6. ~~"Interstate system" means any highway which is or does become a part of a national system in interstate and defense highways as described in Section 103(d) of Title 23, United States Code, or which has been on the effective date of the ordinance codified herein, or which is after the effective date of the ordinance codified herein, established as such by the Washington State Highway Commission, pursuant to RCW 47.52.~~
7. ~~"Legible" means capable of being read without visual aid by a person of normal visual acuity.~~
8. ~~"Maintain" means to allow to exist.~~
9. ~~"Off premises sign" means a sign advertising goods, services or activities, manufactured, produced, conducted or available at a premises other than the premises where the sign is situated.~~
10. ~~"On premises sign" means a sign located on the premises, advertising goods, services or activities, manufactured, produced, conducted or available on the premises.~~
11. ~~"Person" means this county or any public or private corporation, firm, partnership, association, as well as any individual or individuals.~~
12. ~~"Protected area" means all lands adjoining or adjacent to the interstate system or any state highway or county road which has been or shall hereafter be so designated by the board of county commissioners and which is within two thousand six hundred forty feet of the edge of the right of way of said road.~~
13. ~~"Scenic area" means all land adjoining or adjacent to a state highway and within two thousand six hundred forty feet of the edge of the right of way within any public park, federal forest area, public beach, or public recreation area, national monument, and any state highway or portion thereof outside the boundaries previously existing on March 11, 1961, of any incorporated city or town designated by the state legislature as a scenic area.~~

## **Exhibit O**

Ordinance 2014-015 Kittitas County Comprehensive Plan and Development Code Update

December 2, 2014

Page O-12

14. ~~"Sign" means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or anything which is designed, intended or used to advertise or inform, or any part of the advertising or informative contents of which is visible from any place on the main-traveled way of the interstate system, state highway or any other county road. Also included in the meaning of the term are the definitions at Chapter 17.08 under Outdoor Advertising Signs and Billboards.~~
15. ~~"State highway" means any primary or secondary state highway.~~
16. ~~"Electronic display systems" means an outdoor advertising sign, display, or device whose message may be changed by electrical or electronic process, and includes the device known as the electronically changeable message center for advertising on premise activities. (Ord. 90-11 § 1, 1990; Res. 83-10, 1983)~~

**~~17.72.040 Setback restrictions.~~**

~~All signs shall comply with setback restrictions pertaining to structures as set forth in each zone. (Res. 83-10, 1983)~~

**~~17.72.050 Erection or painting on natural features prohibited.~~**

~~Signs shall not be erected or maintained upon trees or painted or drawn upon rocks or other natural features. (Res. 83-10, 1983)~~

**~~17.72.060 Obstruction of driver's view prohibited.~~**

~~Signs shall not prevent the driver of a vehicle from having a clear and unobstructed view of official signs and encroaching or merging traffic. (Res. 83-10, 1983)~~

**~~17.72.070 Flashing or moving lights prohibited.~~**

~~Signs shall not contain, include or be illuminated by any flashing, intermittent or moving light or lights, except electronic display systems as defined in Section 17.72.030. (Ord. 90-11 § 2, 1990; Res. 83-10, 1983)~~

**~~17.72.080 Moving signs or parts prohibited.~~**

~~Signs shall not move or have any animated or moving parts. (Res. 83-10, 1983)~~

**~~17.72.090 Maintenance.~~**

~~All signs shall be maintained in their original condition and the display surface shall be neatly painted or posted at all times. (Res. 83-10, 1983)~~

**~~17.72.100 Encroachment of county property – Indemnity.~~**

~~When a sign projects over a right-of-way or in any other way encroaches upon county property, the owner of the sign shall file with the county planner a written agreement to save the county harmless on account of any damage or injuries sustained as a result of the negligent construction, operation or maintenance of such sign, and shall submit proof that he is protected by liability and property damage in a sum of not less than fifty thousand dollars property damage and three hundred thousand dollars for personal injuries. (Res. 8310, 1983)~~

**~~17.72.110 Near intersection, railroad crossing or centerline – Restrictions.~~**

~~Only signs of Class 1 and Class 2 shall be erected or maintained within three hundred feet of the intersection of any county road with another county road or any railroad crossing or within eighty feet of the centerline or right-of-way of any county road; provided that such signs when located within the above distances shall not exceed four square feet in area. (Res. 83-10, 1983)~~

**Exhibit O**

Ordinance 2014-015 Kittitas County Comprehensive Plan and Development Code Update

December 2, 2014

Page O-13

**~~17.72.120 Distance from right-of-way edge—Measurement.~~**

~~Distance from the edge of a right-of-way shall be measured horizontally along a line normal or perpendicular to the centerline of the highway. (Res. 83-10, 1983)~~

**~~17.72.130 Height, length and area.~~**

~~No sign may be permitted to exceed thirteen feet in height or twenty-five feet in length or three hundred twenty-five square feet in area, including border and trim, but excluding supports, provided that on-premises signs are exempt from the provisions of this section but shall not exceed a total area of four hundred square feet. In no case shall more than two signs exceeding fifty square feet each in area be permitted on a lot. (Res. 83-10, 1983)~~

**~~17.72.140 Erection over property or right-of-way—Owner permission required.~~**

~~No sign shall be erected or maintained on or over private or public property or right-of-way without the written permission of the property owner or proprietor of the land. (Res. 83-10, 1983)~~

**~~17.72.150 Removal when function or business ceases.~~**

~~Any person who owns or leases a sign shall remove such sign when either the function or business it advertises has ceased. (Res. 83-10, 1983)~~

**~~17.72.160 State or federal prohibition not overridden.~~**

~~Nothing in Sections 17.72.040 through 17.72.150 shall be construed to permit the erection of signs which are prohibited by state or federal law or any amendment thereto. (Res. 83-10, 1983)~~

**~~17.72.170 Produce stands—Exemptions and requirements.~~**

~~Regardless of the provisions in Section 17.72.130, produce stands dealing primarily in fresh, perishable produce, for any continuous period not to exceed six months in any one calendar year, may have any number of signs; provided that:~~

- ~~1. The signs are affixed to the building within which the produce is sold;~~
- ~~2. No such single sign shall exceed four hundred square feet;~~
- ~~3. The premises shall be permitted one additional freestanding, two-sided sign not to exceed two hundred fifty square feet on each side and located not more than fifty feet from the building in which the produce is sold;~~
- ~~4. No sign on the building or the freestanding sign shall advertise any produce unless the produce is immediately available for sale on the premises; and~~
- ~~5. At the end of the six-month period all additional signs permitted by this section shall be promptly removed and stored out of view. (Res. 83-10, 1983)~~

**~~17.72.180 Permitted signs—Protected or scenic areas.~~**

~~Only the following signs may be erected or maintained in protected or scenic areas:~~

- ~~1. Class 1—Official Signs. Direction or other official signs or notices erected and maintained by public officers or agencies pursuant to and in accordance with direction or authorization contained in state or federal law, for the purpose of carrying out an official duty or responsibility are permitted.~~
- ~~2. Class 2—For Sale or Lease and Other Miscellaneous Signs. Signs not prohibited by state law which are consistent with the applicable provisions of these regulations and which advertise the sale or lease of the real property where the signs are located, or advertise candidates for election~~

**Exhibit O**

~~to public office, or provide information relating to the premises on which they are located, are permitted.~~

- ~~3. Class 3—Any on-premises or off-premises sign located upon property which has been affirmatively zoned commercial or industrial by the board is permitted.~~
- ~~4. Class 4—Governmental Information Signs. Information signs may be erected and maintained by any city or town. Signs which comply with setback restrictions for county roads directed to travelers on such roads may be permitted. (Res. 83-10, 1983)~~

**17.72.190 Permitted signs—R and UR and RR zones.**

Only the following signs may be erected or maintained in R and UR and RR zones:

- ~~1. A sign advertising the sale or rental of a premises or a sign advertising material or workmanship used in constructing or repairing or improving a permitted structure, not artificially illuminated, of a temporary nature with a maximum area on each side of eight square feet when erected at least ten feet behind the property line;~~
- ~~2. A sign advertising the sale of a tract of land or legally approved subdivision or development, not artificially illuminated, of a temporary nature, with a maximum area on each side of thirty two feet square when erected at least ten feet behind the property line;~~
- ~~3. A sign stating the name of the owner or occupant of the property, not artificially illuminated, with a maximum area of four square feet on one (each) side;~~
- ~~4. Upon property zoned for conditional use, or a trailer park or clinic, a sign pertaining to such use, limited to not more than ten square feet in area; a sign not exceeding four square feet in area giving direction or listing the name of physicians or dentists;~~
- ~~5. There shall be permitted upon any property in UR and RR zone, not more than two signs containing not more than six square feet per sign, advertising the sale of products grown upon the same property. (Ord. 2007-22, 2007; Res. 83-10, 1983)~~

**17.72.200 Permitted signs—A, C or I zones.**

~~The following signs only may be erected or maintained in A (agricultural), C (commercial) or I (industrial) zones: any sign conforming to the general regulations in Sections 17.72.040 through 17.72.170; provided that no sign shall be legible from any adjoining R (residential) UR (urban residential) or RR (rural residential) zone, nor shall it use any lighting which shall unreasonably interfere with any use permitted in such zones. (Ord. 2007-22, 2007; Res. 8310, 1983)~~

**17.72.210 Prohibited signs declared nuisance.**

~~Any sign erected or maintained contrary to the provisions of this chapter is a public nuisance and the commission or the county sheriff shall notify the permittee, or, if there is no permittee, the owner of the property on which the sign is located, by registered mail at his last known address, that it constitutes a public nuisance and must comply with this chapter or be removed. (Res. 83-10, 1983)~~

**17.72.220 Removal notice—Noncompliance deemed misdemeanor—Remedies.**

~~If the permittee or owner, as the case may be, fails to comply with this chapter or remove such sign mentioned in Section 17.72.210 within fifteen days after being notified to remove such sign, he shall be guilty of a misdemeanor. In addition to the penalties imposed by law upon conviction, an order may be entered compelling removal of the sign. Each day such sign is maintained constitutes a separate offense. (Res. 83-10, 1983)~~

**Exhibit O**

**~~17.72.230 Removal notice—Owner not located—Property posting and sign abatement.~~**

~~If the permittee or the owner of the sign or the owner of the property upon which the sign is located, as the case may be, is not found, or refuses receipt of the notice, the board or the county sheriff shall post the sign and property upon which it is located with a notice that the sign constitutes a public nuisance and must be removed. If the sign is not removed within fifteen days after posting, the board or the county sheriff shall abate the nuisance and destroy the sign, and for that purpose may enter upon private property without incurring liability for doing so. (Res. 83-10, 1983)~~

**~~17.72.240 Existing signs deemed nonconforming.~~**

~~Any sign lawfully erected prior to the effective date of the ordinance codified herein which does not comply with this chapter constitutes a nonconforming sign subject to Section 17.72.040. (Res. 83-10, 1983)~~

**~~17.72.250 Class 3 or 4 sign—Permit required—Application—Contents.~~**

- ~~1. No Class 3 or 4 sign shall be erected without a permit from the county planner or such other person as the board of county commissioners shall designate.~~
- ~~2. No permit shall be issued except upon written application which shall contain:
  - ~~a. The name and address of the person who shall erect and/or maintain the sign, and the height of support;~~
  - ~~b. A statement and the signature of the owner or occupant of the land on which the sign is to be erected or maintained indicating he has consented thereto and agrees to keep the sign in a state of repair as required in the general regulations herein;~~
  - ~~c. A statement of the precise location where the sign is to be erected or maintained;~~
  - ~~d. A statement of the proposed size and shape of the design;~~
  - ~~e. Such other information as may be required by the commission. (Res. 83-10, 1983)~~~~

**~~17.72.260 Class 3 or 4 sign—Permit—Expiration and renewal.~~**

~~Additional signs provided for in Section 17.72.170 shall be subject to annual permit renewal. Failure to remove such signs promptly upon notification of permit expiration shall be basis for denial of subsequent permits. (Res. 83-10, 1983)~~

**~~17.72.270 Class 3 or 4 sign—Permit—Application fees—Term—Report of changes—Revocation—Renewal withheld when.~~**

- ~~1. Applications shall be accompanied by a fee in accordance with the following schedule:
  - ~~a. One dollar per sign if advertising area does not exceed fifty square feet;~~
  - ~~b. Two dollars per sign if advertising area exceeds fifty square feet.~~~~
- ~~2. Failure to renew permit within thirty days after expiration date, following written notification thereof, shall be cause for revoking of said permit, and removal by the county of affected sign and structure.~~
- ~~3. Changes in size, shape, position or copy of a permitted sign or replacement with a new sign shall be reported to the planning commission at least ten days before a change is to be made. Such changes will not require a new permit except where change in size of sign places sign in the higher permit fee bracket. (Res. 8310, 1983)~~

**Exhibit O**