

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE:

AGENDA ITEM: Draft Temporary Sign Ordinance	
PREPARED BY: Jon Walker	DIRECTOR APPROVAL:
DEPARTMENT: Legal	
ATTACHMENTS:	
BUDGET CODE:	AMOUNT:
SUMMARY:	
<p>The City has experienced an increase in temporary signs, particularly in the right-of-way. The proliferation of these signs compromises the City's goal of preserving aesthetic value and also can distract drivers, particularly when masses of signs appear in one location. Temporary signs do not require a permit as do permanent signs. This draft ordinance would limit the duration for signs directed at a specific event, require the permission of the abutting property owner to place a temporary sign, and prohibit off-premises general business signs. This is for discussion purposes. Any amendment to the sign code would go through the planning commission.</p>	
<p>No action at this work session.</p>	

RECOMMENDED ACTION:

22A.020.080 “G” definitions.

“Garage” means:

(1) A covered structure designed to provide shelter for vehicles, and which is accessory to a use in these structure types:

- (a) Houses;
- (b) Attached houses;
- (c) Duplexes;
- (d) Mobile homes; or
- (e) Houseboats.

(2) Floor area adjacent to the space designed to provide shelter for vehicles, if not entirely separated from the garage area by floor-to-ceiling walls, is considered part of the garage.

(3) A garage may be attached to or detached from another structure.

“Garage, commercial” means a building or portion thereof designed and used for the storage, repair or servicing of motor vehicles or boats as a business.

“Garage or yard sale sign” means a temporary sign used to direct people to a sale of personal household possessions.

“Garage sale” means the sale of used household personal items by the owner thereof.

“Gasoline service station” means any area of land, including the structures thereon, that is used for the sale of gasoline or other motor fuels, oils, lubricants and auto accessories and which may or may not include washing, lubricating and other minor servicing but not painting operation.

“General business service” means an establishment engaged in providing services to businesses or individuals, with no outdoor storage or fabrication, including but not limited to the following uses:

- (1) Depository institutions;
- (2) Nondepository credit institutions;
- (3) Security and commodity brokers, dealers, exchanges, and services;
- (4) Insurance carriers;
- (5) Real estate;

- (6) Holding and other investment offices;
- (7) Miscellaneous personal services, not elsewhere classified;
- (8) Business services and general office uses;
- (9) Outdoor advertising services; and
- (10) Membership organizations, including administrative offices of organized religions, but excluding churches and places of worship.

“General advertising sign” is a sign which directs attention to a business, commodity, industry, or other activity which is sold, offered, or conducted elsewhere than on the premises or abutting premises upon which the sign is located, or to which it is affixed.

“General service use” means a category of uses whose primary activity is the provision of service, rental, and/or repair to boats, vehicles, appliances, tools, electronic equipment, machinery, and other similar products for personal, commercial, or civic use. Specific uses in this category include, but are not limited to:

- (1) Postal and courier services, post office.
- (2) Small boat sales, rental, and repair (small boats are less than 40 feet long, eight and one-half feet wide, and 14 feet tall).
- (3) Appliance repair.
- (4) Equipment rentals.
- (5) Electronic or equipment service.
- (6) Vehicle repair.
- (7) Commercial vehicle repair.
- (8) Municipal service facility.
- (9) Public safety facility.
- (10) Car wash.
- (11) Heavy service.

“Geologic hazard area maps” means the geologic hazard area maps prepared for Snohomish County Tomorrow, July 1991, and associated reports. The maps are adopted by the city of Marysville and indicate the potential presence of geologic hazards.

“Geologic hazard areas” means lands or areas characterized by geologic, hydrologic and topographic conditions that render them susceptible to potentially significant or severe risk of landslides, erosion, or seismic activity.

“Geotechnical study” means a professional report by a certified and licensed geotechnician/civil engineer on a land development project, to determine susceptibility of geological hazards such as erosion, landslides, earthquakes, and other geologic events.

“Golf facility” means a recreational facility, under public or private ownership, designed and developed for uses including, but not limited to:

- (1) A golf course;
- (2) A driving range;
- (3) Miniature golf;
- (4) Pro shops;
- (5) Caddyshack buildings;
- (6) Restaurants;
- (7) Office and meeting rooms; and
- (8) Related storage facilities.

Grade. See “Base elevation.”

“Grading” means any excavating, filling, clearing, leveling, or contouring of the ground surface by human or mechanical means.

“Gross project area” means the total project site.

“Groundcover” means living plants designed to grow low to the ground (generally one foot or less) and intended to stabilize soils and protect against erosion.

“Growth Management Act” or “GMA” means Chapter [36.70A](#) RCW, as now in existence or as hereafter amended.

22A.020.210 “T” definitions.

“Taxi stands” means establishments engaged in furnishing individual or small group transportation by motor vehicle.

“Temporary sign” means any sign; poster; placard; stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability or rot prevention; banner; pennant; valance; or advertising display constructed of cloth, paper, canvas, cardboard, or other light nondurable materials used temporarily and is not permanently mounted, painted or otherwise affixed to a permanent structure or building. Temporary signs may only be made of nondurable materials including, but not limited to, paper, corrugated board, flexible plastics, foamcore board, and/or signs painted with water soluble paints or chalks. Signs made of other materials shall be considered permanent and are subject to the permanent sign regulations of this chapter.

“Temporary sign” also includes a portable sign made of wood, metal, plastic, or other durable material that is not attached to the ground or a structure. This definition includes sandwich boards, and portable reader boards if placed on private property.

This definition also includes trailered signs. Signs placed on public or street right-of-way, including public sidewalks, require a sign permit under this chapter. (we could add a separate permit process for this type of sign).

“Temporary use permit” means a permit to allow a use of limited duration and/or frequency, or to allow multiple related events over a specified period.

“Tenant space” means a portion of a structure occupied by a single commercial lease holder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.

“Tertiary habitat” means habitat which, while supporting some wildlife or fish and performing other valuable functions, does not currently possess essential characteristics necessary to support a diverse wildlife community. Tertiary habitat also includes habitat which has been created purposefully by human actions to serve other or multiple purposes, such as open space areas, and landscape amenities.

“Threat to the community” means a tendency which constitutes a direct threat to the health or safety of other individuals or a tendency which would result in substantial physical damage to the property of others. This term shall be interpreted in accordance with the provisions of and judicial interpretations of the Federal Fair Housing Act amendments, [43](#) U.S.C. Section [3604](#)(f)(9), as the same exists or is hereafter amended.

“Time and temperature sign” means an electronic message sign displaying solely the time and temperature.

“Tiny house” or “tiny house with wheels” means a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the State Building Code.

“Top of the bank” means that point in the natural contour where there is a distinct, sharp break in slope for a minimum of 50 running feet or greater which separates inclines at less than 25 percent from slopes equal to or greater than 25 percent. Where no distinct break exists, the top of the top of the bank shall be the uppermost limit of the area where the ground surface drops six feet and three inches or more vertically within a horizontal distance of 25 feet.

“Tower” means any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communication services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul and the associated site.

“Townhouse” means a single-family dwelling unit constructed in a row of at least three such units in which each unit: has a shared common wall with the adjacent unit that extends from foundation to roof; is separated from any other unit by one or more vertical common fire-resistant walls; has its own front and rear access to the outside; and has no unit located over another unit.

Tract. See definition for “Lot.”

“Transfer station” means a staffed collection and transportation facility used by private individuals and route collection vehicles to deposit solid waste collected off-site into larger transfer vehicles for transport to permanent disposal sites; and may also include recycling facilities involving collection or processing for shipment.

“Transit bus base” means an establishment for the storage, dispatch, repair and maintenance of coaches, light rail trains, and other vehicles of a public transit system.

“Transit park and pool lot” means a parking area comprised of 50 or fewer parking spaces located in an existing parking lot serving an existing land use, and usage of the lot for transit is limited to the weekday hours between 5:00 a.m. and 8:00 p.m. daily.

“Transit park and ride lot” means vehicle parking specifically for the purpose of access to a public transit system.

“Transitional housing facilities” means housing units owned by public housing authorities, nonprofit organizations or other public interest groups that provide housing to persons on a temporary basis for a duration not to exceed 24 months in conjunction with job training, self-sufficiency training, and human services counseling; the purpose of which is to help persons make the transition from homelessness to placement in permanent housing.

22C.160.150 Residential zones.

In addition to all other provisions of this chapter, the following development standards apply in residential zones and on residentially developed properties, including residentially zoned and residentially developed properties within the downtown master plan area:

(1) The total combined area of all nonexempt signs, except temporary signs, on any lot in a residential zone shall not exceed nine square feet, except as provided in subsections (7) through (11) of this section.

(2) All dwelling units in residential districts shall display house numbers readable from the street.

(3) Illumination from or upon signs shall be shaded, shielded, directed or reduced so that the light intensity or brightness does not affect the enjoyment of residential property in the vicinity in any substantial way.

(4) Freestanding pole, or pylon, signs are prohibited.

(5) Roof signs are prohibited.

(6) No sign shall be located closer than 10 feet to an internal property line unless attached to a fence. Signs attached to fences shall not extend higher than the fence and shall not create sight distance obstruction or any other safety hazard.

(7) Each entrance to a subdivision or multifamily development may have a monument sign up to 32 square feet in area, per face, or two single-faced signs of not more than 16 square feet each. These signs shall be located outside the public right-of-way so as not to create a visual obstruction for motorists or pedestrians. The height of such signs shall not exceed five feet.

(8) Existing recreation/cultural land uses (i.e., park, community center, library, church, etc.) and education services (i.e., public and private schools), not reviewed through the conditional use provisions outlined in subsection (10) of this section, may have one monument sign per street frontage up to 32 square feet in area, per face. The height of such signs shall not exceed five feet and shall comply with the development standards outlined in MMC [22C.160.170](#). In addition, a maximum of 32 square feet of permanent wall signage shall be allowed on the primary and secondary building frontage(s). Wall signs shall comply with the development standards outlined in MMC [22C.160.160](#).

(9) Home occupation, day care and adult family home signs shall not exceed three square feet and shall be wall signs, monument signs or mounted to a fence. Signs mounted to a fence shall comply with the provisions outlined in subsection (6) of this section.

(10) Signs for conditional uses permitted in residential zones shall be approved as part of the applicable conditional use permit and shall not be otherwise restricted by the provisions of this section.

(11) Temporary signs are permitted in compliance with this section and MMC 22C.160.260.

(Ord. 3195 § 3 (Exh. A), 2021).

22C.160.260 Temporary and special event signs.

(1)

(1) No review is required for temporary signs. All temporary signs shall conform to the following requirements:

- (a) A temporary sign may not be placed in a required parking space, driveway, or sight-distance triangle, pursuant to MMC 22C.010.240 & 22C.020.210.
- (b) A temporary sign may not be placed on city-owned property unless in conjunction with an approved special event permit, temporary use permit, or other permission from the city.
- (c) A temporary sign may not be located upon or projecting over public streets, sidewalks, pedestrian paths, or bike paths except those of an official nature that are placed by a government agency for public safety purposes.
- (d) A temporary sign may not be placed in a traffic circle, roundabout, or median or in any stormwater facility.
- (e) Temporary general advertising signs are permitted only on the premises where the business, commodity, or activity being advertised is sold, offered, or conducted.
- (f) Temporary signs in the city right-of-way placed outside the roadway shall comply with the following requirements:
 - (i) Location. Allowed only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the pavement. Signs may not be placed on sidewalks, driveways, or other paved areas designed for pedestrians or vehicular use.
 - (ii) Permission of the abutting landowner is required.
 - (iii) Signs on stakes that can be manually pushed or hammered into the ground are allowed. All other signs are prohibited, unless specifically allowed by a right-of-way use permit.
 - (iv) Signs are limited to four square feet total and three feet in height, from the ground to the top of the sign.
 - (v) Any temporary sign in the right-of-way that is dilapidated or a nuisance shall be removed by the person responsible for placement of the sign.
 - (vi) The city may allow other signs in a city right-of-way with a right-of-way use permit.
- (g) Residential Zones. Temporary signs may be placed on residentially zoned properties in accordance with the requirements of this section and the following:
 - (i) One temporary window sign per residential unit not to exceed four square feet is allowed.

(ii) Freestanding signs, including post-mounted, stake, and portable signs are allowed as follows:

(A) In single-family residential zones temporary free-standing signs shall not exceed four square feet in size and five feet in height, if the sign is post-mounted on the ground, and not to exceed three feet in height if the sign is stake-mounted or portable.

(B) In multifamily residential zones temporary free-standing signs shall not exceed six square feet in size and five feet in height if the sign is post-mounted on the ground, and not to exceed three feet in height if the sign is stake-mounted or portable.

(h) Nonresidential Zones. Temporary signs are allowed in nonresidential zones in accordance with the requirements of this section and the following:

(i) Window signs are limited to twenty-five percent of the window area.

(ii) Freestanding signs, including post-mounted, stake and portable signs are limited to six square feet and five feet in height if the temporary sign is mounted in the ground, and not to exceed three feet in height if the temporary sign is stake-mounted or portable.

(iii) Surface-mounted signs are limited to thirty square feet and must be flatly affixed to walls or to on-site fences either facing the abutting street, or facing inward to the subject site.

(i) Temporary signs on large properties, either residential or nonresidential zoned, of more than two acres may be of any type, and shall not exceed thirty-two square feet and up to eight feet above ground level. Such a sign allowed herein is in lieu of and shall not be displayed with or be in addition to any other temporary signs allowed by this section.

(j) A temporary sign shall be promptly removed after the event for which it is intended by the person or organization that placed it. Ten days after the conclusion of the event the temporary sign relates to, the city may remove the sign from the right-of-way.

(2) Violations.

(a) Placing a temporary sign on private or public property without the permission of the landowner or placing a sign in the right-of-way without the permission of the abutting landowner is a violation under chapter 4.02 MMC. When a sign identifies a person, organization, or business, there is a rebuttable prima facie presumption that the person, organization, or business placed the sign and committed the civil infraction.

(b) If the square footage of temporary signs placed on a parcel exceeds the limits permitted by this section, the owner of record will reduce the square footage to within the limits allowed by this section within three (3) business days of being notified by the city. Notice mailed by the city is deemed effective three (3) business days after being placed in the mail with sufficient postage. Failure to conform to the square footage limits within these timeframes is a violation under chapter 4.02 MMC. Alternatively, a property owner may apply for a permit as a permanent sign.

(c) Any temporary sign that obstructs or impairs sight distance or access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, structure, parked cars, bench or any type of street furniture, or otherwise creates a hazard is prohibited and may be removed by the city. Any temporary sign that mimics or is attached to a traffic control sign may be removed by the city. Any person who replaces a sign after notice that it was removed for any of these reasons or who refuses to remove a sign after notice that it violates this section commits a violation under chapter 4.02 MMC.

(4) The city may remove any temporary sign within the right-of-way that violates any provision of this section.