



**AP 2-26**

**Appeal of  
Planning  
Commission  
Denial of  
SE 1-25**



# Sign Standards Exception Application SE 1-25

## 1. Outline

1. History of Sign Code
2. Existing Sign Code
3. Applicant Request
4. Planning Commission – Decision
5. Decision before City Council Tonight

# History of Sign Code

# History of Sign Code

- 1. Adopted by Ordinance 4900 , November 5, 2009**
- 2. Responding to community outcry about several large signs that had been recently installed.**
- 3. Started in 2004 with CC direction to work on a sign code.**
- 4. Established a working group of residents and business owners that met for two years to develop recommendations.**
- 5. Then it had two years of public engagement and information sessions.**

# Non Conforming Large Signs

- 1. Ordinance No. 4900 provided eight years for non-conforming larger signs to become compliant.**
- 2. In 2016, 200 signs were still non-conforming.**
- 3. City started working with businesses to gain conformity.**
- 4. About 75% have been brought into conformance.**

# Non Conforming Large Signs



# Existing Sign Code

# Existing Sign Code

## 1. Chapters: 17.06, 17.59 – Downtown Design Standards, 17.62, and Three Mile Lane Area.

- Over twenty pages of code governing sign usage

**Freestanding Sign(s)** – A sign supported upon the ground by a frame, pole(s), or other support structure which is not attached to any building. A freestanding sign shall count as one sign, even if it has two or more faces. In this context, freestanding signs include monument (ground-mount), pole, and pylon-type signs.

**Monument** – A freestanding sign of which the entire bottom of the sign is generally in contact with or in close proximity to the ground. Does not include pole or pylon signs.



Monument

**Pylon Sign** – A freestanding sign, usually double-faced, mounted on one or two supports above ground level. Also referred to as a pole sign.



Pole/Pylon

**Building Mounted Sign(s)** – A sign permanently attached to a building.

**Canopy Sign** – A sign painted on, printed on, or attached flat against the surface of a canopy or awning.



Canopy

**Projecting Sign** – A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.



Projecting

**Roof Sign** – Any mounted sign that projects above the top of a wall, eave, or parapet. Signs on a mansard roof or on a wall on the end façade of a gable roof are considered wall signs for the purposes of this ordinance, provided they do not extend above the roofline.



Roof

**Hanging Sign** – A sign that hangs beneath a marquee, canopy, or awning and is perpendicular to the building face.



Hanging

**Wall Sign** – A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. This definition includes painted, individual letters, and cabinet signs.



# Existing Sign Code

- 1. Administrative review**
- 2. Typically, 30–40 sign applications per year**
  - **Staff helps applicants prior to accepting applications to aid in applications that meet the code requirements**
- 3. No Administrative Variance**

# Wall Mounted Signs

1. In general, there is no limit to the size of wall mounted signs (outside of some zones)



# Wall Mounted Signs

1. In general, there is no limit to the size of wall mounted signs (outside of some zones)



# Electronic Changeable Copy (ECC)

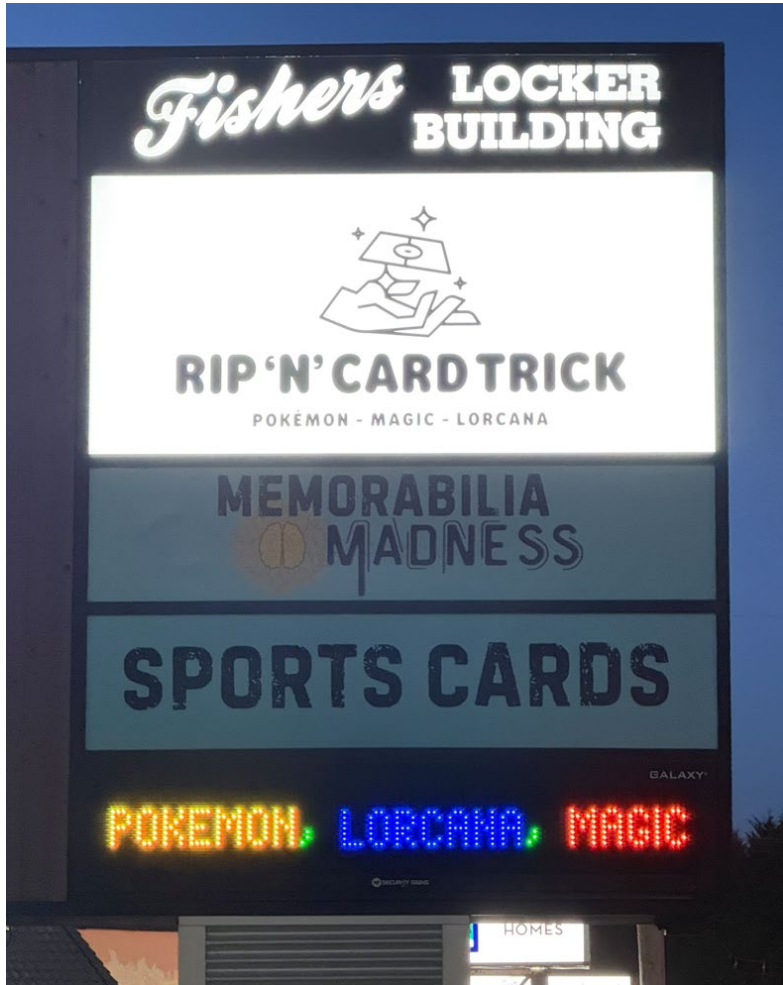
17.62.070(E) 1-7

1. One per site, and shall only be allowed as part of a permanent sign

3. ECC not to exceed 24 square feet in area



# Electronic Changeable Copy



# 17.62.050 Prohibited Signs

## MMC 17.62.050

- F. Balloon signs twenty-four inches in diameter or greater*
- G. Video Signs*
- H. Hazardous signs*
- I. Flashing signs.*

*Video Signs* – *An electronic changeable copy sign providing information in both a horizontal and vertical format (as opposed to linear), and having the capacity to create continuously changing sign copy in a wide spectrum of colors, shades, and light intensities.*

# 17.62.120 Exceptions

**Sign Code Exceptions go before the Planning Commission. This is meant to provide flexibility.**

**Limited to: Special and unusual circumstances related to a specific piece of property, resulting in an undue or unnecessary hardship (A).**

# 17.62.120 Exceptions

**(B)**

- 1. An exception is necessary to prevent an unnecessary hardship due to factor such as topography, location, surrounding development, lot shape or lot size; AND**
- 2. The granting of the exception will not result in material damage or prejudice to other property in the vicinity; AND**
- 3. The request will not be detrimental to community standards and the appearance of the city.**

# 17.62.120 Exceptions

**(c)**

**1. Deny the owner of all economically viable use of the property on which the sign is located; or**

**2. Substantially interfere with the owner's use and enjoyment of the property on which the sign is located.**

# Sign Exception Application

# Sign Exception Application

1. Application is for a 300 square foot (30'x10') electronic changeable copy sign.



# Sign Exception Application

**The proposed sign is**

- 1. Capable of dimming**
- 2. Incorporates multicolored LED lighting**
- 3. Changes copy electronically**
- 4. Is capable of providing information in both horizontal and vertical format**
- 5. 300 square feet (30'x10')**
- 6. Stand alone electronic changeable copy sign**

# Sign Exception Application

**Sign to be installed on the wall of the building.**

**In general, there is no limit to the size of a wall sign outside of the specific areas. It is only the maximum size of ECC that is a limitation.**

# Sign Exception Application

## Staff Depiction



# Planning Commission Decision

# Planning Commission Decision

**January 15, 2026 – First Meeting of the PC**

**Applicant utilized the 7 day period following the first meeting to submit final argument.**

**February 5, 2026 – Second Meeting of the PC**

**Denied the Sign Exception Application**

# Planning Commission Decision

## **Video Sign – Determining the category of sign**

**Applicant: Argued that either agreeing to operate the sign in a static manner, or limiting the controls of the sign would render the sign as a standard electronic copy sign and not a video sign.**

# Planning Commission Decision

**PC determined that the proposed sign meets the definition of a video sign.**

**Video Signs** – *An electronic changeable copy sign providing information in both a horizontal and vertical format (as opposed to linear), and having the capacity to create continuously changing sign copy in a wide spectrum of colors, shades, and light intensities.*

# Planning Commission Decision

**Criteria (A) NOT SATISFIED**

**Applicant:**

**Visibility to freight carrier and employees traveling Highway 18 is Critical**

**Illegible from Hwy 18 limited to 24 square feet**



# Planning Commission Decision

**Criteria (B) NOT SATISFIED**

**Applicant:**

**Visibility**

# Planning Commission Decision

**Criteria (C)(1 or 2) NOT SATISFIED**

**Applicant:**

**In their application the applicant declared that they were not applying to meet (C)(1)**

***(C)(1) Deny the owner of all economically viable use of the property on which the sign is located;***

**Leaving just: 17.62.120(C)(2)**

# Planning Commission Decision

## **Criteria (C)(2) NOT SATISFIED**

**An exception may be granted if the property owner established that the strict enforcement of the ordinance will substantially interfere with the owner's use and enjoyment of the property on which the sign is located.**

**Planning Commission determined this standard was NOT MET.**

# Planning Commission Decision

## **17.62.120(c)(2)**

**An exception may be granted if the property owner established that the strict enforcement of the ordinance will substantially interfere with the owner's use and enjoyment of the property on which the sign is located.**

**Planning Commission determined this standard was NOT MET.**

# Planning Commission Decision

**The PC determined that 17.62.120 (A), (B), and 17.62.120(C)(2) were not met and Denied the application.**

Subsection	Finding
A. Undue or unnecessary hardship	<b>Not Satisfied</b>
B(1). Unnecessary hardship due to site factors such as lot size, etc	<b>Not Satisfied</b>
B(2). Material damage or prejudice to other property in the vicinity	<b>Not Satisfied</b>
B(3). Detrimental to community standards and appearance of city	<b>Not Satisfied</b>
C(1). Deny owner of all economically viable use of the property	<b>Not Satisfied</b>
C (2). Substantially interfere with the owner's use and enjoyment of the property	<b>Not Satisfied</b>

# City Council Decision

## Is the standard for a Sign Exception met?

Subsection	Finding
A. Undue or unnecessary hardship	<b>Not Satisfied</b>
B(1). Unnecessary hardship due to site factors such as lot size, etc	<b>Not Satisfied</b>
B(2). Material damage or prejudice to other property in the vicinity	<b>Not Satisfied</b>
B(3). Detrimental to community standards and appearance of city	<b>Not Satisfied</b>
C(1). Deny owner of all economically viable use of the property	<b>Not Satisfied</b>
C (2). Substantially interfere with the owner's use and enjoyment of the property	<b>Not Satisfied</b>

# City Council Decision

**Is the standard for a Sign Exception met?**

**What special and unusual circumstance related to this piece of property exists (A) and what hardship is created?**

**As a video sign is 17.62.120(C)(2) met?**

**IF the proposed sign is not a video sign, is 17.62.120 (B) (1),(2), and (3) met or is C(2) met?**

# City Council Decision

**If an eligible exception is found (B) or (C) then:**

**What size ECC sign would remedy that site specific hardship?**

# QUESTIONS?

