

AGENDA

Clallam County Planning Commission

Planning Commission Meeting of Wednesday, March 1, 2023, 6:00 p.m.

The Planning Commission will conduct a regularly scheduled meeting in Room 160 of the Clallam County Courthouse, 223 East Fourth Street, Port Angeles, WA 98362 and by Zoom, meeting number 857 7304 5582 with passcode 12345. Materials regarding past and upcoming meetings are available at: <https://wa-clallamcounty.civicplus.com/669/Live-Archived-Meetings-Online>

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. WELCOME**
- E. APPROVAL OF MINUTES:**
- F. ANNOUNCEMENTS**
- G. PUBLIC COMMENT – Please Limit Comments to Three Minutes**
- H. UNFINISHED BUSINESS**
- I. PUBLIC HEARING: Proposed Sign Ordinance**
- J. WORK SESSION ITEMS: Vacation Rentals, CCC 33.51**
- K. PUBLIC COMMENT – Please Limit Comments to Three Minutes**
- L. GOOD OF THE ORDER**
- M. ADJOURNMENT**

Members:

Chair, Steve Gale & Vice-Chair, Ron Long
Robert Miller; N. Bonnie Booth; Jeff Carter; Thomas Butler; Kenneth Reandeau; Jane Hielman
Vacancy District 2

Department of Community Development Staff:

Donella Clark, Principal Planner; Greg Ballard, Senior Planner, Bruce Emery, DCD Director

MINUTES

Clallam County Planning Commission

Meeting of February 15, 2023, 6:00 PM

- A. CALL TO ORDER: The meeting was called to order at 6:00 p.m.
- B. PLEDGE OF ALLEGIANCE.
- C. ROLL CALL: Members present were Chair Steve Gale, Jeff Carter, Tom Butler, Ken Reandeau, Robert Miller, and Jane Hielman. Donella Clark, Principal Planner, Greg Ballard, Senior Planner, and Bruce Emery, Director, represented staff from the Department of Community Development.
- D. WELCOME: Chair Gale welcomed all in attendance.
- E. APPROVAL OF MINUTES: February 1, 2022
- F. ANNOUNCEMENTS: There have been no applicants for the vacant District 2 Planning Commissioner seat.
- G. PUBLIC COMMENT PERIOD: Steve Workman commented that short term rentals are reaching a crisis proportion; servers at burger joints are living in their cars. Feels that the signs between Port Angeles and Sequim are starting to make it feel like a carnival. Wondered who decides what signs qualify as non-conforming and who would know what signs were around in the 2000's. Asked if the "tube men" type sign is considered inflatable and would be prohibited. Brought up enforcement issues of signs that clearly do not meet the code and wondered how these are dealt with. Asked if the sign ordinance would be available to the public before the March 1st hearing.

Staff commented there was a sign inventory prior to the adoption of the code in 2000 which is available at the DCD office for reference when determining non-conforming signs. Tube Men are inflatable signs and are prohibited under the current code and the proposed codes. As discussed previously enforcement of signs has been a low priority because of the lack of staff. The sign ordinance has been posted on the County website in the News Flash section.
- H. UNFINISHED BUSINESS: Discussion and Vote (6-0) to approve amendment to the Bylaws adding a section "Good of the Order" to future agendas.
- I. PUBLIC HEARING ITEM: None
- J. WORK SESSION ITEMS: Staff presented the proposed landscaping ordinance. Don Crawford of the County Parks, Fair, and Facilities offered information regarding plant sizes and species and some perspective on someone regulated by ordinances. Suggestions were made to the ordinance regarding plant species, dark skies, the added "climate change" sentence in the purpose, corner lots, the proposed table, bonds. Staff will bring the ordinance back with suggested changes.
- K. PUBLIC COMMENT PERIOD: None.
- L. ADJOURNMENT: The meeting adjourned at ____7:35__ p.m.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to RCW 36.70.580, that the Clallam County Planning Commission (PC) has scheduled a public hearing for Wednesday, March 1, 2023, at 6:00 p.m. in Room 160 of the Clallam County Courthouse, 223 East Fourth Street, Port Angeles, WA 98362. To appear by Zoom please visit <https://zoom.us/join> or call (888) 475-4499 or (253) 215-8782, then enter Meeting ID: 660 165 2237 and Passcode: 12345.

The purpose of the hearing is to receive public testimony on the adoption of the following proposed amendment of the Clallam County Development Regulations pertaining to Signs.

Amendment to Clallam County Code. The following changes are proposed in order to amend the Sign Ordinance:

Goals were updated to better reflect the Purpose of the sign code.
Additional definitions (18) were incorporated to help identify different types of signs.
Exempt and Prohibited signs were reviewed to ensure content neutral exemptions.
Permitting requirements were clarified and must include drawings and details of the sign.
Additional standards are proposed for both commercial/industrial freestanding and façade signs, incorporating design standards to integrate a top, middle and base, requiring landscaping, integrating architectural features, and prohibiting electronic/digital signs.
Lists of zoning names removed.
Legal nonconforming section simplified and special variance section removed. Variances are identified in a separate section of the Zoning code and not needed in the sign code.
Outline of Enforcement action clarified in an effort to streamline the process to ensure compliance of the code.

State Environmental Policy Act (SEPA): Clallam County is the lead agency for this proposal. Clallam County issued a Determination of Non-Significance (DNS) on February 10, 2023 for a non-project action and has determined that the proposed amendments to the Development Regulations would not result in a probable significant adverse impact on the environment. Comments on the DNS will be accepted until February 27, 2023.

Comments & Additional Information: Any interested person or party may submit written or oral comments on the proposal. Comments can be submitted at the public hearing or in advance of the public hearing. Upon completion of the public hearing process, the Planning Commission will forward its recommendations to the Board of Clallam County Commissioners for its consideration and further action. For more information view the Planning Commission Agenda for March 1, 2023. You can also visit our offices at 223 E. 4th St., Suite 5, Port Angeles, WA 98362, Monday through Friday, between 8:00 a.m. - 4:30 p.m. or contact Donella Clark, project planner at (360) 417-2594, or by email at donella.clark@clallamcountywa.gov if you have any questions or comments.

For Publication in the February 17 or 18 and February 24 or 25, 2023 editions of the *Peninsula Daily News*.

Would also like it published twice in the Sequim Gazette, and Forks Forum.
Bill DCD Planning Division.

An ordinance amending Clallam County Code Chapter 33.57 Signs

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 33.57.010. Goals and intent is amended to read as follows:

~~— (1) The goals of these sign regulations are:~~

~~(1a) To allow~~encourage~~ the effective use of signs as a means for businesses to ~~—~~of communication with customers in the County;~~

~~(b) To maintain and enhance the visual environment and the County's ability to attract sources of economic development and growth;~~

~~(2e) To minimize excessive lighting in rural Clallam County along designated scenic highways;~~

~~(3d) To maintain and enhance~~not impede~~ scenic views along the County's scenic highways;~~

~~(4e) To improve traffic and pedestrian safety and to eliminate~~minimize~~ distractions to vehicle drivers;~~

~~(5f) To minimize the potential adverse effects of signs on nearby public and private property;~~

~~— (6) To prevent damage and personal injury from signs improperly constructed;~~

~~(7g) To ensure compliance with the Scenic Vistas Act and the Growth Management Act; and~~

~~(8h) To enable the fair and consistent enforcement of the sign regulations.~~

~~This chapter is adopted under the zoning authority of the County in furtherance of the more general purposes set forth in this title.~~

~~— (2) It is the intent of this chapter that signs may be erected, placed, established, painted, created or maintained in the County only in conformance with the standards, procedures, exemptions and other requirements of this chapter. The intent of this chapter, as more specifically set forth herein, is:~~

~~— (a) To permit a variety of types of signs in commercial and industrial zones and a limited variety of signs in other zones, subject to the standards of this chapter;~~

~~— (b) To permit certain signs which are small, unobtrusive, and incidental to the principal use of the lots on which they are located, provided, that these types of signs are not portable signs which often cause safety problems due to blockage of vehicle/pedestrian sight lines and are further subject to the substantive requirements of this chapter;~~

~~— (c) To bring existing, nonconforming signs which exceed an area/height/number cap set in this chapter into compliance with these standards after a set period of time in order to further the goals and intent set forth in this chapter;~~

~~— (d) To prohibit signs not expressly permitted by this chapter; and~~

~~— (e) To provide for monitoring and compliance with the provisions of this chapter. This chapter distinguishes between signs by their structural type and duration of use but to the maximum extent possible does not distinguish between signs by their content. Certain types of signs are classified as temporary if they are only up for a short and specified period of time. Signs required by law, public signs required for safety, and public signage, the purpose of which is to inform the traveling public of public roadside facilities, are exempt from the ordinance requirements.~~

Section 33.57.020. Definitions is amended to read as follows:

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular. The word "shall" is mandatory; the word "may" denotes a use of administrative discretion in making a

decision. The words “used” or “occupied” shall be considered as though followed by the words “or intended, maintained, arranged or designated to be used or occupied.”

(1) “Abandoned sign” means a sign that, for a period of more than six (6) months, no longer correctly identifies, exhorts, or advertises any person, business, lessor, lessee owner, product or activity conducted or available on or off the premises on which the sign is located. Signage on a property which is continuously listed for sale or lease shall not be considered abandoned. ~~for a period of six (6) months after which it shall be considered abandoned and subject to conformance with this chapter.~~

(2) “Administrator” means the Director of the Clallam County Department of Community Development or ~~their~~ his/her designee.

(3) “Advertising” means to announce publicly by emphasizing a printed notice or to call public attention to desirable qualities so as to arouse a desire to patronize. This also includes logos, borders, backgrounds and accents.

~~(4) “A-frame sign” or “Sandwich Board sign” means two usually hinged boards not permanently attached to the ground and generally oriented to pedestrians.~~

~~(5) “Animation” means the manipulation of electronic images in order to create moving images; or a sign depicting action, motion, light, or color changes through electrical or mechanical means.~~

~~(6) “Awning” means a shelter extending from the exterior wall of a building and composed of nonrigid materials except for the supporting framework.~~

~~(7) “Backlit sign” means a sign whose face is illuminated from behind.~~

~~(8) “Banner sign” means a flexible substrate on which copy or graphics are displayed. These signs can be mounted to a structure with a cord, rope, cable, or a similar method, or that may be supported by stakes in the ground. These signs are considered a temporary sign unless affixed to a building.~~

~~(9) “Building frontage” means the building frontage of a building facing an abutting public or private street. When a building fronts on multiple streets, the building frontage shall be the one building front that would result in the greatest linear frontage.~~

~~(10) “Copy” means the words, logos, symbols, or message displayed on a sign.~~

~~(11) “Dwell time” means the amount of time that text or animated content is required to stay in place on a digital sign.~~

~~(12) “Digital or Electronic components” means changeable copy that uses illumination (LED-light emitting diodes, LCD-light crystal display, plasma display, individual light bulbs) to display or project copy.~~

~~(13) “Exterior illuminated sign” means a sign illuminated by a light source that is directed toward and shines on the face of a sign.~~

~~(14) “Community event sign” means a temporary informational sign that pertains exclusively to a specific upcoming event sponsored by a nonprofit organization or by a governmental entity and is removed soon after the event.~~

~~(15) “Construction sign” means a temporary informational sign that identifies the architect, engineers, contractors, suppliers or grant agencies involved in construction project or announces the character of the building and is removed soon after completion of construction.~~

~~(16) “Election sign” means any sign which serves to influence, is intended to influence, or appears to be of the type which is commonly erected to influence, an election or ballot proposition.~~

(148) “Facade sign” means a sign which is attached parallel to and within nine (9) inches of the wall of a building, or vertical face of an awning or parapet which is supported by and confined within the limits of such wall, awning or parapet and which displays only one sign surface. “Facade sign” also includes signs affixed to (within nine (9) inches at one point) or painted on an awning,

canopy or roof so long as they do not extend above the primary roofline or more than eight (8) feet from the outside edge of the building. Soft drink dispensing machines will be considered a facade sign if located within nine (9) inches of the building.

(15) "Fade" means a mode of message transition on a digital sign accomplished by varying light intensity or color, where the first message gradually grows faint and disappears.

(16) "Feather, Flutter, Flag, or Blade sign" means a freestanding potable sign that contains a harpoon-style pole or staff driven into the ground for support that resembles a sail or flag made of fabric, or nylon, or a flexible material.

(179) "Flashing sign" means a sign or a portion thereof which changes light intensity or switches on and off in a repetitive pattern at less than one-minute intervals, or uses electrical energy to provide motion or the optical illusion of motion.

(1849) "Freestanding sign" means a sign which is supported by permanent uprights, pole or braces to the ground and which is not connected to a building.

(1944) "Grade" means the average elevation of the natural ground surface immediately below the sign before construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign; and provided, that when the elevation of the natural ground surface of a freestanding/monument sign is below the grade at the edge of the adjacent roadway, then the height of a freestanding or monument sign shall be measured from the grade at the outer edge of the roadway nearest the proposed sign location.

(2042) "Grand opening sign" means a temporary sign of no more than thirty (30) days' duration announcing the new opening of a store or a complete change in ownership or product line sold.

(2143) "Illuminated sign" means any sign illuminated in any manner by an on-site artificial light source. These signs include both exterior-illuminated and backlit signs.

(22) "Illegal sign" means any sign placed without proper approval or permits as required by any applicable zoning or building code and also any sign placed contrary to the terms of time limits of any permit, or out of compliance with any applicable code.

(23) "Legal Nonconforming sign" means any sign in existence within the County on the date of adoption of Ordinance 694 codified in the year 2000 which did not conform to all applicable laws in effect on the date the sign was originally erected. Also, those signs permitted under Ordinance 694 that do not conform to the standards herein.

(24) "Marquee" means a permanent, roof-like canopy with an integral sign that extends from part or all of the building face that may or may not project over a public right-of-way.

(25) "Memorial sign" means a sign memorializing a person, event, or significance related to a site, building, or structure.

(2644) "Monument sign" means a ground-related, freestanding sign which is attached to the ground or to its base on grade by a solid sign structure and which structure extends from the ground or base to the sign face at the same or greater width as the sign face. Banner signs on fences are considered a form of monument sign and are only allowed to be placed temporarily. Signs on fences are considered a form of monument sign.

(2745) "Multiple-business complex" means a group of structures housing at least two (2) separate businesses or agencies operating under separate State tax numbers, or a single structure containing more than one business with separating walls and at least one outside or inside access for each business which shares a common lot, access and/or parking facility operating under separate State tax numbers.

(16) "Multiple-business complex sign" means a sign that is designated to identify a multiple business complex including directory signs for businesses within the complex.

(2817) "Mural" means an outdoor wall painting on a building which consists exclusively of paint applied to the wall or to framework attached within nine (9) inches of the wall and which contains no advertising.

(2918) "Noise" means any intended or unintended sound created by the sign or its installed equipment which exceeds forty (40) decibels as measured from the nearest point adjacent to the property or place of business, whichever is closer.

~~(19) "Nonconforming sign" means any sign in existence within the County on the date of adoption of the ordinance codified in this chapter which does not conform with the provisions of this chapter, but which did conform to all applicable laws in effect on the date the sign was originally erected.~~

~~(30) "Permanent sign" means a sign attached to a building, structure, or the ground, in a manner that enables the sign to resist environmental loads, such as wind, and precludes ready removal or movement of the sign.~~

~~(3120) "Portable sign" or "Movable sign" means any moveable sign which is not permanently affixed to the ground or a structure or building. This definition includes movable reader boards, outdoor soft drink dispensers located farther than nine (9) inches from a building and sandwich boards that are placed so as to be seen from public right-of-ways.~~

~~(3224) "Primary roofline" means the roofline under which a majority of the square footage of the business is located.~~

~~(3322) "Real estate sign" means a temporary sign advertising real estate for sale, rent or lease.~~

~~(34) "Rotating sign" means a moving sign that physically revolves about an axis.~~

~~(35) "Sidewalk sign" means a moveable sign not secured or attached to the ground or surfaces upon which it is located, supported by its own frame.~~

~~(3623) "Sign" means any object, device, picture, signboard, banner, structure or portion thereof, including any letter, figure, design, symbol, trademark or device that uses any color, form, graphic, illumination, symbol or writing intended to advertise, announce the purpose of, or identify the purpose of a person or entity, or to attract attention to any message, activity, service, place, subject, person, firm, corporation, public performance, article, machine or merchandise or to communicate information of any kind to the public, and which is visible from any right-of-way open to the public. Lighting that constitutes an architectural feature of a building and does not consist of lettering, symbols or graphics shall not be considered a sign.~~

~~(3724) "Sign area" means the entire face of the sign, including advertising surface, backlit surface, but does not include any framing, trim or molding, or supporting structure, but does not include the supporting structure.~~ Sign area is measured by multiplying the maximum horizontal width by the maximum vertical width. The surface area of a sign painted on a wall, awning or roof shall be measured by multiplying the maximum width of the copy by the maximum length of the copy. Sign areas may also be calculated by measuring the smallest square, circle, rectangle, triangle or combination thereof which encompass the extreme limits of the advertising copy, 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, including an awning. Supportive framework which contains no written copy or other advertising and is clearly incidental to the display itself shall not be included in sign area calculations; provided, that the sign support structure shall be the minimum necessary to support the sign. For the purpose of this chapter the total sign area of any two (2) faced sign with parallel faces or V-type sign having an interior angle of forty-five (45) degrees or less shall be calculated as the area of the larger of the two (2) faces or one face if equal in size. All other multiple-faced or paneled signs shall be the total area of all faces or panels combined.

(3825) "Sign surface" means any surface of a sign upon which there is lettering, logos, symbols, or other advertising.

(3926) "Sign height" means the vertical distance from grade to the highest point of a sign or any projection thereof.

(4027) "Sign structure" means any structure that supports or is capable of supporting any sign as defined in this chapter. A sign structure may be a pole or poles, or may be an integral part of a building. Structures that perform a separate use, such as a telephone booth, bus shelter, recycling or used goods container, etc., shall not be considered a sign structure. Sign structures shall be the minimum necessary to support the sign and shall not depict any product being advertised.

(4128) "Street" means a public or private way open to the general public for the purpose of vehicular traffic, including all classes of roadways and easements.

(4229) "Temporary sign" means a nonpermanent sign intended for use for a short period of time, which includes election signs, construction signs, real estate signs, grand opening signs, community event signs and residential yard sale signs.

(4330) "Under common ownership" describes a situation where one person, corporation, legal entity or related legal entities owns contiguous properties occupied by closely related businesses in which case these businesses will be considered as one business, operating on the property for the purpose of applying this chapter (i.e., a car dealership may own multiple contiguous parcels and have several related businesses on these parcels but shall be considered to be "under common ownership" for the purpose of interpreting the provisions of this chapter).

(4431) "Vehicular signs" are signs affixed or painted on work vehicles, tractor-trailers, busses, vans or other vehicles.

(45) "Window sign" is any sign viewable through and/or affixed in any manner to a window or exterior glass that is intended to be viewable from the exterior. These signs count toward the square footage of façade signs.

Section 33.57.030060. Exempt signs is amended to read as follows:

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

(1) Official notices authorized by a court, public body or public safety official, provided they are removed within seven (7) days after conclusion of the subject of notification;

(2) Directional, warning or information signs authorized by federal, State or municipal governments or signs required by law not exceeding 200 square feet of sign area and twenty (20) feet in height. Directional signs located within State or County right-of-way shall be administered by State standards for directional signs and, if within Clallam County right-of-way, shall be administered by the Motorist Informational Sign Ordinance, Chapter 9.21 CCC;

(3) Memorial plaques, building identification signs and building cornerstones which are cut or carved into a masonry surface or when made of noncombustible material and made an integral part of the building or structure. Plaques, tablets, or inscriptions indicating the name of a building, its date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, and which are not illuminated, except incidentally from light sources used for other purposes;

(4) Sculptures, murals, landscape features, fountains, mosaics, religious symbols, and design features which do not incorporate advertising or identification;

(5) The flag of a recognized government or noncommercial institution such as a school;

(6) Traffic or pedestrian control signs or signals, or signs indicating scenic or historic points of interest which are erected by, or on the order of, a public officer in the performance of his/her public duty;

(7) Exterior signs or displays not visible from streets or ways open to the public;

(8) "No trespassing," "no dumping," "no parking," "private," and other informational warning signs which shall not exceed four (4) square feet in surface area and eight (8) feet maximum height above grade;

(9) Commercial or residential address signs with lettering not exceeding twelve (12) inches in height and newspaper boxes located within ten (10) feet of an existing commercial/industrial building; and

(10) Election signs no greater than thirty-two (32) square feet in area and five (5) feet in height above grade. Signs erected in anticipation of an election (for the purpose of advertising a candidate or proposal) shall be no greater than thirty-two (32) square feet in area and ten (10) feet in height above grade and shall be compliant with WAC 468-06-050 regarding removal;

(11) Replacement of legal nonconforming signs if not changed in height, shape, size, lighting/illumination and does not affect the structure of the sign;

(12) Painting, cleaning, refacing, or replacement of defective parts;

(13) Signs at a construction site, no more than three signs and no greater than 32 square feet each, that may identify the architect, engineers, contractors, supplies, or grant agencies involved in the construction project or announces the character of the building. Signs not permitted shall be removed fourteen days after construction is complete;

(14) Signs advertising real estate for sale, rent, or lease, no greater than thirty-two (32) square feet, and removed after the real estate transaction is complete;

(15) Grand opening or closing displays, such as temporary banners, flags, or balloons, are allowed to remain for a period of fourteen days from setup of the display, to announce the opening of a completely new business, new management, or closing of the business;

(16) Banner signs displayed for 3 months as a temporary monument sign used by businesses within commercial zones. Banner signs shall not be used as permanent monument signs. Banner signs affixed to a wall shall be required to be permitted as facade signs.

(17) Portable signs used to provide traffic and directional information during events or for agricultural businesses that do not block safety sign lines of motorists pulling into or out from a business or within safety sight triangles on corner lots, and are removed immediately upon conclusion of the event or the end of the harvest season.

Section 33.57.040070. Prohibited signs is amended to read as follows:

The following signs or displays are prohibited, except as otherwise specifically allowed within this chapter, and subject to enforcement action and/or removal by the County. Prohibited signs are subject to removal by the County at the owner's or user's expense.

(1) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency or radio equipment vehicle; or which obstruct the visibility of any street sign or signal device;

(2) Signs erected, altered or relocated without a permit issued by the County or any other governmental agency that requires a permit under law;

(32) Signs identifying activities, products, businesses or services which have been discontinued for more than six (6) months on the premises upon which the signs are located;

(43) Private signs on public utility poles;

(5) Any sign that interferes with safe sight distances (determined by the County Road Department) at an intersection or causes an intersection to be illuminated;

(64) Portable signs, except if placed as an exempt sign as listed in section 33.57.030, but that shall not due to fact that they are often placed where they block safety sight lines of motorists pulling into or out from a business or within safety sight triangles on corner lots;

(5) Signs erected, altered or relocated without a permit issued by the County or any other governmental agency that requires a permit under law;

(76) Signs that rotate or have a part or parts that move or revolve shall not be permitted in any zone except for the face of a clock less than six (6) square feet in size;

(87) Signs or advertising displays consisting of clusters of posters, banners not affixed to a building wall, pennants, ribbons, streamers, strings of lights other than holiday lights used exclusively for decorative purposes, spinners, twirlers or propellers, flashing signs, rotating or blinking lights, chasing or oscillating lights, light projections on other natural or manmade surfaces, television type video, flares, balloons, inflatable signs, bubble machines and similar devices of carnival nature, or containing elements creating sound greater than 40 decibels as measured from the nearest adjacent property or business boundary shall not be permitted in any zone;

(9) Banner signs that do not meet the exemption listed under 33.57.030;

(10) Pennants, ribbons, streamers, strings of lights other than holiday lights used exclusively for decorative purposes, spinners, twirlers or propellers, flashing signs, rotating or blinking lights, chasing or oscillating lights, light projections on other natural or manmade surfaces, television type video, flares, balloons, inflatable signs, bubble machines and similar devices of carnival nature, or containing elements creating sound greater than 40 decibels as measured from the nearest adjacent property or business boundary shall not be permitted in any zone;

(11) Parking of vehicles with the sole intent to remain stationary for more than three days for purposes of using the signage in or on the vehicle as advertising. Parking of registered vehicles on property with a company message is not considered intentionally advertising;

(812) Signs within the public right-of-way unless erected by Clallam County or the State of Washington. These signs are subject to removal by the Clallam County Road Department.

Section 33.57.050030. Permitting Certificate of compliance is amended to read as follows:

No sign may be erected, relocated, constructed, or altered within the areas of the County under Clallam County jurisdiction without a permit obtained from the Clallam County Department of Community Development. A certificate of compliance for a sign is used to track sign installations for record keeping and to ensure all signs erected after passage of this chapter are in conformance with the chapter. No sign may be erected within the areas of the County under Clallam County jurisdiction without a certificate of compliance obtained from the Clallam County Department of Community Development unless specifically it is a temporary sign or an exempt sign under this code (CCC 33.57.030[33.57.080]). Painting, cleaning, refacing, or replacement of defective parts may be completed without a permit; however, replacement of the sign structure will need to be reviewed by the building department to determine if a building permit is required in accordance with the International Building Code. No nonconforming sign maintenance, except exchanging the area of existing advertising copy for a business not changing land use category or repainting to freshen faded or damaged advertising copy shown on the face of the sign for a business not changing land use category or changing lighting tubes/bulbs with bulbs of the same or lesser intensity, is allowed without a certificate of compliance.

The application for permitting a sign shall include drawings and details of the proposed sign, associated support structure and method of attachment, drawing of all exterior lighting (if any), a site plan with location of all proposed and existing signs, and dimensions of all existing signs.

Section 33.57.060040. Commercial and industrial sign standards is amended to read as follows:

The following standards shall apply to signs placed on property zoned commercial or industrial: There are only four (4) basic types of signs that are used by business and industry. Those four (4) types include signs that are attached to the building (facade), signs that are set apart from the building (freestanding/monument), vehicular signs and temporary signs that are needed when certain conditions are met. Any sign that cannot be configured to qualify as one of these four (4) sign types and is not an exempt sign is prohibited in all zones. The time, place, number and manner regulations of these four (4) types of signs is as follows:

— (1) The total area of signage attached to any face of the building(s) in one or more facade signs shall not exceed the square footage limit for a facade signage of one square foot of sign area for each linear foot of building frontage facing a single public or private road. No facade sign may extend above the primary roofline or project more than eight (8) feet from the roofline edge of the building. For multiple business complexes each business within a plaza may have one facade sign attached to the commercial structure that is limited to one square foot of sign area per linear foot of each businesses building frontage.

(12) FA-freestanding sign, or monument signs, shall meet the following standards:

- a. Shall be designed so they appear firmly anchored to the ground with a base width at least forty percent (40%) of the total sign width;
- b. Integrates a top, middle, and base element;
- c. One sign permitted for each business not part of a multiple-business complex; within a commercial or industrial zone shall be limited to one sign for each area of land under common ownership that is not the site of a multiple-business complex;
- d. Shall be designed as an integrated architectural feature of the site and include durable high-quality materials that complement the design of on-site buildings;
- e. Located outside of the public right-of-way;
- f. Shall include one square foot of decorative landscaped area around the base of the sign per one square foot of sign area. Landscaping shall include ground cover and/or non-invasive shrubs, and encourage the use of native, drought-tolerant plantings;
- g. This one sign (either freestanding or monument) shall not exceed thirty-two (32) square feet of sign area and shall not exceed ten (10) feet in height above grade. Except for multiple-business complexes advertising multiple businesses;
- h. Multiple-business complex signs shall be limited to one freestanding sign or one monument sign may be used to advertise the plaza or complex name and the businesses within the complex. This sign shall be limited to one sign not exceeding the square area limit of 100 square feet and whose height shall not exceed ten (10) feet in height above grade shall be used to advertise the complex name and the businesses within the complex. The business complex name shall be distinct from the names of the tenants, and can be included on a distinctive sign cap. The sign may not be used entirely for only on tenant unless it is limited to 32 square feet. Individual tenants in a multiple-business complex may not erect individual freestanding signs.
- i. Sign copy shall not exceed fourteen (14) feet in height above grade and the structure shall be maximum fifteen (15) feet above grade;
- j. Sign may be internally or externally illuminated and shall have a steady, stationary, fully shielded light source with a brightness of no greater than 0.3 foot candles at the



property line and shall contain no electronic/digital components, unless displaying a numeric price per unit of a fixed item, such as the current price of gasoline at a gas station;

k. Illumination of a business's fleet or outside inventory shall be considered advertising and shall not exceed brightness of no greater than 0.3 foot candle at the property line.

(2) Façade sign(s) shall meet the following standards:

a. The total area of signage attached to any face of the building(s) shall not exceed a total of one square foot of sign area for each linear foot of the building frontage facing a single public or private road. Banner signs affixed to a wall count toward the total square footage for façade signs. For multiple-business complexes each business within a plaza may have one façade sign attached to the commercial structure, limited to one square foot of sign area per linear foot of each businesses building frontage;

b. Shall not extend above the building parapet soffit, eave line, or primary roofline of the building;

c. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials;

d. Marquee, awning, and window signs will be considered façade signs;

e. Shall be placed a minimum of eight feet above a sidewalk or walkway;

f. Sign may be internally or externally illuminated and shall have a steady, stationary, fully shielded light source with a brightness of no greater than 0.3 foot candles at the property line and shall contain no electronic/digital components, unless displaying a numeric price per unit of a fixed item, such as the current price of gasoline at a gas station.

(3) Vehicular signage visible from a State scenic and recreational highway shall be limited to thirty-two (32) square feet and vehicular signage shall be set back from the lot line or right of public use line that fronts on the State scenic and recreational highway a minimum of fifty (50) feet. Firm identification signage and other signage at the minimum sizes required by State or federal law on commercial/industrial vehicles shall not be calculated as part of the thirty-two (32) square foot signage limitation. Work vehicles making a delivery or making a service call away from the home base of the business are not subject to this provision, as the purpose of this provision is to prevent vehicular signs from being used as a form of long-term freestanding sign. Likewise, local franchise holders for national moving van companies are not subject to the square footage limitation of this provision, as the local franchise holder has no control over the size of signage on the vehicles.

(4) When the conditions for a temporary sign are met, one temporary sign may also be allowed on a commercial/industrial property. Conditions present to qualify for a temporary sign would include the sale of property/business, a grand opening, construction of a business, and when advertising a community event. Such signage is limited to one unlit thirty-two (32) square foot sign that shall not exceed five (5) feet in height above grade.

(5) Externally illuminated signs shall not exceed background area average illumination levels when measured five (5) feet beyond any vertical surface of the sign; lighting fixtures shall be carefully located, aimed and shielded so that light is only directed on to the sign surface with a light source that is not directly visible from the adjacent roadway. Internally illuminated signs using 800 milliamp ballasts shall not have lamps spaced closer than twelve (12) inches apart or if using 425 milliamp ballast shall not be closer than six (6) inches apart.

(6) Commercial/Industrial zoning includes the following zoning districts

Zone Name	Zoning Symbol
Light Industrial	LI
Industrial	M
Commercial	GC
Tourist Commercial	TC
Western Region Rural Center	WRC
Urban Center	UC
Urban Regional Commercial	URC
Urban Neighborhood Commercial	UNC
Rural Center	CEN
Rural Limited Commercial	RLC
Rural Neighborhood Commercial	RNC
Carlsborg Commercial	CC
Rural Village	RV
Rural Commercial	RC
Sequim General Retail District	S(GC)
Sequim Light Manufacturing	S(LM)
Sequim Bypass Commercial	S(BC)
Sequim Neighborhood Commercial	S(NC)



Section 33.57.070050. Residential/Resource zoning district sign standards is amended to read as follows:

~~The following standards shall apply to signs placed on property zoned residential or resource: There are only four (4) basic types of signs that are used in residential/resource zones. Those four (4) types include signs that are attached to the building (facade), signs that are set apart from the building (freestanding/monument), vehicular signs and temporary signs that are needed when certain conditions are met. Any sign that cannot be configured to qualify as one of these four (4) sign types~~

and is not an exempt sign is prohibited in all zones. The time, place, number and manner regulations of these four types of signs is as follows:

(1) Freestanding, monument and facade signage in Residential/Resource zoning districts, regardless of use, is limited to one unlit sign freestanding or facade sign;

(2) Sign shall contain no electronic or digital components or be illuminated;

(3) Sign shall be no more than of one type with a maximum of six (6) square feet of signage; on residentially zoned property and no more than and provided, that within a Commercial Forest zoning district (CF) the maximum sign size is twenty (20) square feet of signage on resource zoned property; :

(42) Freestanding sign If the one sign allowed is a freestanding sign or monument sign, it shall not exceed five (5) feet in height above grade and shall be unlit; no facade sign may extend above the primary roofline.

(3) Vehicular signage visible from a County road or State scenic and recreational highway shall be limited to a total of thirty-two (32) square feet and vehicular signage shall be set back from the lot line or public right of use line that fronts on the State scenic and recreational highway a minimum of 100 feet. On parcels that predate the effective date of this chapter that cannot meet the 100-foot vehicular sign setback due to lack of lot depth, vehicular signs can be parked within twenty (20) feet of the lot line farthest from the scenic and recreational highway. Firm identification signage and other signage at the minimum sizes required by State or federal law on commercial/industrial vehicles shall not be calculated as part of the thirty-two (32) square foot signage limitation. Work vehicles making a delivery or making a service call away from the home base of the business are not subject to this provision, as the purpose of this provision is to prevent vehicular signs from being used as a form of long-term freestanding signs.

(4) When the conditions for a temporary sign are met, one temporary sign may also be allowed on a Residential/Resource property. Conditions present to qualify for a temporary sign would include property/home sale and when advertising a community event. Such signage is limited to one unlit six (6) square foot sign for a property/home sale, construction sign and community event and shall not exceed five (5) feet in height above grade.

(5) Residential/Resource Zoning includes the following zoning districts

<u>Zone Name</u>	<u>Zoning Symbol</u>
<u>Urban Moderate Density</u>	<u>MD</u>
<u>Urban Very Low/Urban Low Density</u>	<u>VLD/LD</u>
<u>Urban Low Density</u>	<u>LD</u>
<u>Urban Very Low Density</u>	<u>VLD</u>
<u>Urban Residential Low</u>	<u>URL</u>
<u>Urban Residential High</u>	<u>URH</u>
<u>Rural Low Mixed</u>	<u>RLM</u>

Zone Name	Zoning Symbol
Rural Character Conservation 3	RCC3
Rural Character Conservation 5	RCC5
Quillayute Residential	QR
Western Regional Rural	RW1
Rural	R1
Rural Suburban Community	RSC
Western Regional Rural Moderate	RW2
Rural Moderate	R2
Western Regional Rural Low	RW5
Rural Low	R5
Rural Very Low	R20
Commercial Forest/Mixed Use 5	CFM5
Commercial Forest/Mixed Use 20	CFM20
Commercial Forest	CF
Agricultural Retention	AR
Public Land	P
Airport Overlay District	AO
Open Space Overlay/Open Space Corridors	OS
Sequim Urban Residential—I	S(R-I)
Sequim Urban Residential—II	S(R-II)
Sequim Urban Residential—III	S(R-III)
Sequim Urban Residential—IV	S(R-IV)
Sequim Mixed Use	S(MU)

Section 33.57.060. Exempt signs is amended to read as follows:

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

- (1) Official notices authorized by a court, public body or public safety official, provided they are removed within seven (7) days after conclusion of the subject of notification;
- (2) Directional, warning or information signs authorized by federal, State or municipal governments or signs required by law not exceeding 200 square feet of sign area and twenty (20) feet in height. Directional signs located within State or County right-of-way shall be administered by State standards for directional signs and, if within Clallam County right-of-way, shall be administered by the Motorist Informational Sign Ordinance, Chapter 9.21 CCC;
- (3) Memorial plaques, building identification signs and building cornerstones which are cut or carved into a masonry surface or when made of noncombustible material and made an integral part of the building or structure. Plaques, tablets, or inscriptions indicating the name of a building, its date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, and which are not illuminated, except incidentally from light sources used for other purposes;
- (4) Sculptures, murals, landscape features, fountains, mosaics, religious symbols, and design features which do not incorporate advertising or identification;
- (5) The flag of a government or noncommercial institution such as a school;
- (6) Traffic or pedestrian control signs or signals, or signs indicating scenic or historic points of interest which are erected by, or on the order of, a public officer in the performance of his/her public duty;
- (7) Exterior signs or displays not visible from streets or ways open to the public;
- (8) "No trespassing," "no dumping," "no parking," "private," and other informational warning signs which shall not exceed four (4) square feet in surface area and eight (8) feet maximum height above grade;
- (9) Commercial or residential address signs with lettering not exceeding twelve (12) inches in height and newspaper boxes located within ten (10) feet of an existing commercial/industrial building; and
- (10) Election signs no greater than thirty-two (32) square feet in area and five (5) feet in height above grade.

Section 33.57.070. Prohibited signs is amended to read as follows:

The following signs or displays are prohibited, except as otherwise specifically allowed within this chapter. Prohibited signs are subject to removal by the County at the owner's or user's expense.

- (1) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency or radio equipment vehicle; or which obstruct the visibility of any street sign or signal device;
- (2) Signs identifying activities, products, businesses or services which have been discontinued for more than six (6) months on the premises upon which the signs are located;
- (3) Private signs on public utility poles;
- (4) Portable signs, due to fact that they are often placed where they block safety sight lines of motorists pulling into or out from a business or within safety sight triangles on corner lots;
- (5) Signs erected, altered or relocated without a permit issued by the County or any other governmental agency that requires a permit under law;

~~(6) Signs that rotate or have a part or parts that move or revolve shall not be permitted in any zone except for the face of a clock less than six (6) square feet in size;~~

~~(7) Signs or advertising displays consisting of clusters of posters, banners not affixed to a building wall, pennants, ribbons, streamers, strings of lights other than holiday lights used exclusively for decorative purposes, spinners, twirlers or propellers, flashing signs, rotating or blinking lights, chasing or oscillating lights, light projections on other natural or manmade surfaces, television type video, flares, balloons, inflatable signs, bubble machines and similar devices of carnival nature, or containing elements creating sound greater than 40 decibels as measured from the nearest adjacent property or business boundary shall not be permitted in any zone;~~

~~(8) Signs within the public right-of-way unless erected by Clallam County or the State of Washington.~~

Section 33.57.080. Legal Nonconforming signs is amended to read as follows:

It is the intent of this section to ensure that nonconforming signs are brought into compliance with standards with the standards of this code. ~~of exceptional size and height are reduced in size and height in accord with this section and to ensure that noneonforming signs are retrofitted into conforming signs as expeditiously and fairly as possible while avoiding any unreasonable invasion of established property rights.~~ The following standards apply to nonconforming signs:

(1) Residential/Resource Zones: A nonconforming sign shall not be altered in height, shape, size, lighting/illumination, or affect the base or support without conforming with the provision of this chapter. No off-premise sign shall add electronic/digital components to a sign and existing electronic/digital signs shall be no greater than 0.3 foot candles above ambient light (includes day and night) and shall remain static for a minimum of 10 seconds, changing instantaneously to avoid startling flashing of lights, and shall transition without animation;

(2) A nonconforming sign may be maintained as long as the nonconformity of the sign is not increased.

(3) Properties with nonconforming signage shall only be allowed new or replacement signage requiring a permit after an equivalent number of nonconforming signs on the property are brought into conformance with standards of this chapter.

(a) Existing, legally erected, noneonforming freestanding signs greater than 128 square feet in area and/or taller than fifteen (15) feet shall be reduced to this standard (128 square feet in area/fifteen (15) feet in height).

(b) A property whose commercial use predates the existence of a zoning code in Clallam County shall be able to retain one existing, legally erected, noneonforming freestanding sign between thirty-two (32) square feet and 100 square feet in area and fifteen (15) feet in height but any sign larger than this standard shall be reduced to this standard. All existing, legally erected, noneonforming facade signage may be retained but shall not be enlarged in area or changed in location.

(c) All existing, legally erected, noneonforming, freestanding signs not covered in subsections (1)(a) or (1)(b) of this section which are greater than twenty (20) square feet in area and/or taller than five (5) feet shall be reduced to this standard.

(2) Commercial/Industrial Zones:

(a) Existing, legally erected, noneonforming, freestanding signs greater than 128 square feet in area and/or taller than fifteen (15) feet shall be reduced to this standard (128 square feet in area/fifteen (15) feet in height).

(b) A property with one or more existing, legally erected, noneonforming, freestanding sign(s) larger than 128 square feet covered by subsection (2)(a) of this section, that also has a secondary sign larger than thirty-two (32) square feet but smaller than 128 square feet may retain such

secondary, existing nonconforming, freestanding sign; provided, that if it is greater than sixty-four (64) square feet in size and fifteen (15) feet in height then it must be reduced to this standard.

— (c) A property with no existing, legally erected, nonconforming, freestanding sign(s) larger than 128 square feet may retain one existing, legally erected, nonconforming freestanding sign between thirty-two (32) square feet and 100 square feet in size and fifteen (15) feet in height but any sign larger than this standard shall be reduced to this standard if a single sign or the standards below if more than one sign exceeds this standard.

— (d) All existing nonconforming, freestanding signs not covered in subsections (2)(a), (2)(b) or (2)(c) of this section shall be reduced to the new sign standard of thirty-two (32) square feet in area and ten (10) feet in height.

— (e) All existing, legally erected, nonconforming facade signage erected prior to the passage of the 1993 sign code may be retained but shall not be enlarged in area or changed in location.

— (3) Clallam County passed a comprehensive sign code in 1993. Since the 1993 sign code did not require nonconforming signs to come into compliance, all owners of legally erected, nonconforming signs have already had at least seven (7) years to amortize their signs. Nonconforming signs which must be brought into conformance with the area and/or height standards of this chapter may elect to do so after an amortization period that begins either, on the date of the original sign building permit and runs for a term of one year for every \$1,000 of project value claimed on the original sign building permit, or alternatively, two (2) years from the effective date of this chapter whichever is greater.

— (4) Any sign which was nonconforming under the sign code adopted in 1993 (formerly Chapter 9.26 CCC) or under this code that has been enlarged shall be subject to conformance with the standards of this code without the amortization periods provided in subsection (3) of this section for legally established nonconforming signs after the notice specified in this title is provided to the owner. If the enlarged portions of the sign are not removed within the period specified in the notice, the entire sign becomes a prohibited sign subject to immediate conformance with the area and height requirements of this code.

— (5) Any sign erected after the passage of the 1993 sign code (formerly Chapter 9.26 CCC) that was a prohibited sign under the 1993 sign code shall be subject to removal by the County after the notice specified in this title is provided to the owner.

— (6) Properties with nonconforming signage shall only be allowed to erect new or replacement signage requiring a certificate of compliance after bringing an equivalent number of nonconforming signs on the property into conformance with the standards of this chapter.

— (7) A change in commercial or industrial land use as determined from review of land uses listed for each zone or change in a conditional use or a change of use under Section 3405 of the Uniform Building Code shall require all signage to come into conformance with the new sign standards of this chapter.

— (8) Nonconforming signs which have had the entire sign face area taken down to the ground as a result of natural disaster or which are removed as a result of loss of lease or are removed as a result of a construction project shall not be re-erected without bringing them into conformance with this chapter. No work on an undamaged, existing nonconforming sign that brings such sign into greater conformance with this code shall be considered to be a sign removal requiring conformance with the standards for new signage.

— (9) A sign or sign structure removed by the County shall be held not less than thirty (30) days after notice to the owner by the County during which period it may be recovered by the owner upon paying the County for cost of removal and storage, and upon payment of any imposed fine. If not recovered within the thirty (30) day period, the sign or sign structure is hereby declared abandoned and title thereto shall be vested in the County for disposal in any manner permitted by law.

~~— (10) All existing illuminated signs, other than facade signs, located in Rural Commercial, Rural Limited Commercial and Rural Neighborhood Commercial zoning districts and which:~~

~~— (a) Are within 600 feet of the outer boundary of a designated scenic and recreational highway; and~~

~~— (b) Do not advertise a business that is open during the entire time the sign is illuminated; shall be allowed a five (5) year amortization period after which lighting to these signs must be set by timer to be off when the business closes in order to further the goal in CCC 33.57.010(1)(c).~~

~~— (11) To encourage the retrofit of nonconforming signs to the standards of this chapter, Clallam County establishes an incentive program to assist owners of such signs. The County will make available, on a competitive basis, the total sum of \$30,000 for a program to assist the owners of nonconforming signs to replace or retrofit such signs into a sign that meets the standards of this code. The \$30,000 County funding set aside for this program may also be used as a match to scenic byway grant funding available to remove outdoor advertising signs.~~

Section 33.57.090. Signage visible from a scenic highway is amended to read as follows:

A permit or other written approval is required from the Washington State Department of Transportation prior to review of certain types of sign permits by Clallam County for those areas within 600 feet of a designated scenic and recreational highway to show conformance with the Scenic Vistas Act and the Highway Advertising Control Act (Chapter 468-66 WAC).

Section 33.57.100. Variances is amended to read as follows:

~~— Applications for a variance from the standards established by this code shall be processed as Type III permits as set forth in Chapter 26.10 CCC and the review criteria outlined in Chapter 33.30 CCC, Variances. Variances shall not be permitted for modification to the number of signs and sign types specified in this chapter. Sign size variances shall not exceed 10 percent of the standard required unless it can be demonstrated that the sign qualifies as a community landmark sign and must show that the increase is required to allow the sign owner to purchase a standardized sign required by a national manufacturer who does not offer signs in a conforming size. A sign size (area) variance of less than 10 percent in area that meets the preceding criteria shall be processed as a Type II administrative variance as set forth in Chapter 26.10 CCC. Sign height variances over the 10 percent limit are available to those business owners that can demonstrate that their nonconforming sign qualifies as a community landmark sign. A community landmark sign must predate the effective date of this code by at least 20 years, have advertised the same business under the same name for all of that time, have become an important cultural landmark to County residents and would be difficult to retrofit to the nonconforming sign standard without destroying the unique character of the sign.~~

Section 33.57.100.10. Review of Administrator's action (appeals) is amended to read as follows:

Any person aggrieved by the granting, denying or rescinding of a decision of the Administrator made under this chapter may seek review from the Hearing Examiner in accordance with Chapters 33.33 and 26.10 CCC. The request must be in writing setting forth the basis of the appeal and must be accompanied by the appropriate fees outlined in Chapter 5.100 CCC.

Section 33.57.110. Enforcement is amended to read as follows:

The provisions of this title are subject to enforcement and penalty provisions contained in CCC Title 20, Code Compliance, except to the extent preempted by State or Federal law, and except to the extent preempted by any contrary enforcement and penalty provisions contained in this title.

Upon identification of a noncomplying or abandoned sign by the Department of Community Development, a notice of violation will be sent to the violator and landowner (if different) requiring corrective action within 90-days. Failure to correct the violation on or before a specified date, which shall be 90 days after mailing of the notice of violation, will result in the accrual of fines. If the violation identified in the notice of violation have not been corrected by the specified date, a certified letter will be sent informing the violator and/or landowner that fines shall accrue at a rate of \$100 per day on residential property and \$250 per day on commercial/industrial property until the violations are corrected.

Section 33.57.120. Severability is amended to read as follows:

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application to other persons or circumstances shall not be affected.

ADOPTED this ____ day of _____ 2023

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Clerk

ATTEST:

Gandy Johnson

Loni Gores, CMC, Clerk of the Board

Mike Hutch

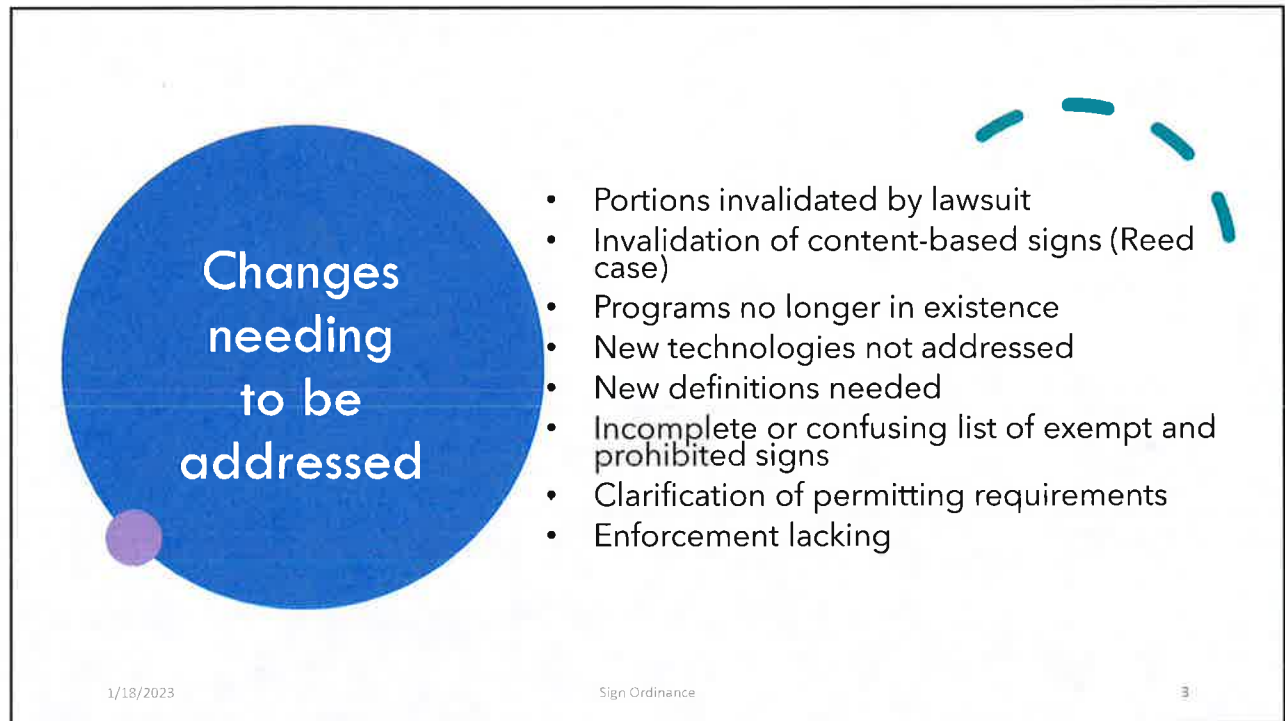
Clallam County Sign Ordinance

1

Existing Code

- Adopted in 2000
- Standards for Commercial/Industrial and Residential signs per zone
- Limits commercial monument signs to 32 square feet
- Limits façade signs to 1:1 based on linear feet of structure
- Provides no standards for electronic signs

2

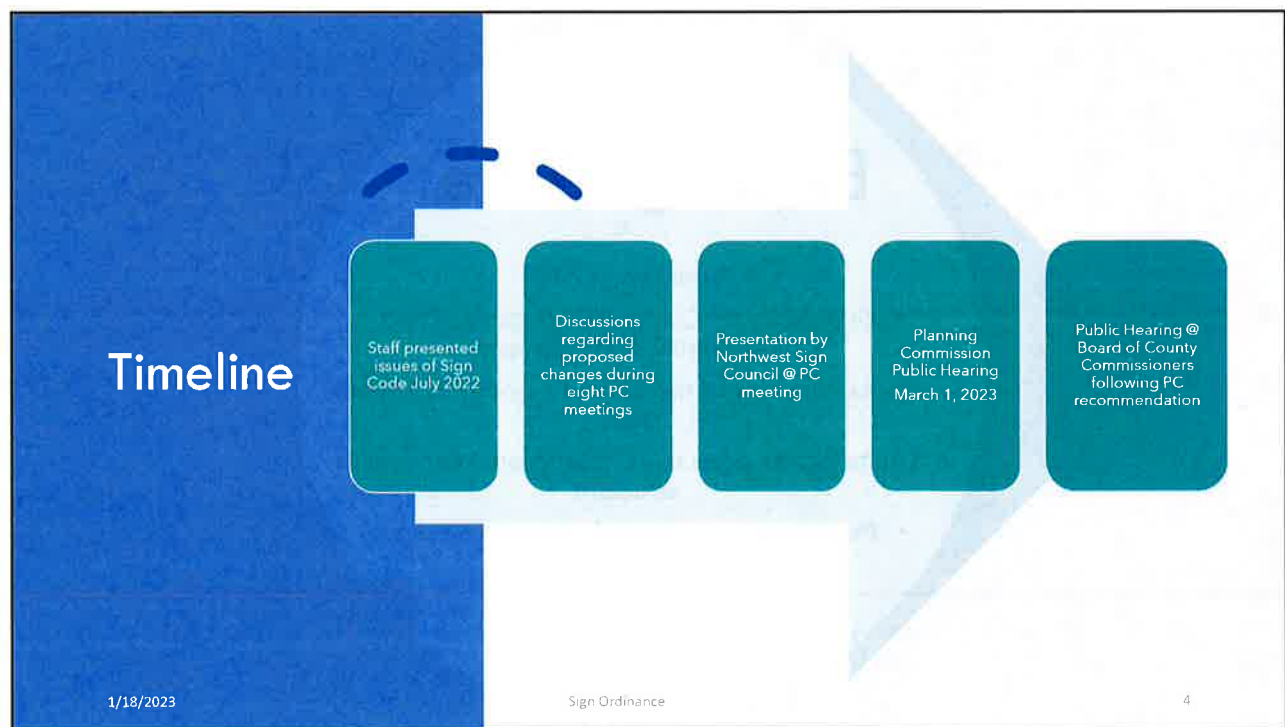


Changes needing to be addressed

- Portions invalidated by lawsuit
- Invalidation of content-based signs (Reed case)
- Programs no longer in existence
- New technologies not addressed
- New definitions needed
- Incomplete or confusing list of exempt and prohibited signs
- Clarification of permitting requirements
- Enforcement lacking

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Timeline

- Staff presented issues of Sign Code July 2022
- Discussions regarding proposed changes during eight PC meetings
- Presentation by Northwest Sign Council @ PC meeting
- Planning Commission Public Hearing March 1, 2023
- Public Hearing @ Board of County Commissioners following PC recommendation

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Proposed Ordinance

- Reorganized for easier reading
- Definitions added
- Exempt and Prohibited signs reviewed
- Permitting clarified
- Standards added
- Non-conforming section simplified
- Enforcement section rewritten

1/18/2023

Sign Ordinance



5

Commercial/Industrial Sign Standards

Freestanding Signs

- Anchored
- Design integrates a bottom, sides and a top
- Require 1 sqft of landscaping
- 32 square foot sign area
- Maximum 15 foot height
- No electronic signs
- Illumination of sign and inventory no more than 0.3 footcandle

Façade

- Size: one sqft to each linear foot
- Shall not exceed roofline
- Frame integrated into design
- Eight feet above sidewalk or road
- Internally or Externally illuminated

1/18/2023

Sign Ordinance

6

6



MEMORANDUM

Clallam County Department of Community Development

Date: March 1, 2023
To: Clallam County Planning Commission
From: Donella Clark, Principal Planner
Re: Vacation Rentals

Discussion

Currently any permitted single-family residence can be used as a vacation rental. There are approximately 600 listings on Airbnb.com, though they are not all residences. Would like to start a discussion regarding what changes would be appropriate to help move some vacation rentals back into the housing market.

One of the first steps we would like to see is a registry, to ensure that appropriate safety regulations are being met and that substandard buildings are not used. Even if a fee is not required, the registry could help the County determine the number of vacation rentals in the County and understand the circumstances of ownership and effect on the housing market. Some jurisdictions require permits and have different tiers for vacation rentals (home owner occupied, vacant for rent, etc.) Would we want to have different requirements or limit the number of vacation rentals one person or LLC or corporation could own? This is the beginning of the conversation that staff would like to begin.

Provided is a short article on the impact of short-term rentals on affordable housing and the current Vacation Rental code, 33.51.



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Affordable Housing and the Impact of Short-Term Rentals

December 30, 2021 by [Steve Butler](#)

Category: [Housing](#), [Tourism](#)



Short-term rentals (STRs), sometimes also referred to as "Home Sharing," are very popular with travelers. They are viewed as a way for visitors to temporarily feel part of a local neighborhood rather than staying in a hotel. [Back to top](#) situated in a commercial area.

Short-term rentals have been in existence for several decades but widespread usage of them exploded with the advent of online platforms such as Airbnb and VRBO. The market took a major hit during the early days of the COVID-19 pandemic, but its popularity has been rising now that more people are traveling again.

With the ever-increasing popularity of STRs, however, has come unanticipated and unwanted problems, particularly for residential neighbors living close to them. Negative impacts caused by some short-term rental visitors include excessive noise, after-hours partying, and parking conflicts, to name just a few of the major ones. In response, several communities have adopted regulations to address those negative impacts (for more details, see my blogs: [12 Examples of Short-Term Vacation Rental Regulations](#); [Local Government Catching Up with Airbnb and Other Short-Term Transient Rental Businesses](#)).

One major item that has recently been facing increasing local government scrutiny, however, is the impact that STRs have on the supply of affordable housing. The worry is not about a homeowner renting out a room or two to help with monthly mortgage payments. Instead, there is a concern that investors will purchase existing residential units and rent them out on a short-term basis to out-of-town visitors, thereby taking those units out of the long-term rental housing market.

STRs Effect on the Local Affordable Housing Supply

While not the primary cause of affordable housing problems, many experts believe that STRs do have a negative impact on affordable housing at the local level, especially in high-tourism communities. Several organizations, such as The Pew Charitable Trusts and the Harvard Business Review (HBR), have conducted or published research showing that as the number of short-term rentals increase in a community, the quantity of affordable housing units decrease.

The authors of a [2019 HBR article](#) focusing on the effects of Airbnb observed that, “because of Airbnb, absentee landlords are moving their properties out of the long-term rental and for-sale markets and into the short-term rental market.” The authors noted that as *absentee* landlords reduce the housing supply, it increases the housing cost for local renters:

(I)n aggregate, the growth in home-sharing through Airbnb contributes to about one-fifth [or 20%] of the average annual increase in U.S. rents and about one-seventh [or 14%] of the average annual increase in U.S. housing prices.

But what about *non-absentee* property owners using online platforms like Airbnb to rent out their properties, you might ask? The HBR researchers found that “owner-occupiers” who rent out their spare rooms or even an entire house (when they are away for a set period of time) to short-term visitors using a virtual house-sharing platform do not impact the long-term rental market.

Regulations That Address STRs and Affordable Housing Concerns

Affordable housing impacts caused by the conversion of long-term housing to short-term rental use are such [Back to top](#) at it is becoming a major rationale for regulating STRs, with one U.S. community — the ski

resort town of [Aspen \(CO\)](#) — taking the dramatic step of enacting a one-year STR moratorium.

While not going so far as Aspen, several Washington State cities have adopted plans and STR regulations that explicitly identify the impact on affordable housing as a major policy rationale. Examples include:

- [Chelan County Municipal Code Sec. 11.88.290\(C\)](#) — This section on short-term rentals references affordable housing as one reason for regulation.
- [Kirkland Ordinance 4607](#) — Cites housing affordability in the third 'whereas.'
- [Olympia Housing Action Plan](#) — Strategy 2b states: "Adopt short-term rental regulations to minimize impacts on long-term housing availability."
- [Walla Walla Municipal Code Sec. 20.139.010\(B\)](#) — The purpose statement in the short-term rentals section cites regulation of STRs as "necessary to provide adequate housing opportunities to low- and moderate-income persons."

In addition to having a clear affordable housing policy statement, Chelan County has recently updated its [STR regulations](#) to provide more flexibility for owner-occupied units. These are categorized as "Tier 1" rentals and must meet one of the following characteristics:

1. Is a room in a dwelling in which the owner is personally present during the rental period;
2. Is a unit located on the same parcel as the owner's principal residence and the owner is personally present during the rental period, or;
3. Is the entire dwelling, which is rented for no more than 15 total days in a calendar year provided that an on-site qualified person is there during the owner's absence.

STRs that don't meet one of these three Tier 1 criteria are categorized as Tier 2 or Tier 3 and are more strictly regulated by the county, in large part due to affordable housing concerns. In fact, the Chelan County code requires that new short-term rentals deemed to be Tier 2 and/or Tier 3 "cannot be located in specified areas where short-term rentals make up more than the maximum share of the total housing stock in [those specifically identified] residential zoning districts..." For most of the specified areas in Chelan County, the maximum share is 6%, with two exceptions being the Manson urban growth area (UGA) at 9% and the Peshastin UGA at 0%.

Conclusion and Additional Resources

There may be many reasons behind a local government's decision to regulate or not regulate the local STR market. On the one hand, mitigating the negative impacts of ill-behaved visitors on local residents may prompt a jurisdiction to adopt STR regulations. Conversely, allowing property owners to rent out an extra room, which may make it easier for them to pay their mortgage, is sometimes the reason why restrictions on STRs are more limited or nonexistent in some communities.

For those communities wrestling with a tight housing supply and a strong tourist/visitor market, however, affordable housing is another significant policy factor to weigh when a local government is considering how strictly to regulate short-term rentals.

For more information on how STRs impact the local housing market and what some cities and counties have done to regulate them, here are additional resources:

- [When Airbnb Listings in a City Increase, So Do Rent Prices](#) — Harvard Business Review
- [A Practical Guide to Effectively Regulating Short-Term Rentals on the Local Government Level](#) — Prepared for the City of Santa Cruz (CA) by Ulrik Binzer, Host Compliance LLC
- [Cities Tell Airbnb to Make Room for Affordable Housing](#) — Stateline, Pew Charitable Trusts
- [The Airbnb Effect on Housing Markets and Rent](#) — Forbes

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About Steve Butler

Steve joined MRSC in February 2015. He has been involved in most aspects of community planning for over 30 years, both in the public and private sectors. He received a B.A. from St. Lawrence University (Canton, New York) and a M.S. in Urban and Regional Planning from the University of Wisconsin-Madison. Steve has served as president of statewide planning associations in both Washington and Maine, and was elected to the American Institute of Certified Planner's College of Fellows in 2008.

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Chapter 33.51

VACATION RENTALS

Sections:

33.51.010 Purpose.

33.51.020 Vacation rental standards.

SOURCE:

ADOPTED:

Ord. 913

09/27/16

33.51.010 Purpose.

Clallam County is a destination for thousands of visitors annually attracted to the area's scenic beauty and variety of cultural and outdoor recreational opportunities, and these visitors are in need of local accommodations. Short-term rental of residences referred to hereafter as "vacation rentals" have become an established use throughout Clallam County. It is the purpose of this chapter for vacation rentals to be operated in a way that will avoid unreasonable disturbances to neighbors and area residents and for renters to know they are safe and can enjoy their stay. Other types of transient accommodations are not regulated by this chapter.

33.51.020 Vacation rental standards.

The dwelling and vacation rental use must comply with all County and State regulations and requirements as well as the following standards:

- (1) The owner is responsible for obtaining an inspection by the Clallam County Department of Community Development, or by a qualified organization or person approved by the Administrator, to review that the structure has adequate means of egress, exits, smoke detectors, carbon monoxide alarms, fire extinguishers, and other fire protection systems in compliance with the Building Code.
- (2) Connection to a Public Sanitary Sewer or an On-Site Septic System That Complies with Chapter [41.20](#) CCC, On-Site Sewage Systems. If connected to an on-site septic system, the owner is responsible to ensure that the vacation rental occupancy is consistent with the design capacity of the on-site septic system and type of wastewater discharges allowed, and in compliance with on-site septic systems periodic inspection, maintenance, and reporting requirements under CCC [41.20.170](#).
- (3) On-site parking adequate to accommodate vacation rental guests shall be provided.
- (4) All outdoor storage of refuse and recyclables must be secured in covered containers. The owner is responsible to notify renters in writing that refuse and recyclables must be kept in secured containers provided for

that purpose. Recycling and refuse shall not create a nuisance of odor or attract animals, and shall remain in compliance with Chapter [41.11](#) CCC, Solid Waste Regulations.

(5) The owner is responsible to provide written notice to renters of:

- (a) County sound and noise regulations pursuant to Chapter [15.30](#) CCC, Public Disturbance.
- (b) Rules of conduct, local laws, burn bans, and renter responsibility not to trespass on private property or to create disturbances (e.g., noise). If there is an easement that provides renters legal access to off-site areas such as a beach access, this shall be indicated on a map and the easement shall be clearly marked.
- (c) The location of the breaker box, water shut-off, gas shut-off, instructions regarding the septic system, emergency numbers, and the name and number of a local contact person(s) for the vacation rental.

(6) The owner is responsible for complying with State transient accommodation requirements under Chapter [246-360](#) WAC; and the Washington State Department of Revenue requirements for short-term rentals of residences, including those pertaining to business licenses and any sale and lodging taxes.

Compliance shall be addressed through Chapter [33.59](#) CCC, Enforcement, and CCC Title [20](#), Code Compliance.

The Clallam County Code is current through Ordinance 998, passed December 13, 2022.

Disclaimer: The Commissioner's Office has the official version of the Clallam County Code. Users should contact the Commissioner's Office for ordinances passed subsequent to the ordinance cited above.

County Website: www.clallam.net

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