

**CITY OF MERCER ISLAND**

**ORDINANCE NO. 21C-21**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, AMENDING MERCER ISLAND CITY CODE 19.06.020, 19.11.140, 19.12.080 AND 19.16.010 TO REVISE STANDARDS AND REQUIREMENTS FOR SIGNAGE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, in 2015, the United States Supreme Court issued a ruling (*Reed v. Town of Gilbert*) which changed the way sign codes are analyzed for First Amendment issues; and

**WHEREAS**, the *Reed* ruling disallows the consideration of the content of signs in regulating signage; and

**WHEREAS**, the Mercer Island City Code currently contains content-based signage regulations that must now be amended; and

**WHEREAS**, upon drafting amended signage standards responding to the *Reed* ruling, City Staff identified additional areas of the Mercer Island City Code where amendments were needed to clarify existing provisions or to resolve concerns that had arisen during processing of applications; and

**WHEREAS**, the Planning Commission of the City of Mercer Island held a public hearing on the suggested code amendment on June 16 and July 28, 2021; and

**WHEREAS**, the Planning Commission unanimously recommended that the City Council adopt the suggested code amendment as revised by the Planning Commission on July 28, 2021; and

**WHEREAS**, the City Council hereby finds that the actions set forth below are necessary to preserve the public peace, health, safety, and welfare; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

- Section 1. Amendment of MICC 19.06.020, Temporary Signs.** MICC 19.06.020, Temporary Signs, is hereby amended in the form provided in the attached Exhibit A, which is incorporated herein by reference.
- Section 2. Amendment of MICC 19.11.140, Signs.** MICC 19.11.140, Signs, is hereby amended in the form provided in the attached Exhibit B, which is incorporated herein by reference.
- Section 3. Amendment of MICC 19.12.080, Signs.** MICC 19.12.080, Signs, is hereby amended in the form provided in the attached Exhibit C, which is incorporated herein by reference.
- Section 4. Amendment of MICC 19.16.010, Definitions.** MICC 19.16.010, Definitions, is hereby amended in the form provided in the attached Exhibit D, which is incorporated herein by reference. All other definitions contained in current MICC Section 19.16.010 that are not listed in Exhibit D, shall remain unchanged.

**Section 5. Severability.** If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property, or circumstance, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this Ordinance or its application to any other person, property, or circumstance.

**Section 6. Publication and Effective Date.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full force five days after the date of publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS REGULAR MEETING ON \_\_\_\_\_, 2021.

CITY OF MERCER ISLAND

\_\_\_\_\_  
Benson Wong, Mayor

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
Deborah A. Estrada, City Clerk

\_\_\_\_\_  
Bio Park, City Attorney

Date of publication:

## Exhibit A

### 19.06.020 Temporary signs.

A. *General Provisions.* All temporary signs in the city are subject to the following conditions:

1. Signs may not be placed on private property without permission of the owner.
2. All signs shall be unlit.
3. Signs shall not obstruct vehicular ~~or pedestrian~~ traffic.

4. The sign must not obstruct pedestrian or accessible routes to or along the public or private sidewalk or encroach into the minimum clear pathway area of forty-eight (48) inches in width;

5. No sign shall be placed in a park, except as permitted in MICC 9.30.040.

~~4. It is the responsibility of the person posting a temporary sign to remove it.~~

~~56.~~ Except as specified elsewhere in this section, temporary signs shall include A-frame signs banners, pennants, and signs staked into the ground, including wire-frame or H-frame signs. Temporary signs shall not exceed 60 inches above the ground and shall not exceed ~~six-nine~~ square feet in area per sign face; provided, signs up to 16 square feet in area per sign face may be allowed subject to the issuance of a permit from the ~~code official~~ Director; ~~further provided, both sides of an A-frame sign shall be counted in calculating the sign's area.~~

~~67.~~ Temporary signs shall be constructed of any durable material that will withstand rain, wind, and normal wear and tear for the anticipated use provided that the temporary sign otherwise conforms to the requirements of this Chapter. Signs shall at all times be maintained in an aesthetic and safe condition.

~~78.~~ The sign must remain portable and may not be attached or anchored in any way to trees or to public property including, but not limited to, utility or light poles, parking meters, or pavement.

~~89.~~ Temporary signs are prohibited in, on, or within public or private medians, roundabouts, traffic circles, the clear view sight triangle of intersections and driveways, utility poles, lampposts (except Banners as specified below), traffic poles and signals, and street trees.

~~910.~~ Be located in such a manner so as not to interfere with the opening of car doors, use of bicycle facilities, bus stops, or loading zones.

~~10. Minimum Setback requirements for public or private facilities:~~

~~Ten (10) feet from any driveway, alley, or vehicle access point.~~

~~Two (2) feet from any curb or roadway edge.~~

~~Two (2) feet from any pedestrian sidewalk or ADA accessible path.~~

~~Five (5) feet from any building access point.~~

11. Government signs for the purpose of promoting health, safety and welfare as well as signs required by local, state, or Federal rule, regulation, or law are exempt from this section.

~~6~~12. Signs in Public Rights-of-Way. Signs may not be placed on public property except for publicly owned rights-of-way. In addition to all other applicable conditions, signs placed in rights-of-way shall be subject to the following conditions:

a. Signs may be placed on rights-of-way adjacent to a single-family dwelling only with permission of the adjoining property owner.

b. Signs shall not create a traffic safety or maintenance problem, ~~and the city may remove and dispose of any signs that fail to satisfy any of the requirements of this 19.06.020 (A) do constitute a problem.~~

c. Signs placed on public property shall be freestanding and shall not be attached to any structure or vegetation. Signs attached to utility poles, traffic signs, street signs, or trees are specifically forbidden.

d. Signs shall be either an A-frame design or shall be attached to a stake, wire frame, or H-frame driven into the ground well clear of tree roots, irrigation lines and any other underground vegetation or structures that could be damaged by such a stake. Temporary noncommercial banners and pennants are also allowed in the Town Center (TC) Zone subject to the issuance of a permit from the Director.

e. The city may remove and dispose of any signs that fail to satisfy any of the requirements of 19.06.020 (A).

~~e. A temporary sign, other than a political sign, may only be erected for a maximum of 90 days during any 365-day period.~~

B. *Temporary Signs Allowed in All Zones.*

1. *Temporary, Noncommercial Signs.* Temporary, noncommercial signs, which are signs that express non-commercial messages such as public/ community events, religious, political,

ideological, or other philosophical messages, are allowed in all zones, subject to the conditions set out in subsection A of this section.

~~a. Temporary noncommercial banners and pennants are allowed in the Town Center (TC) Zone subject to the issuance of a permit from the Director. Except as allowed in subsection C of this section, banners, pennants, and other similar attention getting devices are not allowed; provided, such signs may be allowed for community-wide civic activities subject to the issuance of a permit from the code official~~Director.

2. *Temporary Commercial Signs.* Temporary commercial signs are ~~not~~ allowed ~~outside of~~in the TC, B, C-O and PBZ zones. Outside the TC, B, C-O and PBZ zones, only~~except for~~ real estate signs and garage yard/estate sale signs ~~which are~~ allowed subject to the conditions set out below and in subsection A of this section.

a. Real Estate Signs. Real estate signs are those that ~~Signs advertising~~advertise the sale, rental, or lease of property.

b. Real estate signs are allowed in all zones, subject to the following conditions.

i. One real estate sign per street frontage is allowed ~~on property being offered for sale, rent, or lease.~~ The signs may be located on the property or in the adjacent right of way.

ii. ~~iii.~~ Real estate sales and rental signs shall be removed within seven days after the sale or rental of the property being advertised.

iii. Three ~~real estate A-frame~~additional signs may be posted in the public right-of-way to advertise a real estate open house or to direct the public to a dwelling unit that is available. No more than four signs total may be posted for property offered by the same owner. The three additional signs may be posted during the hours that a real estate or rental agent is present at the property and shall be removed at the end of the open house or when the sales or rental office closes each day, subject to the conditions set out in subsection (A)(126) of this section, ~~for the following purposes:~~

~~(a) Advertising a real estate open house at a single-family dwelling; provided, no more than four signs total may be posted for property being sold by the same owner;~~

~~(b) Directing the public to a multiple-family dwelling in which there is a dwelling unit available for rental or sale.~~

~~iii. Real estate sales and rental signs shall be removed within seven days after the sale or rental of the property being advertised.~~

~~iv. Real estate signs in public rights-of-way may be posted only during those hours that a real estate or rental agent is actually present at the property and shall be removed at the end of the open house or when the sales or rental office closes each day.~~

b. ~~Garage Sales~~Yard and Estate Sales.

i. Three signs directing the public to a garage yard or estate sale may be posted in a public right-of-way subject to the conditions set out in subsection (A)(126) of this section.

ii. ~~Garage~~Yard or estate sale signs may be posted no more than 24 hours before the beginning of the sale and shall be removed at the end of the sale.

~~3. Political Signs. Political signs may be posted in the public right-of-way, subject to the conditions set out in subsection (A)(6) of this section.~~

C. Temporary Commercial Signs in the TC, B, C-O and PBZ Zones. Temporary commercial signs in the form of banners, A-frame ~~sandwich boards~~signs, and streamers, flags or pennants are allowed in the TC, B, C-O and PBZ zones; provided, temporary signs shall not be permanently attached to any structure on the site; and further provided, the temporary signs conform to the following conditions:

1. *Banners.*

a. Shall be no larger than 48 square feet; however, no business may display more than 10 square feet of banner per 10 feet of business facade as measured by that portion of the building facing the access street, up to a maximum of 48 square feet, but always in proportion to the business building.

b. Shall be limited to one banner per side of the business as it faces and is accessible to the public.

c. Shall be attached to the building housing the business.

d. May hang for up to 30 days at one time, but no more than a total of 120 days per calendar year on a side of the business designated for display. Any side of a business must be free of any banner for a period of no less than 14 days before the next banner is hung.

~~e. Shall be professionally produced by a person skilled in the art of graphic design.~~

ef. Shall be hung in a manner which does not obstruct traffic or a view of any other business.

fg. Shall be well maintained.

2. *A-Frames.* Each licensed business may post one A-frame sign either on property owned or controlled by the business or in the public right-of-way, subject to the conditions set out in subsection ~~(A)(126)~~ of this section; provided, the sign:

- a. ~~Shall not exceed 60 inches above the ground and shall not exceed 24 square feet in area; provided, both sides of the A-frame shall be counted in calculating the sign's area.~~
- b. May be used on a daily basis, but only during business hours.
- c. Shall be located within 100 feet of the primary street level entrance of the building in which the business displaying the sign is located.
- ~~d. Shall be professionally produced by a person skilled in the art of graphic design.~~
- de. Shall be well maintained.

3. *Streamers, Flags, or Pennants Attached to a String or Wire.*

- a. May be used a maximum of two times per year for a maximum of seven days each time.
- b. Shall be attached to the building housing the business displaying the streamer.
- c. Shall not obstruct vehicular or pedestrian traffic or obstruct a view of any other business.
- d. Shall be well maintained.

4. *Other Temporary Signage.* Other forms of portable signs are expressly prohibited. (Ord. 08C-01 § 2; Ord. 02C-05 § 7; Ord. 02C-04 § 9; Ord. 99C-13 § 1).

## Exhibit B

### 19.11.140 Town Center Signs.

A. Objectives. Signs shall be distinctive, finely crafted and designed to enhance the aesthetics of the Town Center and to improve pedestrian and motorist safety. Signs shall be designed for the purpose of identifying the business in an attractive and functional manner and to help customers find the specific business locations; they should not serve as general advertising. The size of signs shall be in proportion to the size of business store frontage. Signs shall be integrated into the building design, compatible with their surroundings and clearly inform pedestrians and motorists of business names, but should not detract from the architectural quality of individual buildings.

#### B. *Development and Design Standards.*

##### 1. Freestanding Ground Signs.

a. Number. A building or complex may not display more than one ground sign on each street frontage, alleyway or through-block connection.

b. *Design*. The sign shall be architecturally compatible with the style, materials, colors and details of the building. The sign content should be integrated in one design (in contrast to displaying two or more separate elements). Use of symbols is encouraged.

c. *Size*. All signs shall be:

i. ~~Proportionate. Proportionate to the street frontage of the businesses they identify; and~~

ii. *Maximum Size*. In no case larger than:

(a) *Twenty-five square feet*. A maximum of 25 square feet for individual business ground signs, shopping complex identification ground signs and signs within a 10-foot setback from any property line on a street.

(b) *Fifty square feet*. A maximum of 50 square feet for joint ground signs (identifying more than one business): six square feet for each business included in the complex. When more than five businesses are included in the complex, one additional ground sign may be placed on the street front, if signs are located at least 100 feet apart.

d. *Maximum Height*. The maximum height of any sign within 10 feet from any property line on a street shall be 42 inches. All other ground signs shall be a maximum of six feet in height.



The height of a freestanding ground sign is measured from the top of the sign to the existing grade or finished grade, whichever is lower, directly below the sign being measured.

e. **Backs of Signs.** Exposed areas of backs of signs should be finished to present an attractive appearance.

## 2. Wall Signs.

a. *Eligibility.* A wall sign shall be granted to commercial uses occupying buildings facing the streets and are limited to one sign per business on each street frontage, [alleyway or through-block connection](#). Commercial uses occupying a building adjacent to a driveway shall not qualify for a second wall sign. However, a commercial use occupying a building whose only exposure is from a driveway or parking lot shall be allowed one wall sign. Businesses that demonstrate that the entry off a driveway or parking lot is used by customers shall be eligible for a wall sign. [A Secondary wall sign is allowed on the primary frontage of a business to identify a secondary or affiliated use on the premises.](#)

b. *Size.* All signs shall be:

i. ~~Proportionate. Proportionate to the street frontage of the businesses they identify; and~~

ii. *Maximum Size.* In no case larger than:

(a) *Twenty-five square feet.* Twenty-five square feet for individual business signs.

(b) *Fifty square feet.* Fifty square feet for joint business directory signs identifying the occupants of a commercial building and located next to the entrance.

[\(c\) \*Six square feet.\* Six square feet for secondary signs identifying a secondary or affiliated use.](#)

c. *Determination of Size.* The sign size is measured as follows:

i. *“Boxed” Displays.* “Boxed” display – total area of display including the background and borders.

ii. *Individual Letters and Symbols.* Individual letters and symbols – total combined area of a rectangle drawn around the outer perimeter of each word and each symbol.

d. *Placement.* Wall signs may not extend above the building parapet, soffit, the eave line or the roof of the building, or the windowsill of the second story.

e. *Signs above Window Displays.* When a commercial complex provides spaces for signs above window displays, these signs should be compatible in shape, scale of letters, size, color, lighting, materials and style.

~~f. *Design Commission Discretion.* If an applicant demonstrates to the satisfaction of the design commission that a wall sign is creative, artistic and an integral part of the architecture, the commission may waive the above restrictions.~~

~~g.~~ *Master Sign Plan.* When multiple signs for individual businesses are contemplated for a major construction project, a master sign plan stipulating the location and size of future signs will be required.

### 3. Projecting Signs.

a. *Sidewalk Clearance.* Projecting signs should clear the sidewalk by a minimum of eight feet.

b. *Maximum Size.* Projecting signs shall not be larger than six square feet.

c. *Projection from Building.* Signs should not project over four feet from the building unless the sign is a part of a permanent marquee or awning over the sidewalk.

d. *Awnings.* Awnings that incorporate a business sign shall be fabricated of opaque material and shall use reverse channel lettering. The design commission may require that an awning sign be less than the maximum area for wall signs to assure that the awning is in scale with the structure. Back-lit or internally lit awnings are prohibited.

### 4. Window Signs.

a. *Area Limitation.* Permanent and temporary window signs are limited to maximum 25 percent of ~~the each tenant or business's~~ window area. This shall be calculated based on the area of the tenant or business's windows facing the street or through block connection frontage.

b. *Integration with Window Display.* Every effort should be made to integrate window signs with window display.

c. *Sign Lighting.* Signs may be lighted during business hours.

5. *Parking Lot Signs.* Signs within parking lots should be limited to those necessary for operation, safety, identification and direction. The ~~code official~~ Director shall specify required wording for signage identifying public parking required by MICC 19.11.130(B)(2).

6. Directional Signs.

a. *Minimal Number.* To avoid a cluttered appearance, only those directional signs necessary to protect the safety of pedestrians and passengers in vehicles will be allowed. The ~~code~~ ~~official~~Director may, however, require directional signs as necessary to provide motorists with required information to find parking area entrances.

b. *Size.* These signs shall be no higher than 36 inches and no larger than four square feet.

7. Temporary Signs. Unless prohibited by this chapter, use of temporary signs in the Town Center shall be governed by MICC [19.06.020](#), Temporary signs.

8. Replacement Signs. When a sign is removed or replaced the visible wall or ground where the sign was located shall be repaired to the original condition.

9. Exempt Signs. Government signs for the purpose of promoting health, safety and welfare as well as signs required by local, state, or Federal rule, regulation, or law are exempt from this section.

10. Prohibited Signs.

a. *Roof.* Signs mounted on the roof are not permitted.

b. *Moving Signs.* Animated, moving, flashing, blinking, reflecting, revolving, or other similar signs or signs that incorporate these elements are prohibited.

c. *Pennants and Inflated Signs.* Pennants or inflated signs, balloons and figures are prohibited.

d. *Vehicles.* Signs attached to or painted on vehicles parked and visible from the public right-of-way are prohibited if, based on the relative amount of time the vehicle is parked rather than being used as a means for actual transportation, the vehicle's primary purpose is as a stationary sign rather than a means for actual transportation.

e. *Phone Numbers.* Phone numbers are prohibited from permanent, exterior signs.

~~9~~11. *Lighted Signs.* Lighted signs shall be of high quality and durable materials, distinctive in shape, designed to enhance the architectural character of the building. ~~and use LED lights or other minimum wattage lighting, as necessary to identify the facility or establishment~~ Signs may be internally or externally illuminated, or have tube illumination, and shall use the lowest feasible illumination necessary to identify the facility or establishment. All illuminated signs shall be designed and located in such a manner as to avoid undue glare or reflection of light. Externally lit signs shall be arranged so that the light source is steady, stationary, fully shielded from view and directed solely onto the sign without causing glare or directing light up into the sky. Channel or

punch-through letters are preferred over a sign that contains text and/or logo symbols within a single, enclosed cabinet.

~~10~~12. *Street Numbers.*

- a. *Use.* City-assigned street numbers should be installed on all buildings.
- b. *Effect on Permitted Sign Area.* Street numbers will not be counted towards permitted sign area.

~~11~~13. *Design Commission Discretion.* If an applicant demonstrates to the satisfaction of the design commission that a sign is creative, artistic and an integral part of the architecture, the commission may waive the above restrictions.

~~12~~14. *Master Sign Plan.* When multiple signs for individual businesses are contemplated for a major construction project, a master sign plan stipulating the location and size of future signs will be required. (Ord. 16C-06 § 2 (Exh. A)).

## EXHIBIT C

### 19.12.080 Signs Outside Town Center.

#### A. Objectives.

1. Signs shall be distinctive in shape, of high quality and durable materials, designed to enhance the architectural character of the building and use the minimum wattage necessary to identify the facility or establishment. Channel or punch-through letters are preferred over a sign that contains the text and/or logo symbols within a single, enclosed cabinet.
2. Signs shall be designed for the purpose of identifying the facility or establishment in an attractive and functional manner and to help customers find the specific establishment and location; signs in residential zones should not serve as general advertising.
3. The size of signs shall be proportional to the size of the building and site.
4. Signs shall be integrated into both the site design and building design, shall be compatible with their residential, office, or business, or public park or open space surroundings, and clearly inform viewers of building or activity use, but shall not detract from the architectural quality of individual buildings or park surroundings.

5. Government signs for purpose of promoting health, safety and welfare as well as signs required by local, state, or Federal rule, regulation, or law are exempt from this section.

#### B. Standards.

##### 1. General provisions.

a. Sign size. Sign size shall be measured as follows:

i. Boxed Sign Displays: Total area of a boxed sign display, including the background and borders.

ii. Individual Letters and Symbols: Total combined area of a rectangle drawn around the outer perimeter of each word and each symbol.

b. Sign lighting. Sign lighting is allowed as set forth in MICC 19.11.140(B)(10).

##### 2. Freestanding Ground Signs Outside Residential Zones.

- a. *Number.* An individual building or a building complex outside residential zones may display one ground sign on each street frontage.
- b. *Design.* The sign shall be architecturally compatible with the style, materials, colors and details of the building or complex. Use of symbols is encouraged.
- c. *Size.* All signs shall be:
  - i. *Proportionate.* Proportionate to the street frontage of the use they identify; and
  - ii. *Maximum Size.* In no case shall a freestanding ground sign be larger than:
    - (A) Twenty-Five Square Feet. Twenty-five square feet for single-tenant building ground signs and complex identification ground signs. Such signs may be allowed in front or side yard setbacks; or
    - (B) Forty Square Feet. Forty square feet for joint tenant ground signs (identifying more than one facility or establishment within a building or building complex) with six square feet maximum for any one establishment included in a building or building complex; provided, joint tenant ground signs shall be restricted to a maximum of 25 square feet if located within front or side yard setbacks.
- d. *Maximum Height.* The maximum height of any sign within 10 feet from any property line facing a street shall be 42 inches. All other ground signs shall be no higher than six feet.
- e. *Backs of Signs.* Exposed areas of backs of signs should be finished with appropriate color, material or texture to present an attractive appearance relative to the building material, color and texture.

### **23.** *Wall Signs Outside Residential Zones.*

- a. *Number and Eligibility.* An individual building or a building complex outside residential zones may display one wall sign on each street frontage. A business or other use occupying a building whose only entrance is from a driveway or parking lot shall be allowed one wall sign facing that driveway or parking lot.
- b. *Size.* All signs shall be:
  - i. *Proportionate.* Proportionate to the street frontage of the use they identify; and
  - ii. *Maximum Size.* In no case shall a wall sign be larger than:

(A) Twenty-Five Square Feet. Twenty-five square feet for any individual business or other use; or

(B) Forty Square Feet. Forty square feet for joint tenant directory signs identifying the occupants of a building or a building complex and located next to the entrance.

~~c. Determination of Size. The sign size shall be measured as follows:~~

~~i. Boxed Sign Displays: Total area of a boxed sign display, including the background and borders.~~

~~ii. Individual Letters and Symbols: Total combined area of a rectangle drawn around the outer perimeter of each word and each symbol.~~

~~d.~~ *Placement.* Wall signs may not extend above the building parapet, soffit, the eave line or the roof of the building, or the windowsill of the second story. Wall signs shall be integrated with the overall building and site design.

~~e.~~ *Master Signage Plan.* When multiple signs for individual businesses in one building or multiple buildings in a complex are contemplated, a master signage plan stipulating the location and size of allowed signs shall be required.

~~34.~~ *Signs for Non-Single-Family-Dwelling Uses in Residential Zones.* One wall sign and one freestanding ground sign are permitted on each separate public street frontage for non-single-family-dwelling uses in residential zones, such as apartment buildings, hospitals, assisted living and retirement facilities, churches, clubs, public facilities, schools, day cares, pre-schools, park and recreation facilities, assembly halls, libraries, pools or stadiums.

~~a. The location of any freestanding ground sign shall be subject to all setback requirements for the zone in which the sign is located.~~

~~b. A wall sign may be unlighted or exterior lighted, shall not to exceed 12 square feet. A freestanding ground sign shall be no larger than 18 square feet and shall not exceed a maximum height of 42 inches above grade.~~

~~The location of any freestanding ground sign shall be subject to all setback requirements for the zone in which the sign is located.~~

~~45.~~ *Signs for Neighborhood Entrances, Driveway Entrances or Addressing in Residential Zones.* One freestanding ground sign is permitted on each separate public or private street frontage for single-family-dwelling uses to identify the home, group of homes or neighborhood for navigational

purposes. The number of signs should be limited to those necessary for identification and navigation purposes. Signs shall be set back at least 5 feet from the property line and shall not impede vehicle or pedestrian sight lines. For neighborhood entrances or groupings of 4 or more single-family dwellings, each sign shall be no larger than 18 square feet. For individual single-family dwellings or groups up to 3 single-family dwellings, each sign shall be no larger than 12 square feet. Signs shall not exceed a maximum height of 42 inches above grade.

6. *Signs for Licensed Practitioners or Service Operators in Residential Zones.* Licensed practitioners or service operators in residential zones shall be permitted one unlighted window or wall sign for identification purposes only, bearing only the occupant's name and occupation, not to exceed ~~72 square inches~~ 1 square foot.

~~57.~~ *Parking Lot Signs.* Signs within parking lots should be limited to those necessary for safety and identification. ~~Any required signs for individual stalls should be marked on the pavement. Freestanding or wall-mounted signs should not be permitted, with the exception of ADA handicapped accessible parking signs.~~

~~68.~~ *Directional Signs.*

a. *Minimal Number.* To address safety concerns and avoid a cluttered appearance, only those directional signs necessary to protect the safety of pedestrians and vehicle occupants shall be allowed.

b. *Size and Height.* Directional signs shall be no larger than three square feet and no higher than 36 inches above grade.

~~79.~~ *Temporary Signs.* Unless prohibited by this chapter, use of temporary signs shall be governed by MICC 19.06.020, Temporary Signs.

~~810.~~ *Street Numbers.*

a. *Use.* City-assigned street numbers should be installed on all buildings.

b. *Effect on Permitted Sign Area.* Street numbers will not be counted towards permitted sign area.

c. *Size.* Street numbers for any building or building complex shall be no smaller than six inches in height.

~~911.~~ *Replacement signs.* When a sign is removed or replaced the visible wall or ground where the sign was located shall be repaired to the original condition. Non-conforming signs may be replaced



with design commission approval. If an applicant demonstrates to the satisfaction of the design commission that the replacement sign is consistent with the site design, the commission may approve replacement of a non-conforming sign with a new sign of similar size and type.

12. Prohibited Signs.

- a. *Roof.* Signs mounted on the roof are prohibited.
- b. *Projecting Signs.* Projecting signs are prohibited in all zones other than the PBZ. Within the PBZ, projecting signs are permitted subject to the Town Center standards set forth in MICC [19.11.140\(B\)\(3\)\(b\)](#).
- c. *Window Signs.* Window signs are prohibited in all zones other than the PBZ, except as provided above in MICC [19.12.080\(B\)\(4\)](#). Within the PBZ, window signs are permitted subject to the Town Center standards set forth in MICC [19.11.140\(B\)\(4\)](#).
- d. *Inflated Signs.* Inflated signs, balloons and figures are prohibited.
- ~~e. *Internally Lit Signs.* Internally lit signs are prohibited in all zones other than the PBZ. Within the PBZ, lighted signs are permitted subject to the Town Center standards set forth in MICC.~~
- ~~f. *Neon.* Neon signs are prohibited.~~
- g. *Portable.* Portable signs, ~~such as signs on trailers, are prohibited~~except those specifically allowed in the code, are prohibited. This standard is not intended to prohibit A-frame signs as allowed pursuant to MICC [19.06.020](#), Temporary Signs.
- h. *Flashing, Moving or Animated Signs, Etc.* Flashing, moving, animated, blinking, reflecting, revolving, or other similar signs or signs that incorporate these elements are prohibited.
- i. *Off-Premises Signs.* Off-premises signs (signs related to a building, business, tenant or establishment not located on the same premises as the sign) are prohibited.
- j. *Vehicles.* Signs attached to or painted on vehicles or trailers parked and visible from the public right-of-way are prohibited if, based on the relative amount of time the vehicle is parked rather than being used as a means for actual transportation, the vehicle's primary purpose is as a stationary sign rather than a means for actual transportation.
- k. *Vending Machines.* Vending machines, such as soft drink or snack machines, shall not be placed where they are visible from the public right-of-way.

~~10~~13. *Signs for Public Schools in Public Institution Zones.* One wall sign and one freestanding ground sign are permitted for each public school. A wall sign shall not exceed 12 square feet. A freestanding ground sign shall not exceed 18 square feet and shall not exceed a maximum height of 42 inches above grade. A freestanding ground sign shall be set back a minimum of 10 feet from a public right-of-way and 35 feet from abutting properties. Wall and freestanding ground signs shall not have internal lighting, except for an electronic readerboard.

~~11~~14. *Electronic Readerboards.* A public school may have no more than one electronic readerboard. This electronic readerboard shall count as the wall sign or freestanding ground sign allowed by MICC 19.12.080(B)(10). Electronic readerboards shall comply with the following:

- a. Electronic readerboards shall be designed and placed to minimize light and glare from being visible to adjacent residential properties.
- b. Electronic readerboards shall dim during twilight and night hours to reduce glare.
- c. Electronic readerboards shall be turned off between 10 pm and 7 am.
- d. The display shall include only static text and/or static graphics. No moving graphics, animations such as flying or fading, video, or blinking/pulsing/strobe effects are allowed.
- e. Each message and/or graphic shall be displayed for at least 10 seconds. The change from one message/graphic to the next may utilize a scrolling or wipe effect, but the effect shall take no more than one second to complete.
- f. Electronic readerboards shall display any message deemed necessary by the City of Mercer Island Emergency Operations Center (EOC) upon request by the EOC. The display of any such message shall be exempt from the requirements of subsections (B)(~~11~~14)(c) and (B)(~~11~~14)(e) of this section. (Ord. 14C-06 § 7; Ord. 04C-08 § 1).

## Exhibit D

### 19.16.010 Definitions.

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Public Art: Original noncommercial art displays including sculptures, wall paintings, murals, collages, banners and other design features which do not incorporate advertising or identification.

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*Sign:* Any series of letters, figures, design symbols, lights, structure , billboard, trademark or device intended or used to identify or attract attention to any activity, service, place, subject, person, firm, corporation, or thing. Excluded are official traffic signs or signals, public notices, ~~and~~ governmental flags and public art.