

Chapter 22.50

SIGNS

Sections:

22.50.010	Purpose. No Change
22.50.020	Permanent commercial signs. No Change
22.50.030	Temporary commercial signs. No Change
22.50.040	Permanent noncommercial speech signs. No Change
22.50.050	Temporary noncommercial speech signs. No Change
22.50.060	Murals. No Change
22.50.070	Exempt signs. No Change
22.50.080	Prohibited signs. No Change
22.50.090	Scenic Vistas Act. No Change
22.50.100	A-frame signs. No Change
22.50.110	Projecting and suspended (under awning) signs. No Change
22.50.120	Digital content and video display signs. No Change
22.50.130	General provisions. No Change
22.50.140	Maintenance and removal. No Change
22.50.150	Nonconforming signs. No Change
22.50.160	Permits and fees. No Change
22.50.170	Administration and enforcement. No Change
22.50.180	Interpretations. No Change
22.50.190	<u>Administrative Departures, Variances and appeals.</u> REVISED

22.50.190 **Administrative Departures, Variances and appeals.**

A. *Powers.* Recognizing that there are certain cases that may, or may not, be detrimental to aesthetic character, public health, safety and general welfare, and the effectiveness of visual communication in the city, depending upon the facts of each particular case, a limited power to issue variance permits and to interpret any section of the title is vested with the hearing examiner.

B. *Administrative Departures.* In no case shall a departure be granted for a minimum requirement established in this section. Where specified in this section, the zoning administrator, may require or allow departures from required standards in the following circumstances:

1. Where unique natural features or unique lot configuration makes it ~~extraordinarily difficult~~ unable to conform to the standards;
2. Where the project is equal or superior in design to that allowed under the general application of these standards and is consistent with the sign standards, as well as all other city standards;
3. When a new sign package for an existing business brings the total sign package into greater conformance with the current sign code.
- ~~3. In each case above, the applicant must utilize other methods per the zoning administrator's satisfaction that meet the intent of the applicable standard(s); and~~
- ~~4. In situations where administrative departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the zoning administrator and public works director.~~

C. *Appeals and Variances.* When an applicant requests a departure from the sign code that does not qualify for administrative approval pursuant to subsection (B) of this section, the applicant shall apply for a variance, as set forth in Chapter 22.66 MMC. An application for a variance may be made to the city of Monroe community development department on forms prescribed by the city. Application for special permits and variances from the ruling of the city concerning the provisions herein contained may be made to the hearing examiner. The hearing examiner shall receive all applications requesting review of sign permit decisions, conditions, or determinations relating thereto, for a variance and special permit; and shall maintain and be custodian of all records of the minutes of the meetings and findings. All records shall be open to the public. Copies of the appellant's notice for all special exceptions shall be filed with the city of Monroe, hearing examiner, and planning commission, containing the decision of the city of Monroe and the reasons why the appellant is aggrieved, specifying the grounds therefor. Each application or request for a special exception filed shall be accompanied by a fee to cover the city's cost of handling the request for a special exception. Upon the filing of such fee and application, the city of Monroe shall forthwith transmit to the hearing examiner all papers—

~~constituting the record and decision of the city of Monroe relating to the request for a special exception. The hearing examiner shall fix a reasonable time for the public hearing and give due notice thereof to the parties and general public. The hearing examiner shall make a decision within a reasonable time after the hearing.~~

~~DC. *Appeals.* The action of the decision-making body in granting or denying a sign permit is a final decision appealable to the appeal authority specified in Table 22.84.060(B)(2): Decision-Making and Appeal Authorities.~~

~~Stay. A request for any special exception to the hearing examiner stays all proceedings, in furtherance of the action from which the request for a special exception was taken, unless the city of Monroe, from whom the request for a special exception is taken, certifies to the hearing examiner, after the notice of a request for a special exception shall have been filed with the city of Monroe, that by reason of facts stated in the certification, a stay would in the city of Monroe's opinion cause imminent peril to life or property, in which case such action shall not be stayed otherwise than by a restraining order, which may be issued by the superior court. The decision of the hearing examiner on the request for a stay shall be transmitted to the city of Monroe.~~

~~ED. *Collection of Expenses Incurred.* Whenever there incurs any expense in connection with the removal or alteration of any sign, the cost thereof shall be paid by the owner of the real property upon which the sign is erected or maintained. In the event any other person is in possession of such property with the consent of the owner, the owner and such other person shall be jointly responsible for the payment of such cost.~~

1. The city shall submit to the owner and/or other person in possession of the premises a statement of costs incurred by the city for removing or altering the sign.
2. Upon the failure to receive full payment within thirty days from the date the statement is submitted, or within thirty days after conclusion of any appeal proceedings, whichever is later, the city is authorized to provide for the collection of the amounts due in any lawful manner.