



# CITY OF SEATAC

## PLANNING COMMISSION MEETING

Riverton Room, SeaTac City Hall, 4800 S. 188<sup>th</sup> Street  
January 16, 2018, 5:30 p.m.

### MEETING AGENDA

- 1) Call to Order/Roll Call – 5:30 p.m.
- 2) Public Comment: Public comment will be accepted on items not scheduled for public hearing
- 3) Approval of the minutes of January 2, 2018 regular meeting (EXHIBIT A)
- 4) Worksession: Zoning Code amendments to implement the POS/City of SeaTac 2018 ILA (EXHIBIT B & B-1)
- 5) Worksession: Sign Code amendments regarding content neutrality (EXHIBIT C & C-1)
- 6) CED Director's Report
- 7) Planning Commission Comments (including suggestions for next meeting agenda)
- 8) Adjournment

*A quorum of the City Council may be present*

*The Planning Commission consists of seven members appointed by the Mayor and confirmed by the City Council. The Commission primarily considers plans and regulations relating to the physical development of the city, plus other matters as assigned. The Commission is an advisory body to the City Council.*

*All Commission meetings are open to the public and comments are welcome. Please be sure to be recognized by the Chair prior to speaking.*

**CITY OF SEATAC**  
**PLANNING COMMISSION**  
**Minutes of January 2, 2018**  
**Regular Meeting**

**Members present:** Ten Basra, Roxie Chapin, Pam Pollock, Brandon Pinto, Jim Todd, Stanley Tombs  
**Members absent:** Tom Dantzler (excused)  
**Staff present:** Al Torrico, Senior Planner; Steve Pilcher, Planning Manager; Jeff Robinson, CED Director; Joe Scorcio, City Manager

**1. Call to Order**

Chair Todd called the meeting to order at 5:30 p.m.

**2. Public Comment**

None.

**3. Approval of Minutes**

Moved and seconded to approve the minutes of the November 21, 2017 meeting. **Passed 6-0.**

Moved and seconded to approve the corrected minutes (spelling of Commissioner Basra's name) of the December 5, 2017 meeting. **Passed 6-0.**

**4. Briefing on Zoning Code amendments to implement 2018 Port of Seattle/City of SeaTac Interlocal Agreement**

Senior Planner Al Torrico informed the Commission that both the City Council and Port Board of Commissioners approved the new Interlocal Agreement (ILA) on December 12, 2017. Since a portion of the ILA addresses allowable land uses and development standards for the AVO and AVC zones, it is necessary to amend the City's Zoning Code. This will require Planning Commission review and a recommendation after conducting a public hearing. Staff is targeting February 6, 2018 as the date for the Commission's hearing, in order to meet an end of February adoption deadline.

Staff is drafting the amendment language and will present at the next meeting.

**5. Work session on Mobile Food Vending**

Planning Manager Steve Pilcher presented revised language to the earlier draft of code amendments. He noted that staff is recommending adding a new chapter to the business license section of the Municipal Code, where the operational standards for mobile food vending will be located. Therefore, some of the standards that had been in the Zoning Code were now begin relocated the new Chapter 5.55.

The Commission discussed adding a “trailer” to the definition of “mobile food vending”, as some vendors use a trailer for their business. It was also noted to change the wording regarding the use of an accessory tent to state “no greater than” 10’ x 12’.

Staff will be preparing this item for public hearing for the February 6, 2018 meeting.

#### **6. Subdivision Code update**

Planning Manager Steve Pilcher noted this item had been introduced to the Commission several months ago. Since that time, CED review staff have completed their review of the document and staff has engaged all surveyors and engineers who worked on a short plat within the city limits within the last 3 years. A “stakeholders” meeting was held on December 14, but was poorly attended. However, the draft has been made available on the City’ web site since October, at which time the stakeholders were initially notified.

The Commission indicated it generally concurred with the proposed changes.

Mr. Pilcher summarized the main features of the draft changes and indicated staff is recommending this proceed to public hearing on February 6, 2018.

#### **6. Director’s Report**

City Manager Joe Scorcio noted the remodeling work that has been underway at City Hall, including the expanded Riverton Room. He also briefed the Commission on the newly adopted ILA with the Port of Seattle.

#### **7. Commissioners’ Reports**

None.

#### **8. Adjournment**

Moved and seconded to adjourn. Motion passed 6-0. The meeting adjourned at 6:34 p.m.

## Chapter 15.210 USES AND STANDARDS FOR THE AVO AND AVC AIRPORT ZONES

### Sections:

<a href="#">15.210.005</a>	Purpose
<a href="#">15.210.010</a>	Authority and Application
<a href="#">15.210.020</a>	Administration
<a href="#">15.210.030</a>	Interpretation
<del><a href="#">15.210.040</a></del>	<del>Rezoning</del>
<del><a href="#">15.210.045</a></del>	<del>Zones and Map Designations Established</del> <a href="#">Planning and Zoning</a>
<del><a href="#">15.210.056</a></del>	<del>AVO/AVC Zone Classification Use Chart</del>
<del><a href="#">15.210.067</a></del>	<del>AVO/AVC Zone Classification Standards</del>
<del><a href="#">15.210.078</a></del>	<del>Landscape Standards</del>
<del><a href="#">15.210.090</a></del>	<del>Design Guidelines</del>
<del><a href="#">15.210.100</a></del>	<del>Critical Areas</del>

### **15.210.005 Purpose**

The purpose of this chapter is to coordinate the City's zoning with the Port of Seattle's ~~current Master Plan and Comprehensive Development Plan anticipated to be adopted by the Port of Seattle's Commission in 2007~~; to implement the ~~2005-2018~~ Interlocal Agreement (~~2018005~~ ILA) between the Port of Seattle and the City of SeaTac, dated ~~February 16, 2006~~~~December 12, 2017~~; to establish a mutual and cooperative system for exercising their respective statutory authorities; and to standardize the uses and development standards for ~~Port-owned~~ property ~~along the perimeter of the airport within the City of SeaTac~~. (~~Ord. 15-1018 § 1~~)

### **15.210.010 Authority and Application**

The provisions of this chapter shall apply to the uses and development standards for Port-owned property within the City of SeaTac, ~~that is and~~ related to either aviation operations or aviation commercial uses, as specified in the ~~2005-2018~~ ILA. (~~Ord. 15-1018 § 1~~)

### **15.210.020 Administration**

The City shall administer this chapter consistent with the terms of the ~~2005-2018~~ ILA and other City ordinances. (~~Ord. 15-1018 § 1~~)

### **15.210.030 Interpretation**

~~A.— Where changes are proposed to or uncertainties exist as to the location of the zone boundaries or other provisions of this chapter, the procedures contained in the 2005 ILA regarding joint consultation and/or dispute resolution shall apply.~~  
~~B.— For proposed developments that are not listed as “permitted” in the zone classification use chart of this chapter, the provisions of this title shall apply, except as otherwise stated in the 2005 ILA. (Ord. 15-1018 § 1) Any disputes or questions of interpretation that arise between the City and the Port of Seattle while administering the 2018 ILA shall follow the procedures for dispute resolution found in “Chapter II: General Provisions, Section 2.4 Dispute Resolution”.~~

### **15.210.040 Rezoning**

Except as specified in the Interlocal Agreement (2005 ILA), the proposed rezoning of property under this chapter shall be subject to the provisions of this title. (Ord. 15-1018 § 1)

**15.210.0450 Zones and Map Designations Established Planning and Zoning**

**A. Comprehensive Plan Designation**

1. Port-owned property located within the City shall be designated as “Airport” under the City’s Comprehensive Plan.

~~B. In order to accomplish the purposes of the code, T~~he following zone classifications and zoning map symbols are established:

Zone	Map Symbol
Aviation Operations	AVO
Aviation Commercial	AVC

~~1A. Aviation Operations (AVO). The purpose of this zoning designation is to provide for safe and efficient commercial aviation operations and support, together with security, access, the needs and convenience of the traveling public, and the handling of air cargo. Note: those properties in the aviation operations zone that were formerly designated “Business Park” as indicated on map Attachment A-6 of the 2005 ILA are subject to certain development standards as provided for in Attachment A-4 of the 2005 ILA. The Aviation Operations zone is designated for facilities or structures that provide safe and efficient movement of the traveling public, employees, and goods and services associated with airport operations.~~

~~2B. Aviation Commercial (AVC). The purpose of this zoning designation is to allow for development that provides support to operations of the airport, the traveling public, and air cargo, and for other development that provides economic benefit to the airport and the City of SeaTac while maintaining compatibility with airport operations and activities. Note: those properties in the aviation commercial zone that were formerly designated “Business Park” as indicated on map Attachment A-6 of the 2005 ILA are subject to certain development standards as provided for in Attachment A-4 of the 2005 ILA. (Ord. 15-1018 § 1) The Aviation Commercial zone is designated for airport related and non-airport related commercial, industrial or light manufacturing use, while maintaining compatibility with airport operations and activities.~~

**15.210.0560 AVO/AVC Zone Classification Use Chart**

The land uses identified in the table below are allowed in the Aviation Operations (AVO) and Aviation Commercial (AVC) zones. If this chart does not specify that a proposed land use is permitted, then the proposed land use shall be considered a prohibited land use within the airport zones.

<u>LAND USE</u>	<u>AVO</u>	<u>AVC</u>
<u>ANIMALS</u>		
<u>Apiary</u>	<u>Yes</u>	<u>Yes</u>
<u>Kennel/Cattery</u>	<u>No</u>	<u>Yes</u>
<u>Veterinary Clinic</u>	<u>No</u>	<u>Yes</u>
<u>AVIATION</u>		
<u>Aircraft Fueling Facilities</u>	<u>Yes</u>	<u>No</u>
<u>Aircraft Maintenance Facilities</u>	<u>Yes</u>	<u>No</u>
<u>Aircraft Storage Area</u>	<u>Yes</u>	<u>No</u>
<u>Airport Airfield Facilities</u>	<u>Yes</u>	<u>Yes (1)</u>
<u>Airport Cargo Facilities</u>	<u>Yes</u>	<u>Yes</u>
<u>Airport Landside Facilities</u>	<u>Yes</u>	<u>Yes</u>
<u>Airport Support Facilities</u>	<u>Yes</u>	<u>Yes</u>
<u>Airport Terminal Complex</u>	<u>Yes</u>	<u>No</u>
<u>Consolidated Rental Car Facility</u>	<u>Yes</u>	<u>Yes</u>
<u>Helipad/Heliport and Facilities</u>	<u>Yes</u>	<u>Yes</u>
<u>Inter/Intra Terminal Transfer Facilities</u>	<u>Yes</u>	<u>Yes</u>
<u>BUSINESS SERVICES</u>		
<u>Commercial/Industrial Accessory Uses</u>	<u>Yes</u>	<u>Yes</u>
<u>Conference/Convention Center</u>	<u>No</u>	<u>Yes</u>
<u>Construction/Landscaping Yard</u>	<u>Yes</u>	<u>Yes</u>
<u>Distribution Center/Warehouse</u>	<u>Yes</u>	<u>Yes</u>
<u>Equipment Repair, Large</u>	<u>Yes (2)</u>	<u>Yes</u>
<u>Equipment Repair, Small</u>	<u>No</u>	<u>Yes</u>

<u>LAND USE</u>	<u>AVO</u>	<u>AVC</u>
<u>Professional Office</u>	<u>No</u>	<u>Yes</u>
<u>Truck Terminal</u>	<u>No</u>	<u>Yes</u>
<u>CIVIC AND INSTITUTIONAL</u>		
<u>Fire Facility</u>	<u>Yes</u>	<u>Yes</u>
<u>High Capacity Transit</u>	<u>Yes</u>	<u>Yes</u>
<u>Police Facility</u>	<u>Yes</u>	<u>Yes</u>
<u>Public Agency Office</u>	<u>Yes</u>	<u>Yes</u>
<u>Public Agency Yard</u>	<u>Yes</u>	<u>Yes</u>
<u>MANUFACTURING</u>		
<u>Batch Plants</u>	<u>Yes (3)</u>	<u>Yes</u>
<u>Biomedical Product Facility</u>	<u>No</u>	<u>Yes</u>
<u>Food Processing</u>	<u>Yes</u>	<u>Yes</u>
<u>Laboratories, Research, Development and Testing</u>	<u>Yes</u>	<u>Yes</u>
<u>Manufacturing, Light</u>	<u>No</u>	<u>Yes</u>
<u>Manufacturing, Medium</u>	<u>No</u>	<u>Yes</u>
<u>Off-Site Hazardous Waste Treatment and Storage Facilities</u>	<u>Yes</u>	<u>Yes</u>
<u>Recycling Processing</u>	<u>No</u>	<u>Yes</u>
<u>Winery/Brewery/Distillery</u>	<u>No</u>	<u>Yes</u>
<u>MOTOR VEHICLES</u>		
<u>Automotive Service Center</u>	<u>No</u>	<u>Yes</u>
<u>Electric Vehicle Infrastructure</u>	<u>Yes</u>	<u>Yes</u>
<u>Fueling/Service Station</u>	<u>Yes</u>	<u>Yes</u>
<u>Mobile Refueling Operations</u>	<u>Yes</u>	<u>No</u>

<u>LAND USE</u>	<u>AVO</u>	<u>AVC</u>
<u>Public/Private Parking</u>	<u>Yes</u>	<u>Yes</u>
<u>Vehicle Repair, Large</u>	<u>Yes (4)</u>	<u>Yes (4)</u>
<u>Vehicle Repair, Small</u>	<u>Yes</u>	<u>Yes</u>
<u>RECREATIONAL AND CULTURE</u>		
<u>Health Club</u>	<u>No</u>	<u>Yes</u>
<u>Nonprofit Organization</u>	<u>No</u>	<u>Yes</u>
<u>Recreational Center</u>	<u>No</u>	<u>Yes</u>
<u>Sports Club</u>	<u>No</u>	<u>Yes</u>
<u>Stadium/Arena</u>	<u>No</u>	<u>Yes</u>
<u>RETAIL AND COMMERCIAL</u>		
<u>Dry Cleaner</u>	<u>No</u>	<u>Yes</u>
<u>Financial Institution</u>	<u>No</u>	<u>Yes</u>
<u>Restaurant</u>	<u>No</u>	<u>Yes</u>
<u>Restaurant, Fast Food</u>	<u>No</u>	<u>Yes</u>
<u>Retail, Big Box</u>	<u>No</u>	<u>Yes</u>
<u>Retail, General</u>	<u>Yes</u>	<u>Yes</u>
<u>UTILITIES</u>		
<u>Communications Facility</u>	<u>Yes</u>	<u>Yes</u>
<u>Utility Substation</u>	<u>Yes</u>	<u>Yes</u>
<u>Utility Use</u>	<u>Yes</u>	<u>Yes</u>
<u>Wireless Communications Facilities</u>	<u>Yes</u>	<u>Yes</u>



**Land Use Table Notes:**

1. Airport Airfield Facilities are limited in AVC to only facilities and aids that support airport and aircraft operations whose location is fixed by function or FAA requirements.
2. Equipment Repair, Large also includes the parking and storage of large equipment if located within AVO and the AOA.
3. Batch Plant is allowed as a temporary facility, in support of construction only, if located within AVO.
4. Vehicle Repair, Large also includes the parking and storage of large vehicles if located within AVO or AVC.

<b>Land Use</b>		<b>Zone Classifications</b>	
		<b>AVO</b>	<b>AVC</b>
1	<del>Access, Parking, Transfer and Holding Areas, Intermodal Connections for Public Transit, High Capacity Transit, Buses, Taxis, Shuttles, and Other Forms of Transportation</del>	P	P
2	<del>Aids for Airport and Aircraft Operations</del>	P	P
3	<del>Air Cargo Aircraft Loading and Unloading</del>	P	-
4	<del>Air Cargo Warehousing and Customer Service Facilities</del>	P	P
5	<del>Aircraft Fueling Systems</del>	P	-
6	<del>Aircraft Ramp and Parking Areas</del>	P	-
7	<del>Aircraft Run-Up Areas</del>	P	-
8	<del>Airfield Control Towers and FAA Air Traffic Control Facilities</del>	P	-
9	<del>Airfield Crash/Fire/Rescue (ARFF) Facilities, Including Staff Quarters and Offices</del>	P	-
10	<del>Airfield Infrastructure</del>	P	P
11	<del>Airfield Lighting</del>	P	-
12	<del>Airfield Security Facilities such as Fencing, Gates, and Guard Stations</del>	P	P
13	<del>Airfield Service Roads and Access Improvements to Those Roads</del>	P	P
14	<del>Airport Access Roadways</del>	P	-
15	<del>Aviation, Communication and Landing</del>	P	-
16	<del>Communications Equipment, if Directly Related to the Operation of the Airport</del>	P	P
17	<del>Controlled Storage of Hazardous Wastes Generated by Permitted Uses and Temporarily Stored Prior to Disposal in Accordance with Federal and State Regulations</del>	P	-

<b>Land Use</b>		<b>Zone Classifications</b>	
		<b>AVO</b>	<b>AVC</b>
18	<del>Designated Airfield Safety Areas, Clear Zones and Runway Protection Zones</del>	P	P
19	<del>Employee Support Facilities Such as Cafeterias, Locker Rooms, Rest Areas, Restrooms and Exercise Areas Directly Related to the Operation of the Airport</del>	P	P
20	<del>Facilities for the Maintenance of Aircraft</del>	P	-
21	<del>Facilities for the Maintenance of Airline Equipment</del>	P	-
22	<del>Facilities for the Maintenance of Airport and Airfield Facilities</del>	P	P(4)
23	<del>Flight Kitchens Directly Related to the Operation of the Airport</del>	P	P(4)
24	<del>Hotel Facilities, Convention and Conference Facilities</del>	P(1)	P(4)
25	<del>Infrastructure and Utilities Serving Uses Permitted in Other Zones or Areas</del>	P	P
26	<del>Inter/Intra Terminal Transfer Facilities for People, Baggage, and Cargo</del>	P	P
27	<del>Meteorological Equipment</del>	P	-
28	<del>Offices and Work and Storage Areas for Airline and Aviation Support</del>	P	P
29	<del>Other Aviation Activities or Facilities Whose Location Within the AVO Zone Is Fixed by FAA Requirements</del>	P	-
30	<del>Other Aviation Activities or Facilities Whose Location Within the AVO Zone Is Fixed by FAA Requirements Related to the Operation of the Airport</del>	-	P
31	<del>Other Uses Not Directly Related to the Operation of the Airport</del>	-	P(5)
32	<del>Parking and Storage for Airline and Airfield Ground Service Equipment (GSE); Provided, that Parking and Storage for Heavy Equipment (e.g., Fuel Trucks, Runway Snowplows) Shall Be Permitted Only in the AVO Zone and is Directly Related to the Operation of the Airport</del>	P(2)	-
33	<del>Parking and Storage for Airfield Ground Service Equipment (GSE)</del>	P	P(2)
34	<del>Parking for Employees Directly Related to the Operation and Construction of the Airport</del>	P	P
35	<del>Parking Facilities Immediately Adjacent and Providing Direct Physical Access to Passenger Terminal Facilities</del>	P	P
36	<del>Parking (Commercial) NOT Connected to the Airport</del>	-	P
37	<del>Passenger Terminal Facilities, Including Passenger and Baggage Handling, Ticketing, Security Checkpoints, Waiting Area, Restrooms,</del>	P	-

Land Use		Zone Classifications	
		AVO	AVC
	<del>Aircraft Loading Gates, Restaurants, Conference Facilities, Newsstands, Gift Shops, and Other Commercial Activities Providing Goods and Services for the Traveling Public</del>		
38	<del>Passenger Vehicle Rental, Including Parking, Service and Preparation, and Customer Facilities to Be Owned and Operated by the Airport</del>	P	-
39	<del>Public Parks, Trails, and Viewpoints</del>	P(3)	P(3)
40	<del>Public Transportation Facilities Related to the Operation of the Airport</del>	P	-
41	<del>Public Transportation Facilities (to Be Owned and Operated by Another Agency)</del>	P	P
42	<del>Reasonable Accessory Office and Staff Facilities Independent of Uses Permitted in the Zone, if Such Uses Are not Directly Related to the Operation of the Airport</del>	-	P
43	<del>Reasonable Accessory Office and Staff Facilities Independent of Uses Permitted in the Zone, if Such Uses Are Directly Related to the Operation of the Airport</del>	P	P
44	<del>Retail Sales Inside Air Operations Area (AOA)</del>	P	-
45	<del>Retail Sales Outside AOA, Airport Controlled Safety Areas and Airport-Operated Facilities</del>	-	P
46	<del>Roadways and Public Transportation Facilities that Provide Access to the Airport for its Customers, Commercial Vehicles and Ground Transportation Services</del>	P	P
47	<del>Runways, Taxiways, and Safety Areas</del>	P	-
48	<del>Those Clean Light Industrial and Manufacturing Facilities Permitted in the City's BP Zone as it Existed on the Date of the 1997 Interlocal Agreement</del>	-	P(5)
49	<del>Utilities Serving Uses Permitted in the Zone</del>	P	P
50	<del>Warehousing and Distribution Facilities, Excluding Truck Terminals, with Direct Airfield Access, or Delivery to Secure Area of the Airport</del>	-	P
51	<del>Warehousing and Distribution Facilities, Excluding Truck Terminals</del>	-	P
52	<del>Wholesale Sales and Distribution Facilities</del>	-	P

(1) Limited to hotel facilities immediately adjacent and providing direct physical access to passenger terminal facilities.

(2) Provided that maintenance of heavy equipment (e.g., fuel trucks, runway snowplows) shall be permitted only in the AVO zone and is directly related to the operation of the airport.

(3) ~~The following special conditions shall apply to any AVO and AVC zone areas which are designated for public access parks, trails, or viewpoints:~~

- ~~• Public access or recreational uses shall be limited as necessary to assure compatibility with airport and aviation activities. If use of Port-owned property by the public for access and recreation is permitted, it shall be considered compatible with airport operations, including noise and other impacts, and shall not establish a recreation use or other public activity under the U.S. Department of Transportation 4(f) provisions.~~
- ~~• Public use and access shall be generally of low intensity. Density guidelines for numbers of people may be established by the Port and FAA, with input from the public and City of SeaTac.~~
- ~~• Public use and access shall be subject to the requirements and needs of airport and aviation activities, including security, as determined by the Port and/or the FAA.~~

(4) ~~Permitted use only if approved by the City Council, on a case-by-case basis.~~

(5) ~~Permitted on a case-by-case determination by the Port and City per the 2005 Interlocal Agreement. (Ord. 15-1018 § 1)~~

#### **15.210.0670 AVO/AVC Zone Classification Standards**

~~Development standards for setbacks, setback projections, lot coverage, height restrictions, parking, signage, illumination, transportation, and noise shall be covered under the 2005 ILA as specified in Attachment A-4, “Development Standards for Port Projects Affecting the City of SeaTac.” (Ord. 15-1018 § 1)~~

~~A. Development standards for the AVO and AVC zones located outside the Airport Activity Area are found in the 2018 ILA, Chapter III: Land Use and Development Standards, section 3.5.~~

~~B. The “Airport Activity Area” is defined in the 2018 ILA, Chapter III: Land Use and Development Standards, section 3.4.~~

#### **15.210.0780 Landscape Standards**

~~Landscape design standards for projects within the AVO and AVC zones shall comply with the Port’s 2006-Seattle-Tacoma International Airport Landscape Design Standards (STIA) or as amended, as described in the 2005 ILA, Attachment A-4, pages nine through 14. (Ord. 15-1018 § 1)~~

#### **15.210.090 Design Guidelines**

~~All development within the AVO and AVC zones are subject to the design standards as specified in the 2005 ILA under “Design Standards,” Attachment A-4, pages four through eight, and Seattle-Tacoma International Airport Landscape Standards found in the 2005 ILA, Attachment A-4, “Landscaping,” pages 10 through 15, except that City of SeaTac design standards as listed under SMC 15.525.200(E), Design Standards, shall also apply to all properties formerly designated as “Business Park” as provided for in Attachment A-4 of the 2005 ILA. If either the Port or the City believe the standards in Attachment A-4 of the 2005 ILA are not satisfied, then “joint consultation” shall take place under Section 2.2.2, subject to more specific requirements for the Port Master Plan and Comprehensive Development Plan (CDP) Projects on Port Property in Section 2.2.1.6. (Ord. 15-1018 § 1)~~

**15.210.100 Critical Areas**

~~The City's critical area regulations and standards shall apply to Port projects. However, the City's critical area provisions shall not apply to the third runway or other portions of the Port Master Plan projects as follows: (A) wetland mitigation being done in Auburn, Washington; (B) Miller Creek stream location as shown in the Port's Section 404 Corps Permit Application; and (C) for the Port Master Plan projects not eligible for joint consultation as shown in the 2005 ILA, Attachment A-1, the Port shall implement the mitigation measures set forth in the Master Plan Final EIS and Final Supplemental EIS (as set forth in the 2005 ILA, Attachment A-5), and the City's critical area regulations (including flood plains, seismic hazards, erosion and vegetation) shall not apply so long as those mitigation measures are implemented. The City's standards and regulations shall be flexibly applied or modified on a case-by-case basis to recognize Federal regulations, circulars or similar provisions affecting airports or the special circumstances presented by the operation of an airport. If the Port and City disagree on the critical area standards, then dispute resolution under Section 13 of the 2005 ILA shall apply. (Ord. 15-1018 § 1)~~

**Chapter 15.210**  
**USES AND STANDARDS FOR THE AVO AND AVC AIRPORT ZONES**

Sections:

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<u>15.210.030</u>	Interpretation
<u>15.210.040</u>	Planning and Zoning
<u>15.210.050</u>	AVO/AVC Zone Classification Use Chart
<u>15.210.060</u>	AVO/AVC Zone Classification Standards
<u>15.210.070</u>	Landscape Standards

**15.210.005 Purpose**

The purpose of this chapter is to implement the 2018 Interlocal Agreement (2018 ILA) between the Port of Seattle and the City of SeaTac, dated December 12, 2017; to establish a mutual and cooperative system for exercising their respective statutory authorities; and to standardize the uses and development standards for Port owned property within the City of SeaTac.

**15.210.010 Authority and Application**

The provisions of this chapter shall apply to the uses and development standards for Port-owned property within the City of SeaTac, that is and related to either aviation operations or aviation commercial uses, as specified in the 2018 ILA.

**15.210.020 Administration**

The City shall administer this chapter consistent with the terms of the 2018 ILA and other City ordinances.

**15.210.030 Interpretation**

Any disputes or questions of interpretation that arise between the City and the Port of Seattle while administering the 2018 ILA shall follow the procedures for dispute resolution found in “Chapter II: General Provisions, Section 2.4 Dispute Resolution”.

**15.210.040 Planning and Zoning**

A. The following zone classifications and zoning map symbols are established:

<b>Zone</b>	<b>Map Symbol</b>
<b>Aviation Operations</b>	AVO
<b>Aviation Commercial</b>	AVC

1. **Aviation Operations (AVO).** The Aviation Operations zone is designated for facilities or structures that provide safe and efficient movement of the traveling public, employees, and goods and services associated with airport operations.

2. **Aviation Commercial (AVC).** The Aviation Commercial zone is designated for airport related and non-airport related commercial, industrial or light manufacturing use, while maintaining compatibility with airport operations and activities.

**15.210.050 AVO/AVC Zone Classification Use Chart**

The land uses identified in the table below are allowed in the Aviation Operations (AVO) and Aviation Commercial (AVC) zones. If this chart does not specify that a proposed land use is permitted, then the proposed land use shall be considered a prohibited land use within the airport zones.

LAND USE	AVO	AVC
<b>ANIMALS</b>		
Apiary	Yes	Yes
Kennel/Cattery	No	Yes
Veterinary Clinic	No	Yes
<b>AVIATION</b>		
Aircraft Fueling Facilities	Yes	No
Aircraft Maintenance Facilities	Yes	No
Aircraft Storage Area	Yes	No
Airport Airfield Facilities	Yes	Yes (1)
Airport Cargo Facilities	Yes	Yes
Airport Landside Facilities	Yes	Yes
Airport Support Facilities	Yes	Yes
Airport Terminal Complex	Yes	No
Consolidated Rental Car Facility	Yes	Yes
Helipad/Heliport and Facilities	Yes	Yes
Inter/Intra Terminal Transfer Facilities	Yes	Yes
<b>BUSINESS SERVICES</b>		
Commercial/Industrial Accessory Uses	Yes	Yes

<b>LAND USE</b>	<b>AVO</b>	<b>AVC</b>
Conference/Convention Center	No	Yes
Construction/Landscaping Yard	Yes	Yes
Distribution Center/Warehouse	Yes	Yes
Equipment Repair, Large	Yes (2)	Yes
Equipment Repair, Small	No	Yes
Professional Office	No	Yes
Truck Terminal	No	Yes
<b>CIVIC AND INSTITUTIONAL</b>		
Fire Facility	Yes	Yes
High Capacity Transit	Yes	Yes
Police Facility	Yes	Yes
Public Agency Office	Yes	Yes
Public Agency Yard	Yes	Yes
<b>MANUFACTURING</b>		
Batch Plants	Yes (3)	Yes
Biomedical Product Facility	No	Yes
Food Processing	Yes	Yes
Laboratories, Research, Development and Testing	Yes	Yes
Manufacturing, Light	No	Yes
Manufacturing, Medium	No	Yes
Off-Site Hazardous Waste Treatment and Storage Facilities	Yes	Yes
Recycling Processing	No	Yes
Winery/Brewery/Distillery	No	Yes



<b>LAND USE</b>	<b>AVO</b>	<b>AVC</b>
<b>MOTOR VEHICLES</b>		
Automotive Service Center	No	Yes
Electric Vehicle Infrastructure	Yes	Yes
Fueling/Service Station	Yes	Yes
Mobile Refueling Operations	Yes	No
Public/Private Parking	Yes	Yes
Vehicle Repair, Large	Yes (4)	Yes (4)
Vehicle Repair, Small	Yes	Yes
<b>RECREATIONAL AND CULTURE</b>		
Health Club	No	Yes
Nonprofit Organization	No	Yes
Recreational Center	No	Yes
Sports Club	No	Yes
Stadium/Arena	No	Yes
<b>RETAIL AND COMMERCIAL</b>		
Dry Cleaner	No	Yes
Financial Institution	No	Yes
Restaurant	No	Yes
Restaurant, Fast Food	No	Yes
Retail, Big Box	No	Yes
Retail, General	Yes	Yes
<b>UTILITIES</b>		
Communications Facility	Yes	Yes

<b>LAND USE</b>	<b>AVO</b>	<b>AVC</b>
Utility Substation	Yes	Yes
Utility Use	Yes	Yes
Wireless Communications Facilities	Yes	Yes

**Land Use Table Notes:**

1. Airport Airfield Facilities are limited in AVC to only facilities and aids that support airport and aircraft operations whose location is fixed by function or FAA requirements.
2. Equipment Repair, Large also includes the parking and storage of large equipment if located within AVO and the AOA.
3. Batch Plant is allowed as a temporary facility, in support of construction only, if located within AVO.
4. Vehicle Repair, Large also includes the parking and storage of large vehicles if located within AVO or AVC.

**15.210.060 AVO/AVC Zone Classification Standards**

- A. Development standards for the AVO and AVC zones located outside the Airport Activity Area are found in the 2018 ILA, Chapter III: Land Use and Development Standards, section 3.5.
- B. The “Airport Activity Area” is defined in the 2018 ILA, Chapter III: Land Use and Development Standards, section 3.4.

**15.210.070 Landscape Standards**

Landscape design standards for projects within the AVO and AVC zones shall comply with the Seattle-Tacoma International Airport Landscape Design Standards (STIA) or as amended.



Community & Economic  
Development Department  
4800 South 188<sup>th</sup> Street  
SeaTac, WA 98188-8605  
Phone: 206.973.4750  
Fax: 206.973.4809

## MEMORANDUM

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**Date:** January 16, 2018  
**To:** Planning Commission  
**From:** Brianna Burroughs, Associate Planner  
**Subject:** Sign Code Amendment Briefing

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The attached document contains proposed changes to be made to the SMC Sign Code which will be discussed in detail with the Planning Commission during the meeting of January 16, 2018.

During this discussion, staff will explain the reformatting and code language changes to the code as well as the final direction of how the code will be altered/added in order to come into compliance with the Reed v. Town of Gilbert decision.

Discussion Outline:

- Reformatting of the code
- Additional language to be provided
- Other code clean-up items

Chapter 15.600  
SIGN CODE

Sections:

- 15.600.005 Purpose
- 15.600.010 Authority and Application
- 15.600.015 Definitions
- 15.600.020 General Sign Provisions
  - ~~15.600.180 Requirements Applicable to All Signs~~
- 15.600.030 Commercial/~~Office/Industrial~~ Zone Classification Signs
  - Insert- Intent Statement
  - Insert- Primary Signage Section
  - 15.600.070 Secondary Signage
  - 15.600.060 Signage – Zero (0) to Five (5) Feet Front Property Line Setback Criteria
  - 15.600.130 Electronic Signs
- ~~15.600.040 Multi-Family Residential Zone Classification Signs~~
- 15.600.050 ~~Single-Family~~ Residential Zone Classification Signs
  - Insert- Intent Statement
  - Insert- Primary Signage Section
  - 15.600.070 Secondary Signage
  - 15.600.060 Signage – Zero (0) to Five (5) Feet Front Property Line Setback Criteria
  - 15.600.130 Electronic Signs
- ~~15.600.080 Political Signs~~
- ~~15.600.090 Real Estate Signs~~
- ~~15.600.100 Garage and Yard Sale Signs~~
- 15.600.110 Exempt Signs or Displays
- 15.600.120 Prohibited Signs
- ~~15.600.130 Electronic Signs~~
- 15.600.140 Nonconforming Signs
  - ~~15.600.150 Billboards~~
- ~~15.600.160 Sign Inventory Survey – Costs~~
- 15.600.170 Permits ~~and Fees~~
- ~~15.600.180 Requirements Applicable to All Signs~~
- 15.600.190 Administration, Enforcement and Sign Removal

**Commented [BB1]:** To be placed under Requirements Applicable to All Signs section

**Commented [BB2]:** To be split under both Single Family and Commercial Zone Sections

**Commented [BB3]:** To be split under both Single Family and Commercial Zone Sections

**Commented [BB4]:** To be placed under Nonconforming Sign section

15.600.200 Variance from Sign Code

~~15.600.210 Appeals~~

**15.600.005 Purpose**

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- A. This chapter shall be known as the SeaTac Sign Code, may be cited as such, and will be referred to herein as “this code.”
  
- B. The purpose and scope of this code is to protect the health, safety, property and welfare of the citizens of the City of SeaTac (hereafter “City”), by establishing standards for the design, placement, size and maintenance of all signs and sign structures in the City. Furthermore, it is the purpose of the regulations, standards and criteria of this code to permit and encourage the design of signs which are responsive to the needs of the public in locating a business establishment by identification, address and product and/or services information. (Ord. 15-1018 § 1)

**15.600.010 Authority and Application**

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- A. The provisions of this chapter shall apply to all exterior signs visible from public or private streets, and all signs in the interior of a building intended to be viewed from the exterior.
  
- B. All signs not specifically defined and allowed or exempted by this code are prohibited.
  
- C. Permits shall be required of all signs nine (9) square feet or greater in surface area, and illuminated or electronic signs of any size. Nonilluminated signs less than nine (9) square feet in surface area are not required to obtain a permit, but must meet all requirements of this code. (Ord. 15-1018 § 1)

**15.600.015 Definitions**

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**Animation**

Movement or the appearance of movement of a sign display through the use of patterns of lights, changes in color or light intensity, computerized special effects, video display, or through any other method; except for the scrolling of a static message or scene onto or off a sign board in one (1) direction per message. Note that animation is prohibited per SMC 15.600.120(D), Prohibited Signs.

**Area or Surface Area of Sign**

The area of a sign excluding sign support structures, which do not form part of the sign proper or the display. Surface area shall be measured as follows:

- A. The "surface area" of the sign is determined by the height times the width of a typical rectangular sign or other appropriate mathematical computation of surface area for nonrectangular signs.
- B. "Surface area" includes only one (1) face of a double-faced sign where the faces of the sign are parallel. If any face is offset from parallel by more than five (5) degrees, such face shall be counted as a separate surface area.
- C. "Surface area" of a sign with more than two (2) faces, such as a cube or pyramid, shall be calculated as the sum of the surface area of all faces, divided by two (2).
- D. In the event of an irregular, three (3) dimensional object that serves as signage, where the surface area is not readily measurable, the surface area shall be calculated by the largest area of the three (3) dimensional object visible from any one (1) viewing angle.

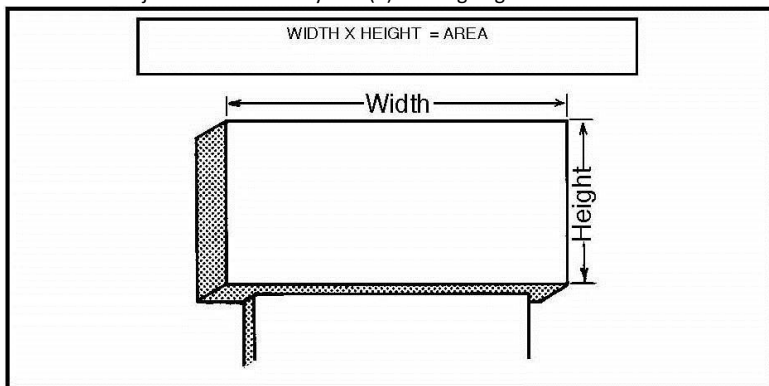


Figure: SIGN SURFACE AREA CALCULATION

Awning

A roof-like cover that projects from the wall of a building for the purpose of shielding a door or window from the elements. See Figure: AWNING.

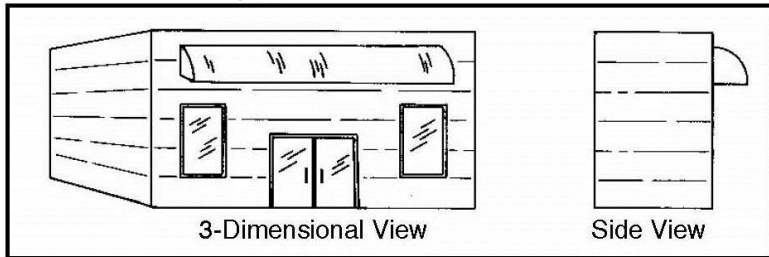


Figure: AWNING

**Awning Sign**

Any sign erected upon, or against, an awning.

**Banner**

A sign of a nonpermanent nature constructed of nonrigid materials.

**Banner, Decorative Pole-Mounted**

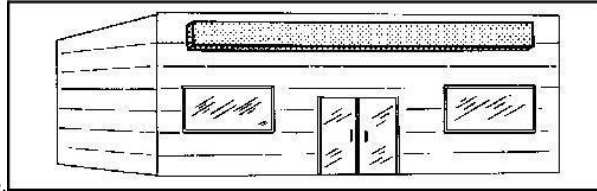
A cloth or fabric banner without text or corporate logos mounted to a pole and secured at the top and bottom.

**Billboard**

Generally, a large outdoor advertising sign, containing a message, commercial or otherwise, unrelated to the use or activity on the property on which the sign is located, and which is customarily leased for commercial purposes, but not including attached directional signs (not within the billboard face) as defined herein. The approximate sizes of the billboard faces range from twelve (12) to fourteen (14) feet in height and twenty-four (24) to forty-eight (48) feet in width.

**Building-Mounted Sign**

A single- or multiple-faced sign of a permanent nature, made of rigid material, attached to the facade of



a building or the face of a marquee.

Figure: BUILDING MOUNTED (WALL) SIGN

**Canopy**

A freestanding structure affording protection from the elements to persons or property thereunder.

**Canopy-Mounted Sign**

Any sign or awning erected upon or against a canopy.

**Community Use**

A public community center, library, museum, park, City Hall, fire station or other public use operated for the benefit of the community.

**Construction Sign**

An informational sign which identifies the architect, engineers, contractors and other individuals or firms involved with the construction of a building, or announcing the character of the building or enterprise, which is erected during the building construction period.

**Dawn to Dusk**

That time of the day between sunrise and sunset.

**Directional Sign**

A single- or double-faced sign not exceeding nine (9) square feet in surface area designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience.

A. Interior Directional Sign



Directional signs oriented to the interior of a site and at least thirty (30) feet from the right-of-way, or not readable from the street.

**B. Perimeter Directional Sign**

Directional signs oriented to and readable from the street.

**Display**

The visual information shown on a sign, including text, graphics, pictures, lights and background.

**Electronic Sign**

A sign containing a display that can be changed by electrical, electronic or computerized process. See SMC 15.600.130, Electronic Signs, for requirements regarding electronic signs.

**Facade**

The exterior wall face of a building, extending from the ground to the top of the parapet or eaves, but not including any portion of the roof. Each side of a building (i.e., each architectural elevation) is considered one (1) facade (see Figure: FACADE). For buildings with more than one (1) occupant, the facade for each occupant shall be that portion of the exterior wall face between the points where the interior walls between tenants intersect with the exterior wall.

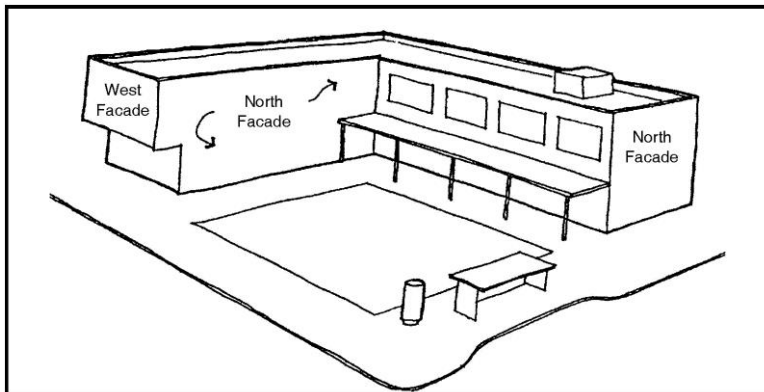


Figure: FACADE

**Flashing**

A sign display that appears for less than one and one-half (1-1/2) consecutive seconds.

**Freestanding Sign**

A sign permanently mounted into the ground, supported by poles, pylons, braces or a solid base and not attached to any building. Freestanding signs include those signs otherwise known as “pedestal signs,” “pole signs,” “pylon signs,” and “monument signs.”

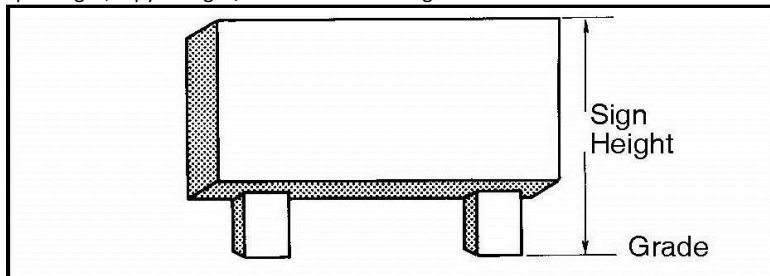


Figure: FREESTANDING SIGN

**Grade (Ground Level)**

The elevation or level of the street (or parking lot) closest to the sign to which reference is made. In cases where the property on which the sign is located is lower than the immediately adjacent street level, the ground level shall be considered the street level to facilitate visibility of signage. In no case shall a sign be higher than twenty-five (25) feet from the lowest grade of the property adjacent to the street level where the sign is proposed.

**Height of Sign**

The vertical distance from the grade to the highest point of a sign or any vertical projection thereof, including its supporting columns, or the vertical distance from the relative ground level in the immediate vicinity.

**Holographic Display**

Any display that creates a three (3) dimensional image through projection. (Note: Holographic displays are prohibited by SMC 15.600.120(F), Prohibited Signs.)

**Inflatable Object**

An inflatable object larger than eighteen (18) inches in diameter, such as a blimp, large air balloon or inflatable sport equipment, used to attract attention to a special event or grand opening.

**Informational Sign**

A single- or double-faced sign not exceeding nine (9) square feet in surface area, intended primarily for the convenience of the public or to ensure the orderly operation of the site, including but not limited to signs designating restrooms, address numbers, hours of operation, business directories, help wanted, public telephone, and instructions regarding parking.

**A. Interior Informational Sign**

Informational signs oriented to the interior of a site and at least thirty (30) feet from the right-of-way or not readable from the street.

**B. Perimeter Informational Sign**

Informational signs oriented to and readable from the street.

**Marquee**

A permanent roof-like structure extending from part of a wall of a building a maximum of six (6) feet and supported solely by the building.

**Marquee Sign**

Any sign that forms part of or is integrated into a marquee and that does not extend above the height or beyond the limits of such marquee. Also considered an extension of a building-mounted sign.



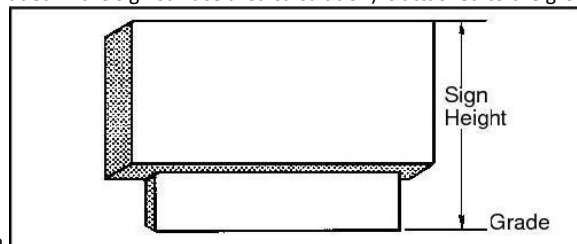
Figure: MARQUEE/MARQUEE SIGN

**Message**

In an electronic sign, a set of sequential displays that convey related information about a product, service or company.

**Monument Sign**

A ground-mounted, fixed sign with a height ranging from five (5) to fifteen (15) feet above the average ground elevation. The base (not included in the sign surface area calculation) is attached to the ground



as a wide base of solid construction.

Figure: MONUMENT SIGN

**Multiple Building Complex**

A group of structures housing more than one (1) type of retail business, office or commercial venture, and generally under one (1) ownership and control.

**Multiple Occupancy Building**

A single structure housing more than one (1) type of retail business office or commercial venture.

**Mural**

~~A design or representation, without letters, numbers, or trademarked graphics, that is painted or drawn on the exterior of a structure facade that does not advertise a business, product, service, or activity of the business contained within the building or structure. A mural may have the signature of the person painting the sign, or copyright ownership of the mural painting.~~

**Mural Sign**

A design, or representation with letters, numbers, or trademarked graphics, that is painted or drawn on the exterior of a structure facade that advertises the business, product, service, or activity contained within the building or structure. A mural sign will include the name of the business or activity being conducted within the building or structure. Off-premises mural signs are not permitted.

**Neighborhood Unit**

A section or area within a multi-family development:

- A. Where the section or area is geographically different or separated from other sections or areas in the development; or
- B. Where the dwelling units have characteristics distinguishing them from the dwelling units in other sections or areas of the development.

**Noncommercial Public Service Sign**

Noncommercial signs devoted to religious, charitable, cultural, governmental or educational messages.

**Office Building**

An office building as defined by the City of SeaTac Zoning Code.

**Parapet**

That portion of a building wall which extends above the roof of the building on all building facades (see

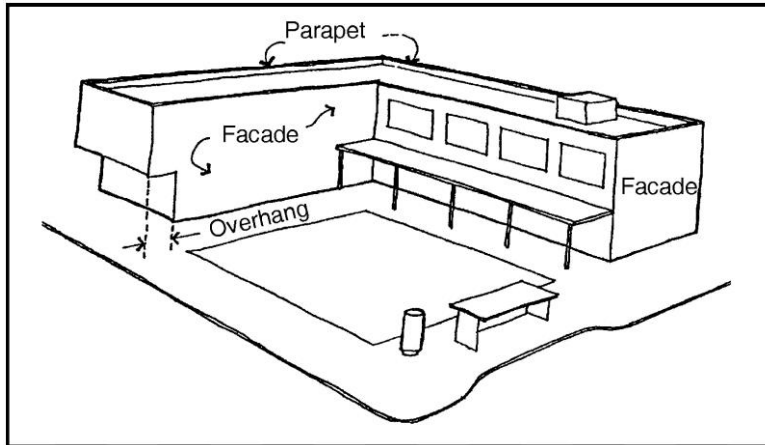


Figure: PARAPET).

Figure: PARAPET

**Parapet Sign**

Any sign erected upon the parapet of a building, not to exceed the height of any roof structures housing building/ventilation equipment.

**Pennants**

A triangular tapering flag made of any lightweight fabric or other nonrigid material suspended in a series from a rope, wire, or string.

**Penthouse**

A structure on top of a building roof which houses an elevator shaft or similar form.

**Political Sign**

~~Signs advertising a candidate or candidates for public elective office or a political party, or signs urging a particular vote on a public issue decided by ballot.~~

**Portable Sign**

A movable sign that is not permanently attached to a structure or the ground. Portable signs include A-frame signs and signs mounted on a portable base, but not portable readerboards.

**Porte-Cochere**

A covering structure projecting horizontally from and attached to a building, affording protection from the elements; typically used for loading and unloading of vehicles.

**Primary Sign(s)**

All permitted permanent monument/freestanding and building-mounted signs (see SMC 15.600.030, Commercial/Office/Industrial Zone Classification Signs and 15.600.040, Multi-Family Residential Zone Classification Signs).

**Property Line**

The line denoting the limits of legal ownership of property.

**Readerboard**

A sign or part of a sign on which the letters are replaceable by manual means, such as changing magnetic letters on a sign board.

**Roof Sign**

A sign or sign structure erected above a roof, parapet, canopy or porte-cochere of a building or structure.

**Scrolling**

The vertical movement of a static message or display on an electronic sign.

**Secondary Signs**

Allowable signage not falling within the definition of a primary sign; includes directional and informational signs, as well as temporary signs and displays (see SMC 15.600.070, Secondary Signage).

**Sign**

All surfaces/structures (permitted, exempt, or prohibited) regulated by this chapter that have letters, figures, design, symbols, trademark or devices intended to attract attention to any activity, service, place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever.

**Sign, Off-Premises**

A sign which displays a message relating to a use of property or sale of goods or services at a location other than that on which the sign is located.

**Sign, On-Premises**

A sign which displays a message which is directly related to the use of the property on which it is located.

**Single-Occupancy Building**

A commercial building or structure with one (1) major enterprise. A building is classified as "single-occupancy" only if:

- A. It has only one (1) occupant;
- B. It has no wall in common with another building; and
- C. It has no part of its roof in common with another building.

**Subdivision Signs**

Signs used to identify a land development of a residential nature.

**Streamer**

A long narrow strip of lightweight fabric or other material suspended in a series from a rope, wire, or string.

**Surface Area**

See "Area or Surface Area of Sign."



**Surface Area of Facade**

The area of that continuous front, side or back surface, including doors and windows, but excluding any roof area and structures or elevators or air-conditioning equipment thereon; provided, that in the case of a roof sign, the surface area of the facade shall be the area of that continuous front, side or back surface immediately beneath the roof, including doors and windows, but excluding the roof area and structures for elevators or air conditioning thereon.

**Temporary Freestanding Sign**

A nonpermanent sign securely attached to the ground, intended for use for a limited period of time.

**Traveling**

The horizontal movement of a static message or display on an electronic sign.

**Window Sign**

All signs located inside and affixed to or within three (3) feet of a window of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located within three (3) feet of a window. (Ord. 15-1018 § 1)

**15.600.020 General Sign Provisions**

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**A. Number of Primary Signs.**

1. Primary signage, consisting of monument/freestanding signage and facade/building-mounted signage, is allowed within the commercial/industrial/office zones, multi-family zones, and for churches, schools and community uses in the single-family residential zones as described in SMC 15.600.030, Commercial/Office/Industrial Zone Classification Signs, 15.600.040, Multi-Family Residential Zone Classification Signs, and 15.600.050, Single-Family Residential Zone Classification Signs. Within these zoning classifications, only one (1) monument/freestanding sign is allowed per site, as described in subsection (B) of this section. Each business shall also be allowed the facade signage described within SMC 15.600.030(B)(2) or 15.600.040(B)(2).
2. Where a site has multiple street frontages, one (1) monument/freestanding sign shall be allowed on each street frontage, providing that there shall be a minimum of one hundred (100) feet between each freestanding sign.

3. In a residential site of one hundred (100) dwelling units or greater, where the dwelling units are clustered into defined neighborhood units, one (1) monument/freestanding sign shall be allowed to identify each neighborhood unit containing at least thirty-five (35) residential dwelling units.

B. **Site.** A site shall be considered to be the largest applicable area of the following:

1. A single business located on one (1) or more tax parcels;
2. Multiple uses sharing the area of one (1) or more tax parcels, whether in a multiple-occupancy building, a multiple-building complex, or other common use of a parcel for business operations.

C. **Secondary Signage.** Secondary signage shall be allowed in commercial/industrial/office zones, multi-family zones, and for churches, schools and community uses in the single-family residential zones as described in SMC 15.600.070, Secondary Signage.

D. **Street Identification.** Each enterprise, including each building in a multiple building complex, shall display and maintain on-premises street address number identification.

E. **Each Sign Complete.** In no case shall any sign contain a letter, word, or phrase that is continued onto another sign. (Ord. 15-1018 § 1)

**Requirements Applicable to All Signs**

**A. Structural Requirements.** The structure and erection of signs within the City shall be governed by the adopted Uniform Sign Code and Building Code. Compliance with the Uniform Sign Code and Building Code shall be a prerequisite to issuance of a sign permit under SMC 15.600.170, Permits and Fees.

**B. Electrical Requirements.** Electrical requirements for signs within the City shall be governed by Chapter 13.180 SMC, Electrical Code. Compliance with the Electrical Code shall be required by every sign utilizing electrical energy as a prerequisite to issuance of a sign permit under SMC 15.600.170, Permits and Fees.

**C. Sign Illumination.** Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare, or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians or motorists. "Undue brightness" is illumination in excess of that which is reasonably necessary to make the sign reasonably

visible to the average person on an adjacent street. Additionally, electronic signs shall meet the standards of SMC 15.600.130, Electronic Signs.

D. **Sign Maintenance.** All signs, including signs heretofore installed, shall be constantly maintained in a state of security, safety, repair and professional appearance. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five (5) days after receiving notice from the City Manager or designee. The premises surrounding a monument sign shall be free and clear of rubbish and any landscaping area free of weeds.

E. **Sign Obstructing View or Passage.** No sign shall be located so as to physically obstruct any door, window or exit from a building. No sign shall be located so as to be hazardous to a motorist's ingress or egress, or visibility of traffic flow during ingress or egress, from parking areas of any way open to the public.

F. **Landscaping for Monument Signs.** All primary monument signs shall include, as part of their design, general landscaping and curbs about their base to prevent automobiles from hitting the sign-supporting structure and to improve the overall appearance of the installation.

H. **Conflicting Provisions.** Whenever two (2) provisions of this code overlap or conflict with regard to size or placement of a sign, the more restrictive provision shall apply. (Ord. 15-1018 § 1)

#### 15.600.030 Commercial/~~Office/Industrial~~ Zone Classification Signs

**\*Insert purpose and intent statement with justification for why commercial zoned signs are of a certain size and character in these zones.\***

##### **A. General.**

1. This section regulates signs in the following zones: NB, CB, CB-C, ~~ABC, I, O/CM, O/C/MU and BPUH, UH-UCR, and RBX.~~

**Commented [BB5]:** ABC and BP zones are reforming into the RBX zone through the recent Rezone Ordinance 171023

2. **illumination.** Monument/freestanding and building-mounted signs in the commercial/office/industrial zones may be illuminated through internal and external illumination; provided, that such illumination does not create glare on adjacent properties or traffic corridors, and that the following conditions are met:

a. **Internal Illumination.** Internal illumination shall be allowed; provided, that if the sign is located adjacent to or across from a single-family zone, one (1) of the following methods shall be used:

- i. Only the lettering and symbols on the sign shall be illuminated; or
- ii. If the entire cabinet is illuminated, the background shall be a dark shade or color that minimizes glare, with the foreground (letters and symbols) being light or contrasting.

b. **External Illumination.** If external illumination is used, documentation shall be provided that clearly shows that light or glare from the external illumination will not impact traffic corridors or adjacent properties. The type of external illumination shall be approved by the Director prior to issuance of a sign permit.

**B. Standards.**

1. **Monument and Freestanding Signs.** Any monument or freestanding sign must be “integrated,” that is, all elements of the sign must be incorporated in a single design. Auxiliary projections or attachments not a part of a single design are prohibited. Poles or other supports must be architecturally covered, painted, or otherwise treated to prevent weathering, and to coordinate with the design of the sign.

a. **Setbacks.**

- i. Interior lots: Five (5) feet from the front property line; ten (10) feet from the side property lines. Exception: Signs may be set back between zero (0) and five (5) feet from the front property line and five (5) feet from the side property line subject to the criteria contained in SMC 15.600.060, Signage – Zero (0) to Five (5) Feet Front Property Line Setback Criteria.
- ii. Corner lots: Five (5) feet from all property lines. Exception: Signs may be set back between zero (0) and five (5) feet from the front property line subject to the criteria contained in SMC 15.600.060, Signage – Zero (0) to Five (5) Feet Front Property Line Setback Criteria.

Sign projections shall not obstruct any access points as required in SMC 15.400.350, Sight Distance Requirements.

- b. Maximum height: Fifteen (15) feet.
- c. Maximum surface area:
  - i. Eighty-five (85) square feet;
  - ii. The size of electronic monument or freestanding signs is limited by SMC 15.600.130, Electronic Signs.

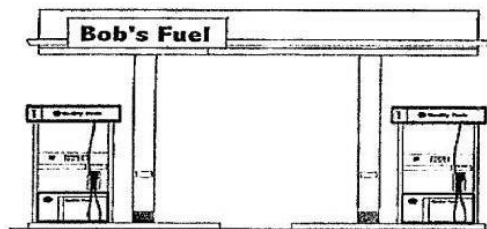
**2. Building-Mounted Signs (Including Parapet, Awning, Marquee, Porte-Cochere, and Canopy-Mounted Signs).** The surface area of any building-mounted sign shall not exceed the figures derived from the following schedule. The size of electronic signs for building-mounted signs is limited by SMC 15.600.130, Electronic Signs.

Surface Area of Facade	Maximum Sign Surface Area
Less than 100 sf	30 sf
100 – 199 sf	35 sf + 11% of facade area over 100 sf
200 – 499 sf	40 sf + 12% of facade area over 200 sf
500 – 999 sf	80 sf + 11% of facade area over 500 sf
1,000 sf or greater	10% of facade

Additionally, the following conditions apply:

- a. In multiple occupancy buildings, the facade area for each tenant or user is derived by measuring only the surface area of the exterior facade of the premises actually used by the tenant or user. The sign displayed by the tenant or user must be located on the facade that was used to determine the size of the sign, except as provided in this section.
- b. Unused sign surface area for a facade may be used by any tenant or user within the same multiple occupancy building if:

- i. The applicant files with the City a written statement signed by the tenant or user permitted to utilize that sign area under this code permitting the applicant to utilize the unused sign surface area that is directly related to the tenant.
  - ii. The display of a sign on that facade by the secondary sign user will not create a significant adverse impact on dependent sign users of that facade.
  - iii. The display of a secondary sign is necessary to reasonably identify and locate the use, and the provisions of this code do not provide the use with adequate sign display options.
- c. **Sign Height – Parapet Signs.** The height of any building-mounted/canopy sign or parapet sign shall not extend above the highest exterior wall of the building. Additionally, no parapet can be extended above the highest roof ventilation structure.
- d. No sign shall be mounted on top of a marquee, porte-cochere, canopy, roof, or other similar structure.
- e. Any building-mounted sign, including any marquee sign, or awning sign attached to a building, shall not project more than six (6) feet from the face of the building to which the sign is attached. Any structural supports shall be an integral part of the design or concealed from view.
- f. All parapet, marquee, and awning signs must be manufactured in such a way that they appear to be a part of the building itself.
- g. Any sign mounted to the facade of a freestanding canopy structure or the facade of a porte-cochere extending more than six (6) feet from a building shall not exceed thirty (30)



Signs on canopies may not exceed a height of 30 inches.

inches in height.

Figure: CANOPY

- h. Window signs shall be considered building-mounted signs for the purposes of this section, and shall be counted as part of the aggregate sign surface area allowed. Window signs shall not be mounted between three (3) feet and seven (7) feet of floor level on any floor of a building, unless such signage does not obstruct visibility through the window.
- i. Decorative lighting including neon and other accent lighting, and any lighted canopy or building panel, shall be considered a building-mounted sign for the purposes of this section, and shall be counted as part of the aggregate sign surface area allowed.
- j. The width of any decorative lighting strip or accent shall be considered to extend six (6) inches beyond the limits of the actual strip, or accent, where the light flow is unencumbered in that direction.
- k. In no case may the maximum sign surface area permitted on a building facade be exceeded. (Ord. 15-1018 § 1)

### **3. Signage – Zero (0) to Five (5) Feet Front Property Line Setback Criteria**

A sign may be set back between zero (0) feet and five (5) feet from the front property line, provided it conforms to all of the following criteria as determined by the Public Works Director and Director.

A. A survey of the location of the front property line, relative to the proposed sign, is prepared, staked in the field, and submitted by a surveyor licensed in Washington State.

B. A sight distance study by a licensed professional engineer verifying that the proposed sign location will not interfere with sight distances of pedestrians and vehicles at a public or private road intersection or at driveway approaches.

C. The sign is not located in an area where road right-of-way may be necessary for future road projects as currently identified by the City's 10-year transportation improvement plan.

D. The sign shall not preclude or interfere with any utility lines located within an easement, including but not limited to public water, sewer, storm drainage, electric, communication, or signalization. (Ord. 15-1018 § 1)

## Secondary Signage

### A. General.

1. In addition to the primary signage allowed, the following secondary signage shall be allowed within the parameters specified for each site in the commercial/office/industrial zones, multi-family residential zones, and for churches, schools, community uses, and agricultural crop sales in the single-family residential zones.
2. **Permits.** Signs and displays that meet the standards of this subsection do not require a permit, if they are not illuminated, except that the placement of pole-mounted banners and decorative flags shall be approved through a sign permit to ensure code compliance.
3. **Illumination of Secondary Signage.**
  - a. Secondary signage shall not be illuminated, except as set forth in the following section.
  - b. The following secondary signage may be illuminated; provided, that such illumination is approved through issuance of an electrical permit and meets the standards of SMC 15.600.030(A) for commercial/office/industrial zones and SMC 15.600.040(A) for multi-family zones.
    - i. Illumination of permanent directional and informational signs.
    - ii. External illumination of decorative flags.
  - c. Secondary signage shall not be electronic.
4. Readerboard signs shall not be allowed as secondary signs.
5. **Quality and Condition.**
  - a. All signs under this section must appear to be professionally produced and must be maintained in an appearance of newness, free of tears, holes, mold, dirt, decay, chipped paint, fading, sagging, and other signs of wear.
  - b. The City may, at its discretion, and without notice, remove any temporary or portable sign not in compliance with this section.



B. **Informational Signs.** Informational signs are not included in the number of primary signs so long as the following conditions are met:

1. **Interior Informational Sign.** The sign shall not exceed nine (9) square feet in surface area.
2. **Perimeter Informational Sign.** The sign shall not exceed three (3) square feet in surface area, and the number of perimeter informational signs shall not exceed one (1) per street frontage.

Additional signs oriented to the street may be allowed only if shown to be necessary for safety purposes and granted by the Director.

3. The sign shall be located on the subject site, and meet all other standards of the code. If an informational sign is portable, or constructed of nonrigid materials, it is subject to the limitations on number and placement of portable and banner signs per this section, except that an interior informational sign only may be portable in excess of the limits on portable signs if necessary for orderly site operations.

C. **Directional Signs.** Directional signs are not included in the number of primary signs so long as the following conditions are met:

1. **Interior Directional Sign.** The sign shall not exceed nine (9) square feet in surface area.
2. **Perimeter Directional Sign.**
  - a. The sign shall not exceed six (6) square feet in surface area;
  - b. Business identification shall comprise no more than twenty-five percent (25%) of the sign;
  - c. The number of perimeter directional signs shall not exceed one (1) per entrance to a site, except that two (2) such directional signs shall be allowed if necessary for safety and oriented to traffic approaching the entrance from two (2) different directions.

Additional signs oriented to the street may be allowed only if shown to be necessary for safety purposes and granted by the Director.

3. The sign is located on the premises to which the sign is intended to guide or direct pedestrian or vehicular traffic, and meets all other standards of the code. If a directional sign is portable, or

constructed of nonrigid materials, it is subject to the limitations on number and placement of portable and banner signs per this section, except that an interior directional sign only may be portable in excess of the limits on portable signs if necessary for orderly site operations.

4. Where a property lacks direct street frontage, an off-premises directional sign may be approved through a variance process described in SMC 15.600.200, Variance from Sign Code.

D. **Temporary Signs, Displays and Other Secondary Signage.** The signage or displays described in this section are allowed within the limits described in each category; provided, that no more than three (3) categories shall be concurrently displayed.

1. **Portable Signs on Private Property.** One (1) portable sign per street frontage displayed on the site it advertises, provided it meets the requirements of this section.

a. **Size.** The sign may not exceed nine (9) square feet in surface area or three and one-half (3-1/2) feet in height. Only one (1) side of a double-faced temporary portable sign will be counted.

b. **Placement.** The sign shall be placed within three (3) feet of a vehicular or pedestrian entrance, and shall not obstruct traffic, pedestrian circulation, or access for the disabled.

c. **Hours Displayed.** Portable signs shall be displayed only during the hours of business operation. If displayed after dusk, portable signs shall be displayed only in well-lighted areas.

2. **Building and Fence-Mounted Banners.** One (1) banner per site per street frontage within the following limitations:

a. Banners must be constructed of nonrigid materials suitable for an exterior environment, such as fabric, vinyl, or plastic;

b. **Size.** Banners may not be greater than thirty-two (32) square feet;

c. **No banner sign shall be allowed on a street frontage where there is a temporary freestanding sign displayed on that frontage; and**

d. **Placement.** Banners may only be placed in the following manner:

i. **On buildings, securely mounted at four (4) corners, and not blocking any window;**

ii. On fences, stretched tightly and fastened at four (4) corners;

iii. For a new business only, over an existing monument or fixed sign for a maximum of sixty (60) days.

3. **Temporary Freestanding Sign.** One (1) temporary freestanding on-premises sign per site, per street frontage, under the following circumstances:

a. A temporary freestanding sign is allowed for a maximum of sixty (60) days for a new business awaiting permanent signage; or

b. A temporary freestanding sign is allowed during the time a property is under construction, remodel, or for sale or rent; and

c. No temporary freestanding sign shall be allowed on a street frontage where there is a banner sign displayed on that frontage; and

d. Such signs shall be constructed of durable, rigid materials and mounted securely into the ground; and

e. In commercial, industrial and multi-family zones, no temporary freestanding sign shall exceed thirty-two (32) square feet in surface area or ten (10) feet in height, nor be located closer than five (5) feet from the property line, or closer than ten (10) feet from the property line of the abutting owner; and

f. In single-family residential and townhouse zones, no temporary freestanding sign shall exceed eight (8) square feet of surface area, six (6) feet in height, or be located closer than ten (10) feet from the property line of the abutting owner, except that a new subdivision may be allowed one (1) sign thirty-two (32) square feet in surface area, located no closer than ten (10) feet from the property line of the abutting owner. All signs shall comply with SMC 15.400.350, Sight Distance Requirements.

4. **Pennants.** Pennants without text or logos; provided, that they are made of nonreflective material. The maximum length of all such strings of pennants shall be no greater than the linear footage associated with the perimeter of the site. Each pennant may not exceed twelve (12) inches in height or width. Pennants shall be mounted a minimum of thirteen and one-half (13-1/2)

feet above any vehicular way, as measured from the ground level of the vehicular way to the string or rope from which the pennant is suspended.

5. **Strings of Flags.** Strings of flags of a governmental or noncommercial institution; provided, that they are made of nonreflective material. The maximum length of all such strings of flags shall be limited to the linear footage associated with the perimeter of the site. Each flag may not exceed twelve (12) inches in height or width. Strings of flags shall be mounted a minimum of thirteen and one-half (13-1/2) feet above any vehicular way, as measured from the ground level of the vehicular way to the string or rope from which the flag is suspended.

6. **Decorative Flags or Decorative Pole-Mounted Banners.** Decorative flags or decorative pole-mounted banners, but not both, shall be allowed to be displayed on a site.

a. **Decorative Flags.** Decorative flags, without text or corporate logos, limited to one (1) flag per fifty (50) feet of street frontage. The allowable number of flags shall be grouped together within fifty (50) feet of an entrance. The flag shall not exceed twenty (20) square feet, nor be smaller than five (5) square feet in surface area, shall be pole-mounted on one (1) side only, shall be no greater in its vertical dimension than in its horizontal dimension, and shall be left loose to fly in the breeze. The flag shall be mounted at a minimum distance of twelve (12) feet, as measured from the street elevation to the lowest point of mounting. The pole shall be a maximum of twenty (20) feet in height.

b. **Decorative Pole-Mounted Banners.** Decorative banners, without text or corporate logos, mounted on poles and secured at the top and bottom, limited to one (1) per fifty (50) feet of street frontage, placed along the street frontage at a minimum distance fifty (50) feet apart. Decorative banners may not be illuminated. Decorative banners may be a maximum dimension of two and one-half (2-1/2) feet wide by six (6) feet high and mounted at a minimum distance of twelve (12) feet, as measured from the street elevation to the lowest point of the banner. The pole shall be a maximum of twenty (20) feet in height.

7. **Special Directional Sign.** One (1) permanent on-site directional sign per street frontage, no greater than nine (9) square feet, which may include business identification up to fifty percent (50%) of the sign.

E. **Grand Opening and Special Event Signs.**

1. Otherwise prohibited posters, banners, strings of lights, clusters of flags, balloons, as limited by subsection (E)(3) of this section, and up to three (3) off-premises portable directional signs as limited by subsection (E)(5) of this section are permitted for four (4) weeks only (twenty-eight (28) consecutive days) to announce the opening of a completely new enterprise or the opening of an enterprise under new management, and for two (2) weeks (fourteen (14) consecutive days) twice per year for any business to advertise a special event or sale; provided, that no site shall have more than four (4) weeks (twenty-eight (28) days) total of grand opening or special event display in any one (1) calendar year.

2. A limit of one (1) inflatable object, such as a blimp or large air balloon, shall be allowed as part of a grand opening or special event, provided such object is attached to the ground and approved by the City for safety purposes as to placement and design. The maximum height of an inflatable object, when installed, shall be thirty (30) feet. A party must submit an application for an inflatable object sign permit at least two (2) weeks prior to the grand opening or scheduled event.

3. Balloons may be displayed only as part of a grand opening or special event, provided they are no greater than eighteen (18) inches in diameter with a tether no longer than thirty-six (36) inches and must be securely attached to a structure. No more than two (2) displays with a maximum of five (5) balloons per display (or ten (10) individual balloons) are permitted per site. Displays are only allowed from dawn to dusk.

4. Any grand opening or special event shall register with the City by filing a registration form. All such material shall be removed immediately upon the expiration of the allowed period. Use of the above-described devices within the limits specified shall be an exception to the general prohibition on these devices as set forth in SMC 15.600.120(E). However, such displays are subject to all other code requirements.

5. Three (3) off-premises portable signs advertising the grand opening or special event are allowed; provided, that such signs shall not exceed four (4) square feet in area nor two (2) feet in height, and shall be displayed only from dawn to dusk.

Off-premises grand opening/special event signs may be located on private property with the permission of the owner of the property on which the sign is placed and within the public right-of-way; provided, that the signs do not encroach into a driveway, parking area, sidewalk, pedestrian pathway, vehicular travel lane, median or traffic island, and are at least four (4) feet from the

outer pavement edge of a roadway when curb and gutter are not present. No signs shall be posted, tacked, nailed, or in any manner affixed upon any utility pole, tree or public or private sign.

**Electronic Signs**

Electronic signs shall be allowed, provided they comply with the following requirements:

**A. Size and Location.**

**1. Freestanding/Monument Signs.**

a. That portion of the sign that constitutes the electronic changeable display shall be allowed as follows:

<u>Zone</u>	<u>Maximum Electronic Portion of Sign</u>	<u>Maximum Total Size of Sign</u>
<u>CB, CB-C, O/CM, I, ABC</u>	<u>55 sf</u>	<u>85 sf</u>
<u>NB, BP</u>	<u>25 sf</u>	<u>85 sf</u>
<u>Churches, Schools, Community Uses in UL, T, UM, UH, O/C/MU, P</u>	<u>0 sf</u>	<u>35 sf not on an arterial</u>
	<u>0 sf</u>	<u>60 sf on a minor/collector arterial</u>
	<u>25 sf</u>	<u>85 sf on a principal arterial</u>
<u>Commercial Uses in O/C/MU, T, UM, UH</u>	<u>0 sf</u>	<u>35 sf</u>
	<u>0 sf</u>	<u>60 sf on a minor/collector arterial</u>
	<u>25 sf</u>	<u>85 sf on a principal arterial</u>
<u>Multi-Family Uses in T, O/CM, UM, UH</u>	<u>0 sf</u>	<u>35 sf</u>

b. Electronic signs shall have a non-electronic, fixed portion of the sign that is at least fifty percent (50%) of the size of the electronic portion of the sign.

**2. Building-Mounted Signs.**

a. Building-mounted electronic signs are not allowed in the following zones: UL, T, O/C/MU, UM, UH, P, NB.

b. In all other zones, a site or property may be allowed a maximum of fifty-five (55) square feet of building-mounted electronic changeable display per street frontage. Any electronic sign shall have a non-electronic, fixed portion of the sign that is at least fifty percent (50%) of the size of the electronic portion of the sign.

**B. Display.**

1. The display of the sign shall not change more rapidly than once every one and one-half (1-1/2) seconds.

2. The display shall not, or shall not appear to, flash, undulate, pulse, or portray explosions, fireworks, flashes of light, or blinking or chasing lights; the display shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or otherwise portray movement or animation as it comes onto, is displayed on, or leaves the sign board.

3. Scrolling or traveling of a static display onto the sign from one (1) direction only per display shall be allowed; provided, that each display remains in a static state for at least one and one-half (1-1/2) seconds. There shall be ten (10) seconds of still image or blank screen following every scrolling or traveling display.

4. No message shall require more than ten (10) seconds to be displayed in its entirety.

5. The display shall have a dark background with only the message or foreground lit in a white, amber or other light tone or shade.

**C. Light Levels.**

1. All signs shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions.

2. Maximum brightness levels for electronic signs in commercial/industrial zones shall not exceed eight thousand (8,000) nits when measured from the sign's face at its maximum

brightness, during daylight hours and five hundred (500) nits when measured from the sign's face at its maximum brightness between dusk and dawn.

3. At no time shall the sign be operated at a brightness level greater than the manufacturer's recommended levels.

**D. Residential Zones.**

1. Electronic signs shall not be allowed within any dwelling or home occupation in any residential zone.

2. Businesses, churches or schools are allowed electronic signs providing that:

a. They comply with subsections (A) through (C)(1) and (C)(3) of this section;

b. The brightness level shall not exceed eight thousand (8,000) nits when measured from the sign's face at its maximum brightness during the daylight hours and five hundred (500) nits when measured from the sign's face at its maximum brightness between dusk and dawn;

c. Electronic displays in residential zones shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.

**E. Additional Requirements.**

1. Electronic sign permit applications must include a copy of the manufacturer's operating manual, which includes the manufacturer's recommended standards for brightness, scrolling or traveling speed, and other display operations.

2. Electronic sign permit applications must also include a certification from the owner or operator of the sign stating that the sign shall at all times be operated in accordance with City codes and that the owner or operator shall provide proof of such conformance upon request of the City.

Additionally, whether the sign is programmed from the site or from a remote location, the computer interface that programs the sign shall be available to City staff for inspection upon



request. If the computer interface is not immediately available, the sign shall cease operation until such program can be provided. (Ord. 15-1018 § 1)

#### 15.600.040 Multi-Family Residential Zone Classification Signs

~~\*Insert Purpose and intent statement with justification for why commercial signs are allowed to be larger in these areas.\*~~

A. ~~General.~~ This section applies to:

1. ~~Multiple-family buildings and any commercial use, church, school or community use located in the T, UM, UH and O/C/MU zone classifications.~~

2. ~~A sign in these classifications may be internally illuminated, provided that:~~

a. ~~The maximum size allowed for an internally illuminated sign shall be twenty-five (25) square feet.~~

b. ~~The background of any internally illuminated sign shall be dark with only the letters or message of the sign illuminated.~~

c. ~~Neon signage shall not be allowed.~~

d. ~~Internal or external illumination shall not create glare on adjacent traffic corridors.~~

3. ~~See SMC 15.600.130, Electronic Signs, for separate size and other limitations regarding electronic signs.~~

4. ~~The light source for any externally illuminated sign shall be shaded, shielded, directed or reduced so that the light source is not visible from a public street or adjoining residential property. If external illumination is used, documentation shall be provided that clearly shows that light or glare from the external illumination will not impact traffic corridors or adjacent properties. The type of external illumination shall be approved by the Director prior to issuance of a sign permit.~~

B. ~~Standards.~~

1. **Monument and Freestanding Signs.** The following limits shall apply to monument and freestanding signs:

a. **Setback:** Five (5) feet from the property line. Exception: Signs may be set back between zero (0) and five (5) feet from the front property line subject to the criteria contained in SMC 15.600.060, Signage — Zero (0) to Five (5) Feet Front Property Line Setback Criteria.

b. **Maximum sign height:**

i. Fifteen (15) feet — primary sign.

ii. Six (6) feet — neighborhood unit sign.

c. **Maximum surface area:**

i. Thirty five (35) square feet for multi family uses;

ii. Thirty five (35) square feet for any nonresidential use not on an arterial street;

iii. Sixty (60) square feet for any nonresidential use fronting on a minor or collector arterial street as defined within the City of SeaTac Comprehensive Plan;

iv. Eighty five (85) square feet for any nonresidential use fronting on a principal arterial street as defined in the City of SeaTac Comprehensive Plan;

v. See SMC 15.600.130, Electronic Signs, for size limitations on electronic signs;

vi. Twenty (20) square feet for neighborhood unit signs.

d. **Design.** Any monument sign must be “integrated” (that is, all elements of the sign must be incorporated in a single design). Auxiliary projections or attachments not a part of a single design are prohibited, except under the following circumstances:

i. The monument sign is located on the primary access road to a multi family development exceeding thirty (30) dwelling units; and

ii. Auxiliary projections or attachments provide a single architectural feature unique to the multi family development; and

iii.—The monument sign and auxiliary projections and attachments are on a scale commensurate with the size of the development.

Auxiliary projections or attachments shall be reviewed and approved by the Director.

2.—**Building Mounted Signs (Including Parapet, Awning, Marquee, Porte Cochere, and Canopy Mounted Signs).** The surface area of any building mounted sign shall not exceed the figures derived from the following schedule. The size of electronic building mounted signs is limited by SMC 15.600.130, Electronic Signs.

Surface Area of Facade	Maximum Sign Surface Area
Less than 100 sf	21 sf
100 — 199 sf	21 sf + 9% of facade area over 100 sf
200 — 499 sf	30 sf + 10% of facade area over 200 sf
500 — 999 sf	60 sf + 9% of facade area over 500 sf
1,000 sf or greater	10% of facade

Additionally, the following conditions apply:

a.—In multiple occupancy buildings, the facade area for each tenant or user is derived by measuring only the surface area of the exterior facade of the premises actually used by the tenant or user, and the sign displayed by the tenant or user must be located on the facade used to determine the size of the sign, except as provided in this section.

b.—Unused sign surface area for a facade may be used by any tenant or user within the same multiple occupancy building, if:

i.—The applicant files with the City a written statement signed by the tenant or user permitted to utilize that sign area under this code permitting the applicant to utilize the unused sign surface area.

ii.—The display of a sign on that facade by the nondependent sign user will not create a significant adverse impact on dependent sign users of that facade.

iii.— The display of the nondependent sign is necessary to reasonably identify the use, and the provisions of this code do not provide the use with adequate sign display options.

e.— **Sign Height — Parapet Signs.** The height of any building-mounted/canopy or parapet sign shall not extend above the highest exterior wall of the building. Additionally, no parapet can be extended above the highest roof ventilation structure.

d.— No sign shall be mounted on top of a marquee, porte-cochere, canopy, roof, or other similar structure.

e.— Any building-mounted sign, including any marquee sign, or awning sign attached to a building, shall not project more than six (6) feet from the face of the building to which the sign is attached. Any structural supports shall be an integral part of the design or concealed from view.

f.— All parapet, marquee, and awning signs must be manufactured in such a way that they appear to be a part of the building itself.

g.— Any sign mounted to the facade of a freestanding canopy structure or the facade of a porte-cochere extending more than six (6) feet from a building shall not exceed thirty (30) inches in height.

h.— Window signs shall be considered building-mounted signs for the purposes of this section, and shall be counted as part of the aggregate sign surface area allowed. Window signs shall not be mounted between three (3) feet and seven (7) feet of floor level on any floor of a building, unless such signage does not obstruct visibility through the window.

i.— Decorative lighting including neon and other accent lighting, and lighted canopy or wall panels, shall be considered a building-mounted sign for the purposes of this section, and shall be counted as part of the aggregate sign surface area allowed.

j.— The width of any exposed neon sign, and any decorative or accent lighting where the light flow is unencumbered by a cover shall be considered to extend six (6) inches beyond the limits of the actual sign, strip, or accent, where the light flow is unencumbered in that direction.

k. ~~In no case may the maximum sign surface area permitted on a building facade be exceeded. (Ord. 15-1018 § 1)~~

**Commented [BB6]:** This Section will be split between the Commercial and Residential Code Sections.

**15.600.050 ~~Single Family~~ Residential Zone Classification Signs**

**\*Insert purpose and intent statement with justification for why residential zoned signs are of a certain size and character in these zones.**

**\*Insert which zones are represented as “residential” \***

A. General.

1. This section regulates signs in the following zones: UL, UM, T, MHP, and P.

~~In individual dwelling units within the residential UL and T zones, a sign with the occupant’s name two (2) square feet is permitted.~~

B. Primary Signage. Each site will be allowed one primary sign per street frontage.

1. For a sign to be considered primary, the following standards will apply:

- a. All signs will be permanent in nature;
- b. Located outside of the right of way within the site’s property lot lines, and
- c. Consist of a monument/freestanding signage or façade/building mounted signage.

2. Freestanding/monument signs:

- a. Size standards
- b. Height standards
- c. Location
- d. Illumination

3. Façade/Building Mounted Signs:

- a. Size standards
- b. Height standards
- c. Location
- d. Illumination

C. Secondary Signage.

1. For a sign to be considered secondary, see the following standards below:

- a. Permanent secondary signage:

i. Type

ii. Size

iii. Height

iv. Location

v. illumination

b. Temporary secondary signage:

i. Type

ii. Size

iii. Height

iv. Location

v. illumination

~~Each residential dwelling shall display and maintain on-premises street address number identification.~~

**Commented [BB7]:** Move to exemptions

~~C. Each subdivision, development of five (5) or more units in a townhouse zone, or senior citizen multi-family complex is permitted a monument/freestanding sign at its major entrances, not to exceed thirty-five (35) square feet per face and a total of seventy (70) square feet.~~

**Commented [BB8]:** Dealt with under Primary signage.

~~D. Churches, schools, community uses, and agricultural crop sales located within the UL and T zones shall be allowed the signage described and regulated under SMC 15.600.040, Multi-Family Residential Zone Classification Signs, and 15.600.070, Secondary Signage.~~

**Commented [BB9]:** Dealt with under Primary signage.

~~E. Any home occupation shall be allowed the signage described and regulated in SMC 15.465.500(C), Home Occupations.~~

**Commented [BB10]:** Dealt with under Primary signage.

~~F. Any daycare, bed and breakfast, or specialized instruction school (other than a specialized instruction school located at a former school district facility) within the UL or T zones shall be allowed a nine (9) square foot sign.~~

**Commented [BB11]:** Dealt with under Primary signage.

~~G. Electronic signs are not allowed, except as permitted by SMC 15.600.130, Electronic Signs.~~

~~H. Internally illuminated signs are not allowed except as permitted and regulated by SMC 15.600.040, Multi-Family Residential Zone Classification Signs, for churches, schools, community uses and agricultural crop sales.~~

**Commented [BB12]:** These standards will be split under the Primary and Secondary Signage questions

I.— One (1) temporary freestanding sign is allowed while a property is for sale, for rent, or under construction, per SMC 15.600.070(D)(3)(b).

J.— Portable off-premises signs on private property no more than four (4) square feet in surface area and two (2) feet in height are allowed with the permission of the owner, if such signs are authorized under SMC 15.600.070(E)(4), grand opening/special events, SMC 15.600.080, Political Signs, SMC 15.600.090, Real Estate Signs, and SMC 15.600.100, Garage and Yard Sale Signs. (Ord. 15-1018 § 1)

Commented [BB13]: These standards will be split under the Primary and Secondary Signage questions

#### 15.600.060 Signage— Zero (0) to Five (5) Feet Front Property Line Setback Criteria

A sign may be set back between zero (0) feet and five (5) feet from the front property line, provided it conforms to all of the following criteria as determined by the Public Works Director and Director.

A.— A survey of the location of the front property line, relative to the proposed sign, is prepared, staked in the field, and submitted by a surveyor licensed in Washington State.

B.— A sight distance study by a licensed professional engineer verifying that the proposed sign location will not interfere with sight distances of pedestrians and vehicles at a public or private road intersection or at driveway approaches.

C.— The sign is not located in an area where road right-of-way may be necessary for future road projects as currently identified by the City's 10-year transportation improvement plan.

D.— The sign shall not preclude or interfere with any utility lines located within an easement, including but not limited to public water, sewer, storm drainage, electric, communication, or signalization. (Ord. 15-1018 § 1)

Commented [BB14]: These standards will be reworked into the Commercial Zone section, and will be modified for the Residential zone section.

#### 15.600.070 Secondary Signage

##### A.— General:

1.— In addition to the primary signage allowed, the following secondary signage shall be allowed within the parameters specified for each site in the commercial/office/industrial zones, multi-family residential zones, and for churches, schools, community uses, and agricultural crop sales in the single-family residential zones.

2. **Permits.** Signs and displays that meet the standards of this subsection do not require a permit, if they are not illuminated, except that the placement of pole-mounted banners and decorative flags shall be approved through a sign permit to ensure code compliance.

3. **Illumination of Secondary Signage.**

a. Secondary signage shall not be illuminated, except as set forth in the following section.

b. The following secondary signage may be illuminated; provided, that such illumination is approved through issuance of an electrical permit and meets the standards of SMC 15.600.030(A) for commercial/office/industrial zones and SMC 15.600.040(A) for multi-family zones.

i. Illumination of permanent directional and informational signs.

ii. External illumination of decorative flags.

c. Secondary signage shall not be electronic.

4. Readerboard signs shall not be allowed as secondary signs.

5. **Quality and Condition.**

a. All signs under this section must appear to be professionally produced and must be maintained in an appearance of newness, free of tears, holes, mold, dirt, decay, chipped paint, fading, sagging, and other signs of wear.

b. The City may, at its discretion, and without notice, remove any temporary or portable sign not in compliance with this section.

B. **Informational Signs.** Informational signs are not included in the number of primary signs so long as the following conditions are met:

1. **Interior Informational Sign.** The sign shall not exceed nine (9) square feet in surface area.

2. **Perimeter Informational Sign.** The sign shall not exceed three (3) square feet in surface area, and the number of perimeter informational signs shall not exceed one (1) per street frontage.



Additional signs oriented to the street may be allowed only if shown to be necessary for safety purposes and granted by the Director.

3. The sign shall be located on the subject site, and meet all other standards of the code. If an informational sign is portable, or constructed of nonrigid materials, it is subject to the limitations on number and placement of portable and banner signs per this section, except that an interior informational sign only may be portable in excess of the limits on portable signs if necessary for orderly site operations.

C. **Directional Signs.** Directional signs are not included in the number of primary signs so long as the following conditions are met:

1. **Interior Directional Sign.** The sign shall not exceed nine (9) square feet in surface area.

2. **Perimeter Directional Sign.**

a. The sign shall not exceed six (6) square feet in surface area;

b. Business identification shall comprise no more than twenty-five percent (25%) of the sign;

c. The number of perimeter directional signs shall not exceed one (1) per entrance to a site, except that two (2) such directional signs shall be allowed if necessary for safety and oriented to traffic approaching the entrance from two (2) different directions.

Additional signs oriented to the street may be allowed only if shown to be necessary for safety purposes and granted by the Director.

3. The sign is located on the premises to which the sign is intended to guide or direct pedestrian or vehicular traffic, and meets all other standards of the code. If a directional sign is portable, or constructed of nonrigid materials, it is subject to the limitations on number and placement of portable and banner signs per this section, except that an interior directional sign only may be portable in excess of the limits on portable signs if necessary for orderly site operations.

4. Where a property lacks direct street frontage, an off-premises directional sign may be approved through a variance process described in SMC 15.600.200, Variance from Sign Code.

D. **Temporary Signs, Displays and Other Secondary Signage.** The signage or displays described in this section are allowed within the limits described in each category; provided, that no more than three (3) categories shall be concurrently displayed.

1. **Portable Signs on Private Property.** One (1) portable sign per street frontage displayed on the site it advertises, provided it meets the requirements of this section.

a. **Size.** The sign may not exceed nine (9) square feet in surface area or three and one half (3-1/2) feet in height. Only one (1) side of a double-faced temporary portable sign will be counted.

b. **Placement.** The sign shall be placed within three (3) feet of a vehicular or pedestrian entrance, and shall not obstruct traffic, pedestrian circulation, or access for the disabled.

c. **Hours Displayed.** Portable signs shall be displayed only during the hours of business operation. If displayed after dusk, portable signs shall be displayed only in well-lighted areas.

2. **Building and Fence Mounted Banners.** One (1) banner per site per street frontage within the following limitations:

a. Banners must be constructed of nonrigid materials suitable for an exterior environment, such as fabric, vinyl, or plastic;

b. **Size.** Banners may not be greater than thirty-two (32) square feet;

c. No banner sign shall be allowed on a street frontage where there is a temporary freestanding sign displayed on that frontage; and

d. **Placement.** Banners may only be placed in the following manner:

i. On buildings, securely mounted at four (4) corners, and not blocking any window;

ii. On fences, stretched tightly and fastened at four (4) corners;

iii. For a new business only, over an existing monument or fixed sign for a maximum of sixty (60) days.

3.— **Temporary Freestanding Sign.** One (1) temporary freestanding on-premises sign per site, per street frontage, under the following circumstances:

a.— A temporary freestanding sign is allowed for a maximum of sixty (60) days for a new business awaiting permanent signage; or

b.— A temporary freestanding sign is allowed during the time a property is under construction, remodel, or for sale or rent; and

c.— No temporary freestanding sign shall be allowed on a street frontage where there is a banner sign displayed on that frontage; and

d.— Such signs shall be constructed of durable, rigid materials and mounted securely into the ground; and

e.— In commercial, industrial and multi-family zones, no temporary freestanding sign shall exceed thirty-two (32) square feet in surface area or ten (10) feet in height, nor be located closer than five (5) feet from the property line, or closer than ten (10) feet from the property line of the abutting owner; and

f.— In single-family residential and townhouse zones, no temporary freestanding sign shall exceed eight (8) square feet of surface area, six (6) feet in height, or be located closer than ten (10) feet from the property line of the abutting owner, except that a new subdivision may be allowed one (1) sign thirty-two (32) square feet in surface area, located no closer than ten (10) feet from the property line of the abutting owner. All signs shall comply with SMC 15.400.350, Sight Distance Requirements.

4.— **Pennants.** Pennants without text or logos; provided, that they are made of nonreflective material. The maximum length of all such strings of pennants shall be no greater than the linear footage associated with the perimeter of the site. Each pennant may not exceed twelve (12) inches in height or width. Pennants shall be mounted a minimum of thirteen and one-half (13 1/2) feet above any vehicular way, as measured from the ground level of the vehicular way to the string or rope from which the pennant is suspended.

5.— **Strings of Flags.** Strings of flags of a governmental or noncommercial institution; provided, that they are made of nonreflective material. The maximum length of all such strings of flags shall

be limited to the linear footage associated with the perimeter of the site. Each flag may not exceed twelve (12) inches in height or width. Strings of flags shall be mounted a minimum of thirteen and one-half (13-1/2) feet above any vehicular way, as measured from the ground level of the vehicular way to the string or rope from which the flag is suspended.

**6.—Decorative Flags or Decorative Pole-Mounted Banners.** Decorative flags or decorative pole-mounted banners, but not both, shall be allowed to be displayed on a site.

a.—**Decorative Flags.** Decorative flags, without text or corporate logos, limited to one (1) flag per fifty (50) feet of street frontage. The allowable number of flags shall be grouped together within fifty (50) feet of an entrance. The flag shall not exceed twenty (20) square feet, nor be smaller than five (5) square feet in surface area, shall be pole-mounted on one (1) side only, shall be no greater in its vertical dimension than in its horizontal dimension, and shall be left loose to fly in the breeze. The flag shall be mounted at a minimum distance of twelve (12) feet, as measured from the street elevation to the lowest point of mounting. The pole shall be a maximum of twenty (20) feet in height.

b.—**Decorative Pole-Mounted Banners.** Decorative banners, without text or corporate logos, mounted on poles and secured at the top and bottom, limited to one (1) per fifty (50) feet of street frontage, placed along the street frontage at a minimum distance fifty (50) feet apart. Decorative banners may not be illuminated. Decorative banners may be a maximum dimension of two and one-half (2-1/2) feet wide by six (6) feet high and mounted at a minimum distance of twelve (12) feet, as measured from the street elevation to the lowest point of the banner. The pole shall be a maximum of twenty (20) feet in height.

**7.—Special Directional Sign.** One (1) permanent on-site directional sign per street frontage, no greater than nine (9) square feet, which may include business identification up to fifty percent (50%) of the sign.

**E.—Grand Opening and Special Event Signs.**

1.—Otherwise prohibited posters, banners, strings of lights, clusters of flags, balloons, as limited by subsection (E)(3) of this section, and up to three (3) off-premises portable directional signs as limited by subsection (E)(5) of this section are permitted for four (4) weeks only (twenty-eight (28) consecutive days) to announce the opening of a completely new enterprise or the opening of an enterprise under new management, and for two (2) weeks (fourteen (14) consecutive days) twice

per year for any business to advertise a special event or sale; provided, that no site shall have more than four (4) weeks (twenty-eight (28) days) total of grand opening or special event display in any one (1) calendar year.

2.— A limit of one (1) inflatable object, such as a blimp or large air balloon, shall be allowed as part of a grand opening or special event, provided such object is attached to the ground and approved by the City for safety purposes as to placement and design. The maximum height of an inflatable object, when installed, shall be thirty (30) feet. A party must submit an application for an inflatable object sign permit at least two (2) weeks prior to the grand opening or scheduled event.

3.— Balloons may be displayed only as part of a grand opening or special event, provided they are no greater than eighteen (18) inches in diameter with a tether no longer than thirty-six (36) inches and must be securely attached to a structure. No more than two (2) displays with a maximum of five (5) balloons per display (or ten (10) individual balloons) are permitted per site. Displays are only allowed from dawn to dusk.

4.— Any grand opening or special event shall register with the City by filing a registration form. All such material shall be removed immediately upon the expiration of the allowed period. Use of the above-described devices within the limits specified shall be an exception to the general prohibition on these devices as set forth in SMC 15.600.120(E). However, such displays are subject to all other code requirements.

5.— Three (3) off-premises portable signs advertising the grand opening or special event are allowed; provided, that such signs shall not exceed four (4) square feet in area nor two (2) feet in height, and shall be displayed only from dawn to dusk.

Off-premises grand opening/special event signs may be located on private property with the permission of the owner of the property on which the sign is placed and within the public right-of-way; provided, that the signs do not encroach into a driveway, parking area, sidewalk, pedestrian pathway, vehicular travel lane, median or traffic island, and are at least four (4) feet from the outer pavement edge of a roadway when curb and gutter are not present. No signs shall be posted, tacked, nailed, or in any manner affixed upon any utility pole, tree or public or private sign.

**F.— Economic Stimulus Sign.**

1. ~~Perforated Window Film Sign.~~ In order to improve local economic conditions, one (1) perforated window film sign may be installed per building during the time a property is for sale, lease, or rent and shall relate to the sale, lease, or rental of the property. The size of the sign shall meet the requirements of SMC 15.600.030(B)(2), Commercial/Office/Industrial Zone Classification Signs. Because of the special circumstances of these signs, the graphics of such signage must be artistically pleasing and shall be approved by the Director of Community and Economic Development.

2. For purposes of this subsection, a perforated window film sign is defined as a see through window graphic, is a vinyl window film made with small holes throughout so you can see through the material, which is affixed to the window(s).

3. This subsection shall expire on December 31, 2015, at which time signs pursuant to this subsection shall be removed. (Ord. 15 1018 5 1)

**Commented [BB15]:** This section will be moved to the Commercial Zone section and modified

**Commented [BB16]:** This section of code will be removed through the miscellaneous code update CAM17-0002.

#### 15.600.080 Political Signs

All signs which are displayed out of doors on real property relating to the nomination or election of any individual for a public political office, or advocating any measure to be voted on in any general or special election, shall be subject to the following regulations:

A. Such political signs shall not be displayed more than seven (7) days after the date of the election for which intended. In cases where a general election follows a primary election, those signs for candidates whose names will appear on the ballot in the general election may be displayed during the interim period and up to seven (7) days after the general election. In all instances herein in which political signs are required to be removed within seven (7) days after the election for which the political sign was displayed, it shall be the responsibility of the campaign officer or responsible campaign official to have the signs removed.

B. Political signs placed in single family residential zones shall not exceed eight (8) square feet each in area. Signs in all other zones shall meet the requirements of those classification districts.

C. No political signs shall be erected upon any private property without the permission of the resident or owner thereof, and in cases where there is no occupied structure on the property, no political sign shall be placed thereon without the written consent of the owner of the property.

D. It is unlawful for any person to paste, paint, affix or fasten a political sign on any utility pole, street sign, lamp post, sidewalk, roadway, or other object situated upon any public street or right of way except that political signs are allowed on parking strips where such political signs are installed pursuant to the permission of the owner of the property abutting said parking strip and installed in such a manner as not to constitute a traffic hazard. (Ord. 15-1018 § 1)

**Commented [BB17]:** This section will be removed for compliance with content-neutrality standards and will be replaced with non-content based standards in the Commercial and Residential Zone Sections.

#### **15.600.090 Real Estate Signs**

A. **On-Premises Real Estate Signs.** Individual residential units for sale shall be allowed one (1) freestanding sign limited to eight (8) square feet in surface area and six (6) feet in height, located no closer than ten (10) feet to the property line of the abutting owner. All signs shall comply with SMC 15.400.350, Sight Distance Requirements.

B. Open houses for residential units shall be allowed display of four (4) off-premises A-frame/board signs; provided, that such signs shall not exceed four (4) square feet per side in area nor three (3) feet in height, and shall be displayed only from dawn to dusk and only when a licensed broker/agent or seller is in attendance at the property for sale.

Off-premises real estate signs advertising open houses may be located on private property with the permission of the owner of the property on which the sign is placed and within the public right of way; provided, that the signs do not encroach into a driveway, parking area, sidewalk, pedestrian pathway, vehicular travel lane, median or traffic island, and are at least four (4) feet from the outer pavement edge of a roadway when curb and gutter are not present. No signs shall be posted, tacked, nailed or in any manner affixed upon any utility pole, tree or public or private sign.

C. **Off-Premises Real Estate Directional Arrow Signs.** Open houses for residential units shall be allowed display of three (3) off-premises directional arrow signs; provided they meet the following standards:

1. The sign is a maximum of one and one half (1 1/2) square feet per side;
2. The maximum height of the sign is three (3) feet;
3. Off-premises real estate directional arrow signs may only be located at an intersection with at least one (1) street classified as a "Principal," "Minor," or "Collector" arterial as depicted in the City of SeaTac Comprehensive Plan;

4. May be displayed at any time until the property is sold;

One (1) additional off-premises directional arrow sign is allowed if the home for sale only has access off of a private access easement or private road. The sign may be placed at the intersection of the private access easement or private road and public right-of-way.

Off-premises real estate arrow signs may be located on private property with the permission of the owner of the property on which the sign is placed and within the public right-of-way; provided, that the signs do not encroach into a driveway, parking area, sidewalk, pedestrian pathway, vehicular travel lane, median or traffic island, and are at least four (4) feet from the outer pavement edge of a roadway when curb and gutter are not present. No signs shall be posted, tacked, nailed or in any manner affixed upon any utility pole, tree or public or private sign. (Ord. 15-1018 § 1)

#### 15.600.100 Garage and Yard Sale Signs

Garage sales, yard sales, and other exempt sales as allowed by SMC 15.465.500(C), Regulation of Home Occupations, shall be allowed the following signage limited to display on Fridays, Saturdays and Sundays. All signs shall comply with SMC 15.400.350, Sight Distance Requirements.

A. **On-Premises Signs.** Garage sales, yard sales, and other exempt sales shall be allowed the on-site temporary signage not exceeding eight (8) square feet in surface area, or six (6) feet in height.

B. **Off-Premises Signs.** Garage sales, yard sales, and other exempt sales shall be allowed display of three (3) off-premises portable signs; provided, that such signs shall not exceed four (4) square feet in area nor two (2) feet in height, shall be displayed only from dawn to dusk on the days of the sale, and shall be removed promptly after the close of the sale.

Off-premises garage sale signs may be located on private property with the permission of the owner of the property on which the sign is placed and within the public right-of-way; provided, that the signs do not encroach into a driveway, parking area, sidewalk, pedestrian pathway, vehicular travel lane, median or traffic island, and are at least four (4) feet from the outer pavement edge of a roadway when curb and gutter are not present. No signs shall be posted, tacked, nailed or in any manner affixed upon any utility pole, tree or public or private sign. (Ord. 15-1018 § 1)

#### 15.600.110 Exempt Signs or Displays

The following signs or displays are exempted from coverage under this code:

**Commented [BB18]:** This section will be removed for compliance with content-neutrality standards and will be replaced with non-content based standards in the Commercial and Residential Zone Sections.

**Commented [BB19]:** This section will be removed for compliance with content-neutrality standards and will be replaced with non-content based standards in the Commercial and Residential Zone Sections.



A. Traffic or pedestrian control signs or signals, signs in the public right-of-way indicating scenic or historic points of interest, or signs which are erected or placed by or on the order of a public officer in the performance of public duty;

B. Signs required by law;

~~C. Noncommercial public service signs, providing such signs are nonilluminated, nonelectronic, do not exceed eight (8) square feet in surface area and six (6) feet in height, and are limited to one (1) sign per street frontage;~~

**Commented [BB20]:** This section will be removed for compliance with content-neutrality standards and will be replaced with non-content based standards in the Commercial and Residential Zone Sections.

D. Official public notices, official court notices or official sheriff's notices;

E. The flag of a government, except that this exemption does not include flags of a government or noncommercial institution displayed in a series on a rope, wire or string;

F. 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, which are nonilluminated, and which do not exceed three (3) square feet in surface area;

G. Nonilluminated "No Trespassing," "No Dumping," "No Parking," "Private Property," "Fire Lane," "Handicapped Parking," and other on-site informational warning signs, which shall not exceed three (3) square feet in surface area;

~~H. Reasonable seasonal decorations within the appropriate public holiday season. However, such displays shall be removed promptly at the end of the public holiday season;~~

**Commented [BB21]:** This section will be removed for compliance with content-neutrality standards.

I. The flag of a commercial institution or noncommercial institution such as a school. No more than one (1) flag (excluding flags of nationality) is permitted per business premises. The flag shall be pole-mounted on one (1) side, not exceed twenty (20) square feet in surface area, nor be smaller than five (5) square feet, and shall be left loose to fly in the breeze. The flag shall be mounted at a minimum distance of twelve (12) feet, as measured from the street elevation to the lowest point of mounting;

~~J. Sculptures, fountains, mosaics and design features which do not incorporate advertising or identification;~~

**Commented [BB22]:** This section will be removed for compliance with content-neutrality standards.

K. Sandwich-board signs worn by a person while walking the public ways of the City;

~~L. Existing theater marquees (monument and/or building mounted);~~

~~M. Reasonable, nonilluminated temporary decorations and signs for the purpose of announcing or promoting a nonprofit sponsored community fair, festival or event. Such decorations and signs may be displayed no more than twenty one (21) calendar days prior to and during the fair, festival or event. (Ord. 15-1018 § 1)~~

#### 15.600.120 Prohibited Signs

The following signs or displays are prohibited, unless otherwise approved by this chapter. Prohibited signs are subject to removal by the City at the owner's or user's expense. Any existing sign which is prohibited upon the effective date of this code shall be removed within six (6) months of notification from the City except as provided in SMC 15.600.140, Nonconforming Signs, regarding nonconforming signs.

- A. Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal, or which bear the words "stop," "caution," "danger," "warning," or similar words;
- B. 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 any emergency (police, fire or ambulance) or radio equipment vehicle, or which obstruct the visibility of any traffic or street sign or signal device;
- C. Signs which rotate or have a part(s) which move or revolve except the movement of the hands of a clock;
- D. Signs that display animation;
- E. Any display or sign not specifically allowed by the sign code, including, but not limited to, strings of lights; ribbons; spinners, twirlers or propellers; flashing, rotating or blinking lights, chasing or scintillating lights; fluttering or moving lights or other illuminating device which has a changing light density or color; lasers; strobes or lights with stroboscopic effect; displays or lights that imitate the appearance of explosions or fireworks; flares; balloons; bubble machines and similar devices of a carnival nature, or containing elements creating sound or smell. Exception: Certain of these devices are permitted on a limited basis as seasonal decorations under SMC 15.600.110(H) or for grand openings of new businesses under SMC 15.600.070(E);

**Commented [BB23]:** Discussions have been made on this type of prohibition and the consensus has been that it is okay for purposes of life-safety.

F. Holographic displays;

G. Signs identifying, or window signs advertising activities, products, businesses or services which have been discontinued for more than sixty (60) days on the premises upon which the signs are located, and any window signs in excess of the amount of wall signage allowed, or mounted between three (3) feet and seven (7) feet above floor level and obstructing the view through a window;

~~H. Private signs on utility poles as prohibited by State law;~~

**Commented [BB24]:** This section will be removed for compliance with content-neutrality standards and will be replaced with non-content based standards in the Commercial and Residential Zone Sections.

I. Searchlights;

~~J. Miscellaneous pole mounted advertisements;~~

**Commented [BB25]:** It is unclear how this piece of code is to be applied.

K. Signs for which a permit has been granted under conditions with which the permittee does not comply;

~~L. Signs for which a permit has been granted and subsequently revoked for cause by the City Manager, or designee;~~

~~M. Signs erected, altered or relocated (excluding copy change) without a permit issued by the City or any other governmental agency as required by law;~~

N. Billboards ~~except those qualifying as nonconforming signs pursuant to SMC 15.600.140, Nonconforming Signs;~~

**Commented [BB26]:** New billboards will be prohibited and any other nonconforming sign is subject to the Nonconforming sign code, this language is redundant.

O. Roof signs, except as allowed through a variance process by SMC 15.600.200(G)(5);

~~P. Off-premises signs, except as allowed for residential real estate open houses (SMC 15.600.090, Real Estate Signs), garage sales (SMC 15.600.100, Garage and Yard Sale Signs) and grand opening/special events (SMC 15.600.070(E)) or through a variance process by SMC 15.600.200(G)(6);~~

**Commented [BB27]:** This section will be removed for compliance with content-neutrality standards and will be replaced with non-content based standards in the Commercial and Residential Zone Sections.

Q. Signs attached to or placed on a vehicle or trailer on public or private property; provided, however, this provision shall not be construed as prohibiting the identification of a firm or its products on a vehicle operating during the normal course of business, or advertising a vehicle for sale if such sign is placed inside the vehicle. (Ord. 15-1018 § 1)

#### ~~15.600.130 Electronic Signs~~

~~Electronic signs shall be allowed, provided they comply with the following requirements:~~

**A. Size and Location.**

**1. Freestanding/Monument Signs.**

a. That portion of the sign that constitutes the electronic changeable display shall be allowed as follows:

Zone	Maximum Electronic Portion of Sign	Maximum Total Size of Sign
CB, CB-C, O/CM, I, ABC	55-sf	85-sf
NB, BP	25-sf	85-sf
Churches, Schools, Community Uses in UL, T, UM, UH, O/C/MU, P	0-sf 0-sf 25-sf	35-sf not on an arterial 60-sf on a minor/collector arterial 85-sf on a principal arterial
Commercial Uses in O/C/MU, T, UM, UH	0-sf 0-sf 25-sf	35-sf 60-sf on a minor/collector arterial 85-sf on a principal arterial
Multi-Family Uses in T, O/CM, UM, UH	0-sf	35-sf

b. Electronic signs shall have a non-electronic, fixed portion of the sign that is at least fifty percent (50%) of the size of the electronic portion of the sign.

**2. Building-Mounted Signs.**

a. Building-mounted electronic signs are not allowed in the following zones: UL, T, O/C/MU, UM, UH, P, NB.

b. In all other zones, a site or property may be allowed a maximum of fifty-five (55) square feet of building-mounted electronic changeable display per street frontage. Any electronic

sign shall have a non-electronic, fixed portion of the sign that is at least fifty percent (50%) of the size of the electronic portion of the sign.

**B.—Display.**

1.—The display of the sign shall not change more rapidly than once every one and one-half (1 1/2) seconds.

2.—The display shall not, or shall not appear to, flash, undulate, pulse, or portray explosions, fireworks, flashes of light, or blinking or chasing lights; the display shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or otherwise portray movement or animation as it comes onto, is displayed on, or leaves the sign board.

3.—Scrolling or traveling of a static display onto the sign from one (1) direction only per display shall be allowed; provided, that each display remains in a static state for at least one and one-half (1 1/2) seconds. There shall be ten (10) seconds of still image or blank screen following every scrolling or traveling display.

4.—No message shall require more than ten (10) seconds to be displayed in its entirety.

5.—The display shall have a dark background with only the message or foreground lit in a white, amber or other light tone or shade.

**C.—Light Levels.**

1.—All signs shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions.

2.—Maximum brightness levels for electronic signs in commercial/industrial zones shall not exceed eight thousand (8,000) nits when measured from the sign's face at its maximum brightness, during daylight hours and five hundred (500) nits when measured from the sign's face at its maximum brightness between dusk and dawn.

3.—At no time shall the sign be operated at a brightness level greater than the manufacturer's recommended levels.

**D. Residential Zones.**

1. Electronic signs shall not be allowed within any dwelling or home occupation in any residential zone.

2. Businesses, churches or schools are allowed electronic signs providing that:

a. They comply with subsections (A) through (C)(1) and (C)(3) of this section;

b. The brightness level shall not exceed eight thousand (8,000) nits when measured from the sign's face at its maximum brightness during the daylight hours and five hundred (500) nits when measured from the sign's face at its maximum brightness between dusk and dawn;

c. Electronic displays in residential zones shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.

**E. Additional Requirements.**

1. Electronic sign permit applications must include a copy of the manufacturer's operating manual, which includes the manufacturer's recommended standards for brightness, scrolling or traveling speed, and other display operations.

2. Electronic sign permit applications must also include a certification from the owner or operator of the sign stating that the sign shall at all times be operated in accordance with City codes and that the owner or operator shall provide proof of such conformance upon request of the City.

Additionally, whether the sign is programmed from the site or from a remote location, the computer interface that programs the sign shall be available to City staff for inspection upon request. If the computer interface is not immediately available, the sign shall cease operation until such program can be provided. (Ord. 15-1018 § 1)

**Commented [BB28]:** These standards will be reworked into the Commercial Zone section, and will be modified for the Residential zone section

**15.600.140 Nonconforming Signs**

A. **General.** To ease the economic impact of this code on businesses with substantial investment in signs in existence on the date of original adoption of this code, this section provides for a period of continued use of a nonconforming sign in its existing state. During this period, it is expected that the

sign may be amortized on Federal income taxes; however, whether it may be so amortized shall not affect the application of this section. Similar treatment is accorded signs in areas annexed to the City after the code's enactment. All nonconforming signs in existence as of the date of original adoption of this code shall be brought into conformity with this code no later than December 31, 2012.

**B. Nonconforming Signs.**

1. **Notification of Nonconformity or Illegality.** The Code Administrator shall, as soon as practical, survey the City for signs which do not conform to the requirements of this chapter. Upon determination that a sign is nonconforming or illegal, the Administrator shall use reasonable efforts to so notify, either personally or in writing, the sign user or owner of the sign and, where practical, the owner of the property on which the sign is located of the following; provided, that the business license of the business with which the sign is associated shall be presumed to be the sign user under this code:

- a. The sign's nonconformity or illegality;
- b. Whether the sign may be eligible for a nonconforming sign permit.

If the identity of the sign user, owner of the sign, or owner of the property on which the sign is located cannot be determined after reasonable inquiry, the notice may be affixed in a conspicuous place on the sign or on the business premises with which the sign is associated. A file shall be established in the department, and a copy of the notice and certification of posting shall be maintained for records.

2. **Signs Eligible for Nonconforming Sign Permit.** With the exceptions herein provided, any on-site primary sign located within the City limits on the date of adoption of this code, or located in areas annexed to the City thereafter, which does not conform with the provisions of this code, is eligible for characterization as a nonconforming sign provided it meets the following requirements:

- a. The sign was covered by a sign permit on the date of adoption of this code, if one was required under applicable law; or
- b. If no sign permit was required under applicable law for the sign in question, the sign was in all respects in compliance with applicable law on the date of adoption of this code.

3. **Signs Not Eligible for Nonconforming Sign Permits.** The following signs shall not be eligible for characterization as nonconforming signs:

- a. Prohibited signs, as defined in SMC 15.600.120, Prohibited Signs, except for signs which rotate, as defined in SMC 15.600.120(C).
- b. Secondary signage not meeting the code specifications, except for informational and directional signs in compliance with the code at the time of adoption of this code.
- c. All signs not eligible for characterization as a nonconforming sign shall be considered illegal.

4. **Number of Nonconforming Signs Permitted.** Each sign user within the City having existing nonconforming signs meeting the requirements of SMC 15.600.140, Nonconforming Signs, shall be permitted to designate only one (1) such sign as “nonconforming” for each street upon which the business premises fronts. Such designation shall be made in the application for a nonconforming sign permit.

5. **Permit for Nonconforming Signs.** A nonconforming sign permit is required for each nonconforming sign designated under SMC 15.600.140, Nonconforming Signs. The permit (certificate of zone compliance – CZC) shall be obtained by the sign user or the sign owner, or the owner of the property upon which the sign is located within sixty (60) days of notification by the City. The permit shall be issued and shall expire at the end of the applicable amortization period prescribed in subsection (D) of this section.

Applications for a nonconforming sign permit shall contain the name and address of the sign user, the sign owner, and the owner of the property upon which the sign is located and such other pertinent information as the Administrator may require to ensure compliance with the code, including proof of the date of installation of the sign.

A nonconforming sign for which no permit has been issued within the sixty (60) day period of notification shall within six (6) months be brought into compliance with the code or be removed. Failure to comply shall subject the sign user, owner or owner of the property on which the sign is located to penalties cited in Chapter 15.125 SMC, Code Enforcement.



6. **Loss of Nonconforming Status.** A nonconforming sign shall immediately lose its nonconforming status if:

a. The sign is altered in any way in structure or height which is not in compliance with the standards of this chapter; or

b. The sign is relocated to a position which is not in compliance with the standards of this chapter; or

c. The sign is replaced; provided, that this replacement refers to structural replacement, not change of "copy," panel or lettering; or

d. Any new primary sign is erected or placed in connection with the enterprise using the nonconforming sign; or

e. No application for a nonconforming sign permit is filed by the sign user, sign owner, or owner of the property upon which the sign is located within sixty (60) days following notification by the City (subsection (B)(1) of this section) that the sign is nonconforming and that a permit must be obtained; or

f. The loss of legal nonconforming status takes place upon any change in land use or occupancy, or a change in business name, and the sign shall be brought into conformity. Such nonconforming signs shall, within ninety (90) days, be brought into conformity with this code or be removed.

Upon any of the above-referenced circumstances taking place, any permit or designation for what had been a nonconforming sign shall become void. The Administrator shall notify the sign user, sign owner or owner of the property upon which the sign is located of cancellation of the permit or designation and the sign shall immediately be brought into compliance with this chapter and a new permit secured or shall be removed.

C. **Illegal Signs.** An illegal sign is any sign which does not comply with the requirements of this chapter within the City limits as they now or hereafter exist and which is not eligible for characterization as nonconforming under this section.

D. **Amortization Period for Nonconforming Signs.** Nonconforming signs, as defined in subsection (B)(2) of this section, for which a nonconforming sign permit has been issued, may remain in a nonconforming

state until December 31, 2012. Thereafter, the sign shall be brought into conformity with this code or be removed; provided, however, that the amortization period established by this section may be used only so long as the sign retains its legal nonconforming status.

**E. Nonconforming Sign Maintenance and Repair.** Nothing in this section shall relieve the owner or user of a nonconforming sign or owner of the property on which the nonconforming sign is located from the provisions of this code regarding safety, maintenance and repair of signs, nor from any provisions on prohibited signs, contained in SMC 15.600.120, Prohibited Signs; provided, however, that any repainting, replacement of “copy,” panels and/or lettering, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign or structure in any way which is not in compliance with the requirements of this code, or the sign will lose its nonconforming status (subsection (B)(6) of this section).

**F. Subsequent Amendments to the Sign Code.** After the date of its initial adoption, if any subsequent amendments to the sign code cause a sign to become nonconforming, the Department shall notify affected business owners and property owners of the new regulations by first class mail based upon active City business license records and King County property records.

1. All illegal signs are subject to removal within ninety (90) days;
2. All nonconforming signs are eligible for a nonconforming sign permit. The permit shall be applied for by the business owner or property owner and issued by the Department. These signs shall be subject to a nine (9) year amortization period, after which the nonconforming permit will expire and the sign shall be brought into compliance with the code. (Ord. 15-1018 § 1)

**Commented [BB29]:** This section will be revised to create code that is easier to administer

**15.600.150 Billboards**

~~A. Billboards in existence as of the effective date of this code shall be inventoried and listed as nonconforming signs.~~

~~B. All leases for billboard locations within the City shall not be renewed from the effective date of this code.~~

~~C. No new billboards shall be permitted to be constructed or installed within the City. (Ord. 15-1018 § 1)~~

**Commented [BB30]:** This section is to be removed and the nonconforming sign section suffice.

**15.600.160 Sign Inventory Survey – Costs**

A. The Code Administrator shall have the authority to assess a five-dollar (\$5.00) cost for applicable businesses that did not respond to the sign inventory survey of their sign(s) prior to the effective date of the ordinance codified in this section, but before a date identified in a notice to respond of not less than thirty (30) days after notice; provided, that these businesses pay said five-dollar (\$5.00) assessment to the City and submit the requested verification of their sign certification before the date identified in said notice. Thereafter, the Code Administrator shall have the authority to assess a twenty-five-dollar (\$25.00) cost for applicable businesses who have not participated in or responded to the City's sign inventory survey after the date provided in the notice, and the Code Administrator shall, further, have the authority to complete the sign inventory survey for the signs of such businesses. It is provided, however, that if the affected, nonresponding business owners or operators do not pay the twenty-five-dollar (\$25.00) cost by the time that the 1995 City of SeaTac business licenses are due or paid, whichever is earlier, then the twenty-five-dollar (\$25.00) assessment shall be added to and included in the amount to be paid by said business owner or operator for the business's 1995 business license. The notice referred to above shall be mailed, postage prepaid, to the business owner or operator at the address listed on the business license records for the business. Failure of a business owner or operator to comply with this requirement shall constitute a violation of the City Code, enforceable through any and all procedures available for enforcement of City Code violations, as provided in the City Code; provided, that payment of the twenty-five-dollar (\$25.00) assessment shall constitute full compliance herewith.

B. In order to recognize the payments already made by business owners or operators who have complied with the sign inventory survey and paid a five-dollar (\$5.00) payment in connection therewith prior to the effective date of the ordinance codified in this section, those business owners or operators shall receive a five-dollar (\$5.00) offset against their 1995 business license application fee. (Ord. 15-1018 § 1)

#### 15.600.170 Permits and Fees

A. **Permit Requirements.** No sign governed by the provisions of this code that is illuminated or electronic, or is greater than nine (9) square feet in surface area shall be erected, altered or relocated by any person, firm or corporation from and after the date of adoption of this code without a permit issued by the City. No permit is required for a nonilluminated sign of nine (9) square feet or less surface area, but such signs must otherwise comply with this code.

**Commented [BB31]:** This code will be removed for reasons of impracticality of regulation and the revision of the Nonconforming Signs Section will no longer require a survey to be kept.

**Commented [BB32]:** There is no reference to fees in this section.

B. **Permit Applications.** Applications for permits shall contain the name and address of the owner and user of the sign, the name and address of the owner of the property on which the sign is to be located, the location of the sign structure, drawings or photographs showing display faces with the proposed message and design accurately represented as to size, area, proportion, and color, and such other pertinent information as the Code Administrator of this code may require to ensure compliance with this code and other applicable ordinances. For additional requirements for electronic signs, see SMC 15.600.130(E), Electronic Signs. Permit applications shall be available for inspection by the public upon request.

C. **Expiration of Permits.** A sign permit shall become null and void if the work for which the permit was issued has not been completed within one (1) year of its issuance.

D. **Permit Exceptions.** No new permit shall be required:

1. For repainting, cleaning or other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign structure or content is not modified in any way;
2. For the changing of the advertising copy or message on an approved readerboard or theater marquee, during the period of amortization.

E. **Notice of Permit Denial – Reasons.** When a sign permit is denied by the Code Administrator, he shall give written notice of the denial to the applicant, together with a brief written statement of the reasons for the denial. (Ord. 15-1018 § 1)

#### **15.600.180 Requirements Applicable to All Signs**

~~A. **Structural Requirements.** The structure and erection of signs within the City shall be governed by the adopted Uniform Sign Code and Building Code. Compliance with the Uniform Sign Code and Building Code shall be a prerequisite to issuance of a sign permit under SMC 15.600.170, Permits and Fees.~~

~~B. **Electrical Requirements.** Electrical requirements for signs within the City shall be governed by Chapter 13.180 SMC, Electrical Code. Compliance with the Electrical Code shall be required by every sign utilizing electrical energy as a prerequisite to issuance of a sign permit under SMC 15.600.170, Permits and Fees.~~

C.— **Sign Illumination.** Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare, or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians or motorists. “Undue brightness” is illumination in excess of that which is reasonably necessary to make the sign reasonably visible to the average person on an adjacent street. Additionally, electronic signs shall meet the standards of SMC 15.600.130, Electronic Signs.

D.— **Sign Maintenance.** All signs, including signs heretofore installed, shall be constantly maintained in a state of security, safety, repair and professional appearance. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five (5) days after receiving notice from the City Manager or designee. The premises surrounding a monument sign shall be free and clear of rubbish and any landscaping area free of weeds.

E.— **Sign Obstructing View or Passage.** No sign shall be located so as to physically obstruct any door, window or exit from a building. No sign shall be located so as to be hazardous to a motorist's ingress or egress, or visibility of traffic flow during ingress or egress, from parking areas of any way open to the public.

F.— **Landscaping for Monument Signs.** All primary monument signs shall include, as part of their design, general landscaping and curbs about their base to prevent automobiles from hitting the sign supporting structure and to improve the overall appearance of the installation.

G.— **Sign Inspection.** All sign users shall permit the periodic inspection of their signs by the City upon City staff request.

H.— **Conflicting Provisions.** Whenever two (2) provisions of this code overlap or conflict with regard to size or placement of a sign, the more restrictive provision shall apply. (Ord. 15-1018 § 1)

Commented [BB33]: This item is to be removed from code, as it is difficult to regulate.

Commented [BB34]: This section will be moved under the General Signs Section.

#### 15.600.190 Administration, Enforcement and Sign Removal

A. **Code Administrator.** The Code Administrator of this chapter/code is the City Manager, or designee. The Administrator is authorized and directed to enforce and carry out all provisions of this code, both in letter and spirit, with vigilance and with all due speed. To that end, the Administrator is further empowered to delegate the duties and powers granted to and imposed upon him/her under this code.

As used in this code, "Administrator of this code" or "Administrator" includes his/her authorized representative.

**B. Inspection by the Administrator.** The Code Administrator or his designee (including code enforcement) is empowered to inspect any building, structure or premises in the City, upon which, or in connection with which, a sign, as defined by this code, is located, for the purpose of inspection of the sign, its structural and electrical connections, and to ensure compliance with the provisions of this code. Such inspections shall be carried out during business hours, unless an emergency exists.

**C. Code Violations and Enforcement.** The civil remedies provided in this section for violations of, or failure to comply with, provisions of this code shall be cumulative and shall be in addition to any other remedy provided by law.

1. **Injunction and Abatement.** The City, through its authorized agents, may initiate injunction or abatement proceedings or other appropriate action in the courts against any person who fails to comply with any provision of this code, or against the erector, owner or use of an unlawful sign or the owner of the property on which an unlawful sign is located to prevent, enjoin, abate or terminate violations of this code and/or the erection, use or display of an unlawful sign. The City may abate an unlawful sign using the procedure of the adopted City Code.

2. Enforcement may also be according to SMC 1.15.065, Notice of Infraction, or 1.15.120, Notice and Order – Procedures. (Ord. 15-1018 § 1)

#### **15.600.200 Variance from Sign Code**

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A. **Scope.** This section establishes the procedure and criteria that the City will use in making a decision upon an application for a variance from the provisions of the Sign Code.

B. **Applicability.** This section applies to each application for a variance from the provisions of the Sign Code.

C. **Purpose.** A variance is a mechanism by which the City may grant relief from the provisions of the Sign Code where practical difficulty renders compliance with the provisions of that code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property and where the purpose of that code can be fulfilled.

D. **Who May Apply.** The property owner may apply for a variance from the provisions of the Sign Code.

**E. Submittal Requirements.**

1. The Administrator shall specify the submittal requirements including type, detail and number of copies for a variance application to be deemed complete and accepted for filing.
2. The Administrator may waive specific submittal requirements determined to be unnecessary for review of an application.

**F. Decision Criteria.** The Hearing Examiner may approve or approve with modification the application for a variance from the provisions of the Sign Code if:

1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon signage and uses of other properties in the vicinity and zone in which the property, on behalf of which the application was filed, is located; and
2. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and in the zone in which the subject property is situated; and
3. The proposed sign shows an exceptional effort toward creating visual harmony between the signs, structures, and other features of the property through the use of a consistent design theme; and
4. The special circumstances of the subject property are not the result of the actions of the applicant.

**G. Limitation of Authority.** The Hearing Examiner may not grant a variance to:

1. Any dimensional request of the Sign Code greater than fifty percent (50%) of the required dimension of a sign (setbacks from a property line shall not be deemed a dimensional standard of sign); or
2. The number of signs permitted on a site or zone classification; or
3. The general provisions of this code or any other procedural or administrative provisions of the code that do not directly apply to this chapter; or

4. The provisions of the Sign Code which are not subject to variances shall include, by the terms of this code, type of signs and any prohibited or illegal signs, and the dimensional standards of the changeable portion of an electronic sign;

5. **Roof Signs.** Notwithstanding SMC 15.600.120, Prohibited Signs, a roof sign may be allowed through a variance process provided the following criteria are met in addition to the decision criteria listed under subsection (F) of this section:

- a. The site does not front on any street and is more than two hundred (200) feet from a public right-of-way;
- b. The sign is no greater than necessary for adequate visibility from the nearest public street. Adequate visibility shall be determined by the size of sign allowed in the subject zone, plus a factor for distance from the nearest public street;
- c. No other primary signage exists or shall be allowed for the site;
- d. The sign is installed in such a manner that there shall be no visible support structure;

6. **Off-Premises Signs.** Notwithstanding SMC 15.600.120, Prohibited Signs, an off-premises sign may be allowed through a variance process provided the following criteria are met in addition to the decision criteria listed under subsection (F) of this section:

- a. For a primary sign:
  - i. Primary signage cannot be located on the site.
  - ii. The sign displays only information directly related to the use of property of the subject business or property for which the variance is granted.
  - iii. The sign is located as close as possible to the subject business or property.
- b. For a directional sign:
  - i. The applicant demonstrates that his premises are located such that on-premises directional signs are inadequate to reasonably apprise the public of the location of the premises, because the premises lacks any direct street frontage.



H. **Time Limitation.** A variance automatically expires and is void if the applicant fails to file for a sign permit or other necessary development permits within two (2) years of the effective date of the variance unless:

1. The applicant has received an extension pursuant to subsection (I) of this section; or
2. The variance approval provides for a greater time period due to circumstances.

I. **Extension.**

1. The Code Administrator may extend a variance, not to exceed one (1) year, if:
  - a. Unforeseen circumstances or conditions necessitate the extension of the variance; and
  - b. Termination of the variance would result in unreasonable hardship to the applicant, and the applicant is not directly responsible for the delay; and
  - c. The extension of the variance will not cause substantial detriment to existing uses in the immediate vicinity of the subject property.
2. The Administrator may grant no more than two (2) extensions. A second extension may be granted if:
  - a. Unforeseen circumstances or conditions necessitate the extension of the variance;
  - b. The applicant has demonstrated reasonable diligence in attempting to meet the time limit imposed;
  - c. Conditions in the immediate vicinity of the subject property have not changed substantially since the variance was first granted.

J. **Assurance Device.** In appropriate circumstances, the City may require a reasonable performance bond or other financial method in order to assure compliance with the provisions of the Sign Code and any variances as approved. (Ord. 15-1018 § 1)

**15-600.210 Appeals**

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The decision of the Director, approving, approving with modifications, denying a sign permit or interpreting the provisions of the Sign Code may be appealed pursuant to SMC 15.115.070, Appeal Process. (Ord. 15-1018 § 1)

**Commented [BB35]:** This section will be removed as it is already dealt with through the regular appeal process found in SMC 15.115.070.