



# Planning Commission Agenda

November 7, 2023  
5:30 pm  
Hybrid Meeting

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.

**Members:** Alyne Hansen (Chair), Tony Zuniga Sanchez (Vice Chair), Karin Ellis, Damiana Merryweather, Jagtar Saroya, Bandhanjit Singh

**Staff Coordinator:** Jenn Kester, Planning Manager

A quorum of the Council may be present.

ITEM	TOPIC	PROCESS	WHO	TIME
1	Call to Order / Roll Call		Chair	5:30 (2 min)
2	Approval of the minutes of October 17, 2023 meeting.	Review and Approve	Members	5:32 (3 min)
3	Public Comment on items <u>not</u> on the agenda.  <i>Comments on agenda items will be addressed after the staff presentation and Commission discussion on each item below.</i>  <i>See Public Comment Process below.</i>		Chair	5:35 (5 min)
4	Sign Code Amendments: Content Neutrality Amendments	Presentation and Discussion	Staff and Members	5:40 (45 min)
5	CED Staff Report	Briefing	Staff	6:25 (3 min)
6	Planning Commission Comments (including suggestions for next meeting agenda)	Discussion	Members	6:28 (2 min)
7	Adjourn			6:30

*This meeting will be conducted in a hybrid format with in-person and remote options for public participation. The meeting will be broadcast on SeaTV Government Access Comcast Channel 21 and live-streamed on the City's website <https://www.seatacwa.gov/seatvlive>.*

**Public Comment Process:** The commission will hear in-person public comments and is also providing remote oral and written public comment opportunities. All comments shall be respectful in tone and content. Providing written comments and registering for oral comments must be done by 3:30 pm the day of the meeting. Registration is required for remote comments and encouraged for in-person comments. Any requests to speak or provide written public comments which are not submitted following the instructions provided or by the deadline will not be included as part of the record.

- Instructions for providing remote oral public comments are located at the following link: [Council Committee and Citizen Advisory Committee Virtual Meetings](#).
- Submit email/text public comments to [PCPublicComment@seatacwa.gov](mailto:PCPublicComment@seatacwa.gov). The comment will be mentioned by name and subject and then placed in the committee handout packet posted to the website.

**CITY OF SEATAC**  
**PLANNING COMMISSION MEETING**  
**Minutes of October 17, 2023, Meeting**

**Members present:** Chair Alyne Hansen, Bandhanjit Singh, Damiana Merryweather, Jagtar Saroya, Vice Chair Tony Zuniga Sanchez, Karin Ellis (arrived after minutes approval)

**Members absent:** Tom Dantzer

**Staff & Other**

**Present:** Planning Manager Jenn Kester, Principal Planner Kate Kaehny, Associate Planner Laura Stilwell, Senior Planner Zack Shields, Admin Asst 3 Barbara Mailo, OTAK Consultant Mandi Roberts

**1. Call to Order/Roll Call**

- Chair Hansen called the meeting to order and roll call at 5:31 pm.

**2. Approval of the minutes of September 19, 2023.**

- Commissioner Singh motioned to approve the meeting minutes. Seconded by Commissioner Merryweather.

**Motion Passed:** 5-0

**3. Public Comments on items not on the agenda.**

- In-person public comments made by Earl Gibson.

**4. a) Envision SeaTac 2044 Comprehensive Plan Update: Public Participation and Equity Approach**

Presented by Principal Planner Kaehny and OTAK Consultant Roberts. The purpose of the presentation was to provide an update on major planning projects now underway.

- Discussion commenced with Commissioner Ellis, Principal Planner Kaehny, Vice Chair Sanchez, OTAK Consultant Roberts, Chair Hansen.

**b) Integrating Equity into SeaTac's Planning Our City Together Projects**

Presented by Principal Planner Kaehny.

- Discussion commenced with Vice Chair Sanchez and Chair Hansen.
- In-person public comments made by Earl Gibson.

**5. Sign Code Amendments: Content Neutrality Approach and Temporary Signs**

Presented by Associate Planner Laura Stilwell. The purpose of the presentation was to provide a refresher of *Reed v. Gilbert*/content neutrality and discuss proposed temporary sign regulation amendments.

- Discussion commenced with Chair Hansen, Associate Planner Stilwell, Planning Manager Kester

## 1. CED Staff Report

Report by Planning Manager Kester:

- Follow up from last Planning Commission meeting:
  - There was a request from the Commission for staff to come back with information:
    - Crime in the City Center study area: Staff will be connecting with Police and bring back information as part of the Commission's review of the City Center/Airport Business District subarea plan.
    - Process for Selecting Transportation and Sidewalk Projects: Senior Planner Shields and City Engineer Florendo Cabudol Jr. will incorporate this information as part of the Transportation Master Plan update.
- Look ahead:
  - We expect Associate Planner Stilwell to be back with Sign Code at the next Planning Commission meeting on Nov 7<sup>th</sup>.
  - City Center to come back at the next meeting on Nov 21<sup>st</sup>.
  - This coming Monday Oct 23<sup>rd</sup> is the Volunteer Appreciation Luncheon and looking forward to having Commissioners at the luncheon.

## 2. Planning Commission Comments (including suggestions for next meeting agenda)

Commissioner Merryweather thanked Planning Manager Kester for following up regarding the pedestrian infrastructure questions.

## 3. Adjournment

Commissioner Singh motioned to adjourn the meeting. Commissioner Merryweather seconded.

**Motion Passed: 6-0**

The meeting adjourned at 7:01 pm.



## MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT

Date: 11/7/2023  
To: Planning Commission (PC)  
From: Laura Stilwell, Associate Planner  
Subject: Code Amendment Briefing: Sign Code – Content Neutrality and Proposed Sign Regulations

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### Purpose

This meeting is meant to provide the Planning Commission an overview of proposed amendments pertaining to content neutrality in SMC Chapter 15.600, “Sign Code”. The intent of these revisions is to bring the Sign Code into compliance with various Supreme and Circuit Court rulings in recent years. However, we have included some reformatting and code language changes as well in order to improve clarity, consistency, and predictability for applicants and staff.

### Background

The primary takeaway of the *Reed v. Gibson* case is that local regulation of noncommercial signs must be content-neutral and that a sign code (or the enforcement of a sign regulation) will be subject to “strict scrutiny” judicial review if it applies different standards based on a sign’s content. Under strict scrutiny, a regulation is presumed to violate the First Amendment right to free speech unless it is narrowly tailored to serve a compelling state interest. It is the highest level of judicial review.

Freedom of Speech, protected by the First Amendment in the Constitution, plays a critical role in the legality of sign regulations. While local regulations can regulate the time, place, and manner of signs, the standards must be content-neutral; otherwise, they will be considered an infringement of the First Amendment. Once legality is established, sign regulations should protect both commercial and noncommercial speech and provide a positive balance between facilitating economic development, promoting safety, and preserving community character.

Under the First Amendment caselaw, content neutral regulations (regulating the size, location, height, and other characteristics of signs) are subject to intermediate scrutiny. Regulations of commercial speech are similarly subject to intermediate scrutiny. Intermediate scrutiny means that the regulation must advance a substantial governmental interest and be no more restrictive than necessary to further that interest. Content-based regulations (regulating the message on the sign) are subject to strict scrutiny.

The distinction between commercial and noncommercial is important to local governments because, traditionally, local governments have more authority to regulate commercial speech than they have to regulate noncommercial speech. In *Contest Promotions v. City and County of San Francisco* (2017), the Plaintiff challenged San Francisco’s ordinance that banned off-site commercial signs, but broadly exempted off-site non-commercial signs. The Ninth Circuit Court of Appeals affirmed that the strict scrutiny standard used in the *Reed* case only applies to noncommercial speech, and commercial speech does not receive the same protections.

Another question that local governments had been grappling with since *Reed v. Gilbert* was whether on-/off-premises sign regulations (i.e. regulations that regulate off-premises signs such as billboards differently than on-premises signs) are “content-based” and therefore unconstitutional. This distinction between on-premises and off-premises signs has been around for decades, most notably with the Highway Beautification Act of 1965. The City of Austin had a ban on digital off-premises billboards along the sides of its roads due to concerns about driver safety, as well as to preserve the scenic quality of its roadways. In 2021, Reagan National Advertising sued the City of Austin over this ban.

Reagan argued that the sign code’s distinction between the digitization of on-premises and off-premises signs violated the First Amendment due to content-based speech restriction. The court ruled in favor of Austin, arguing that treating signs differently depending on location is content-neutral. The Court held that the city’s on-/off-premises sign regulations were not subject to the “strict scrutiny” standard of review that applies to content-based restrictions, but instead that the regulations were content-neutral and therefore subject to the “intermediate scrutiny” standard of review – a much lower burden for a regulation to pass muster under the First Amendment. Unlike the sign code in the *Reed v. Gilbert* case, Austin’s regulations did not single out any topic or subject matter for differential treatment.

### **Project Overview**

This project’s main objectives are to update SMC 15.600 to meet court case standards, as well as clarifying, correcting, and simplifying it for clarity and ease of understanding.

The potential code amendments for this Planning Commission meeting have been categorized into “buckets” as follows:

1. Commercial vs. non-commercial;
2. On vs. off-premise;
3. Miscellaneous content neutrality revisions;

At your November 7<sup>th</sup> meeting, staff will focus on proposed changes reflecting the “buckets” mentioned above.

### **PC Direction**

Staff is seeking initial Planning Commission questions, comments, and concerns to prepare for further discussions.

### **Packet Materials**

Proposed code changes

Presentation



# Sign Code Amendments: Content Neutrality

Planning Commission

November 7, 2023

EXHIBIT 4b: Page 1 of 18

DATE: 11/7/2023



# PRESENTATION OVERVIEW

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## PRIORITIES

1. Rewrite existing regulations to meet court case standards on content neutrality.

## PURPOSE OF PRESENTATION

- Discuss proposed sign regulation amendments





# CONTENT NEUTRALITY AND SEATAC'S SIGN CODE

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## HOW IT AFFECTS SEATAC

- Non-commercial signs fall under the rights of the First Amendment and cannot be regulated based on “content”.
- Most parties involved in this discussion agree on this rule:
  - “If you have to read the sign to know if it is in compliance with code, then it is a content-based sign regulation.”
- What CAN we regulate? Time, place, and manner
  - Size
  - Location: free-standing vs. attached
  - Time restrictions
  - Lighting
  - Placement on private vs. public property
  - Fixed messages vs. electronic signs



# PRIORITY: ENSURE CONTENT NEUTRALITY

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**ISSUE:** Some sign regulations include standards for categories of signs that are content-based. There is also content-based language throughout the code.

- Political
- Noncommercial public service
- Construction
- Real estate
- Content-based language

**SOLUTION/APPROACH:** Sort items into “buckets”

- Commercial vs. non-commercial
- On vs. off-premise
- ~~Signs in the Right of Way (ROW)~~
- ~~Temporary signs~~
- Miscellaneous content neutrality



# BUCKET: COMMERCIAL VS. NON-COMMERCIAL

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- **Commercial Speech:** Defined as “expression related solely to the economic interests of the speaker and its audience,” or as “speech proposing a commercial transaction”.

*Central Hudson Gas & Electric Corp. v. Public Service Commission*

- **Non-Commercial Speech:** Any message that is not commercial speech, which includes but is not limited to, messages concerning political, religious, social, ideological, public service and informational topics.
- Court case: *Contest Promotions v. City and County of San Francisco* (2017)
  - The Plaintiff challenged the City’s ordinance that banned off-site commercial signs, but broadly exempted off-site non-commercial signs.
  - The Ninth Circuit Court of Appeals affirmed that the strict scrutiny standard used in the Reed case only applies to non-commercial speech, and commercial speech does not receive the same protections.



# PROPOSED COMMERCIAL VS. NON-COMMERCIAL REGULATIONS

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- **15.600.005 Purpose**

This chapter is not intended to and shall not be interpreted to restrict noncommercial speech on the basis of its content, viewpoint, or message. No part of this chapter shall be construed to favor commercial speech over non-commercial speech.

- **15.600.010 Authority and Application**

D. Any classification of signs in this chapter which purports to permit commercial speech by reason of its content or identity of the sign user, or otherwise, shall be interpreted to allow noncommercial speech on the sign.

E. To the extent that any provision of this chapter is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.





# PROPOSED COMMERCIAL VS. NON-COMMERCIAL REGULATIONS - DEFINITIONS

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- **Commercial Sign**

Any sign, display, or device designed, intended or used to encourage or promote purchase or use of goods or services.

- **Noncommercial Public Service Sign**

Noncommercial signs devoted to religious, charitable, cultural, governmental or educational messages. A sign which contains no message, statement, or expression related to commercial interests. Noncommercial signs include, but are not limited to, signs expressing political views, religious views, or information about and/or announcements of public agencies.

- **Directional Sign**

A single or double faced Any sign not exceeding nine (9) square feet in surface area that is designed for the purpose of to guide or direct providing direction and/or orientation for 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.





# PROPOSED COMMERCIAL VS. NON-COMMERCIAL REGULATIONS – DEFINITIONS CONTINUED

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- **Informational Sign**

A ~~single or double faced~~ small sign of a noncommercial nature not exceeding nine (9) square feet in surface area ~~without advertising,~~ 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, instructions regarding parking. Also included are property control and warning signs such as “no trespassing,” “no dumping,” etc.

- 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.~~



# PROPOSED COMMERCIAL VS. NON-COMMERCIAL REGULATIONS – DIRECTIONAL SIGNS

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- **15.600.020 General Sign Provisions**

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

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

2. The number of directional signs shall not exceed one (1) per entrance to a site, except that two (2) 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 may only be portable in excess of the limits on portable signs if necessary for orderly site operations~~ see SMC 15.600.070, Temporary Sign Standards, for requirements regarding temporary signs.



- **15.600.080**      ~~Political Signs~~ Noncommercial Speech Signs

Noncommercial speech signs do not promote commercial products or services. The content of such signs is not regulated, but is subject to the following requirements:

A. The sign area of all noncommercial speech signs on a lot shall not exceed thirty-two (32) square feet.

B. The maximum height is limited to six (6) feet.

C. Noncommercial speech signs that do not comply with the requirements of this section shall be subject to the permit requirements, sign area, setback and other provisions of this chapter. All noncommercial speech signs shall comply with general sign regulations per SMC 15.600.180.

D. For requirements regarding temporary noncommercial speech signs, see SMC 15.600.090, Temporary Sign Standards.

# BUCKET: ON VS. OFF-PREMISE

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- Laws that distinguish between on-site and off-site commercial speech generally survive intermediate scrutiny (e.g. a ban on commercial billboards).
- The on-site/off-site distinction is concerned with the location of the sign relative to the product and does not distinguish based on subject.
- Court case: *City of Austin v. Regan*
  - On April 21, 2022, the U.S. Supreme Court in a 6 to 3 decision reversed the Fifth Circuit Court of Appeals' decision in *City of Austin vs Reagan National Advertising*, which held the Austin Sign Code violative of the First Amendment for distinguishing between on-premise and off-premise signs.
  - The Court's decision means the mere fact that a sign regulation provides different treatment for traditionally defined on-premise and off-premise signs, does not automatically render such a regulation in violation of the First Amendment.
  - **Treating signs differently depending on location is content-neutral.**



# PROPOSED ON-PREMISE VS. OFF-PREMISE REGULATIONS - DEFINITIONS

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- **Billboard**

Generally, a large permanent 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. The sign area is generally larger than that of a freestanding sign, and is pole-mounted.

- **Sign, Off-Premises**

Any 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 that directs attention to a business, commodity, service, activity or entertainment not conducted, sold or offered upon the premises where the sign is located.

- **Sign, On-Premises**

Any sign which displays a message which is directly related to the use of the property on which it is located carries advertisements incidental to a lawful use of the premises on which it is located, including signs indicating the business transacted at, services rendered, or goods sold or produced on the premises, or name of the person, firm or corporation occupying the premises.





# PROPOSED ON-PREMISE VS. OFF-PREMISE REGULATIONS

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## ~~• 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)~~



# PROPOSED MISC. CONTENT NEUTRALITY REVISIONS - DEFINITIONS

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- **~~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.~~

- **~~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.~~

- **~~Primary Permanent 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).~~



# PROPOSED MISC. CONTENT NEUTRALITY REGULATIONS - DEFINITIONS

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- ~~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.~~

Any communication device, structure, or fixture which is intended for commercial or non-commercial use; using graphics, written copy, letters, numbers, figures, symbols, logos, or registered trademarks. Painted wall designs or patterns which do not represent a product, service or registered trademark, and which do not identify the user, are not considered signs.

- **Sign Copy**

Any combination of letters, numerals, words, symbols, pictures, emblems or other characters that constitute a message in either permanent or removable form.

- ~~Subdivision Signs~~

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



# PROPOSED MISC. CONTENT NEUTRALITY REGULATIONS – EXEMPT SIGNS OR DISPLAYS

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- ~~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; Holiday and community special event decorations that do not display a commercial message;~~
- ~~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;~~
- ~~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)~~
- K. Signs when internal to the site and not prominently visible or legible at the ground level from public rights-of-way, parks, public easements, and public walkways.
- L. Public art, such as murals of a non-commercial nature that do not conform to the definition of "sign."



# NEXT STEPS IN PLANNING COMMISSION REVIEW

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## NEXT STEPS

- Send draft code to Commerce for expedited 14-day review – 12/15/2023
- Return to PC with Sign Code amendments package overview – 12/19/2023
- SEPA Issuance – 12/22/2023
- Hold Public Hearing at Planning Commission and make recommendation to City Council – 01/16/2024

## LATER STEPS

- Bring recommendation back to PED – February 2024
- Bring ordinance to City Council – March 2024





END

QUESTIONS?



**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
- 15.600.030 Commercial/Office/Industrial Zone Classification Signs
- 15.600.040 Multi-Family Residential Zone Classification Signs
- 15.600.050 Single-Family Residential Zone Classification Signs
- 15.600.060 Signage – Zero (0) to Five (5) Feet Front Property Line Setback Criteria
- ~~15.600.070 Secondary Signage~~
- 15.600.080 ~~Political Signs~~ Noncommercial Speech Signs
- 15.600.090 ~~Real Estate Signs~~ Temporary Sign Standards
- ~~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
- 15.600.200 Variance from Sign Code
- 15.600.210 Appeals

**15.600.005 Purpose**

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)

C. This chapter is not intended to and shall not be interpreted to restrict noncommercial speech on the basis of its content, viewpoint, or message. No part of this chapter shall be construed to favor commercial speech over non-commercial speech.

**15.600.010 Authority and Application**

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)

D. Any classification of signs in this chapter which purports to permit commercial speech by reason of its content or identity of the sign user, or otherwise, shall be interpreted to allow noncommercial speech on the sign.

E. To the extent that any provision of this chapter is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.

### 15.600.015 Definitions

#### Aerial Displays

Signs in this category include balloons, pennants, spinners, strings of flags, streamers, tubes, and other devices affected by the movement of the air or other atmospheric or mechanical means.

#### 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.

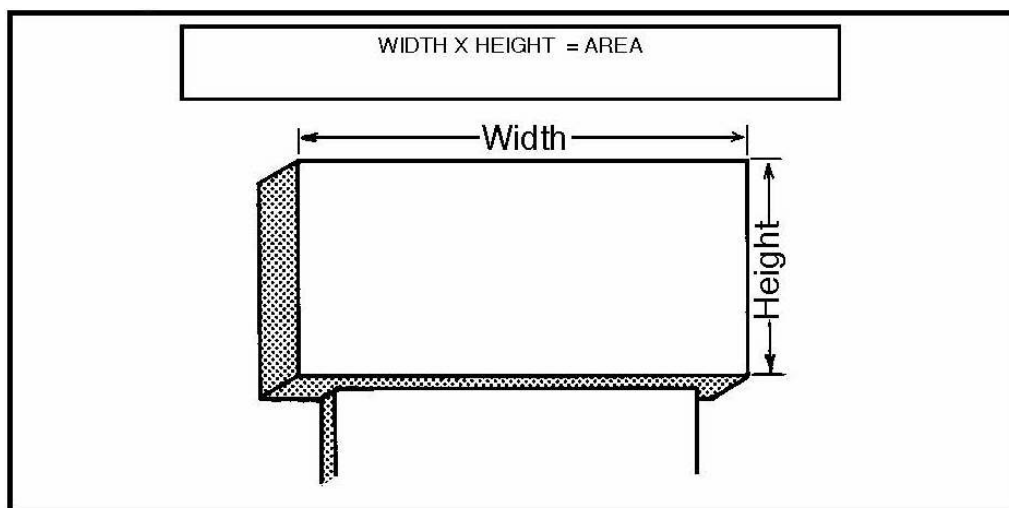


Figure: SIGN SURFACE AREA CALCULATION

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.

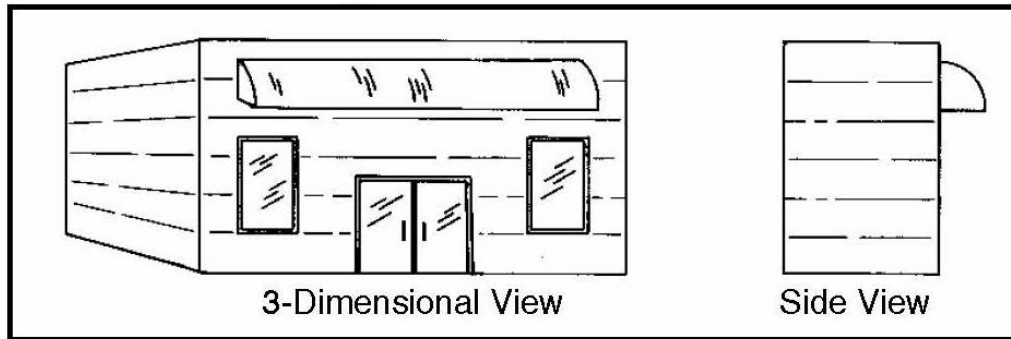


Figure: AWNING

#### 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 permanent 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. The sign area is generally larger than that of a freestanding sign, and is pole-mounted.

#### 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.

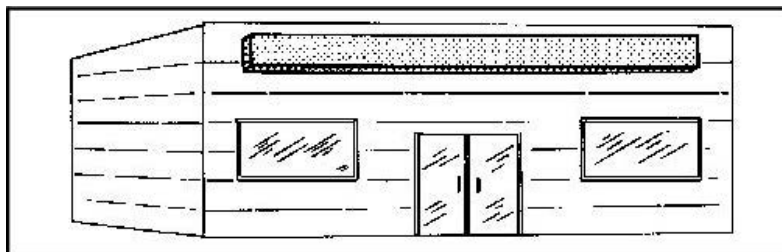


Figure: BUILDING MOUNTED (WALL) SIGN

#### 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.

### Commercial Sign

Any sign, display, or device designed, intended or used to encourage or promote purchase or use of goods or services.

### ~~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~~ Any sign not exceeding nine (9) square feet in surface area that is designed for the purpose of to guide or direct providing direction and/or orientation for 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 of information with alphanumeric characters, including keyboard generated punctuation and symbols, and static images, graphics, logos, or symbols and which may consist of a pattern of lights using different combinations of light-emitting diodes (LEDs), fiber optics, and light bulbs, or other technology capable of displaying static images, graphics, logos, and symbols that can be changed by electrical, electronic or computerized process. See SMC 15.600.130, Electronic Signs, for requirements regarding electronic signs.

### Façade

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) façade (see Figure: FAÇADE). For buildings with more than one (1) occupant, the façade 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.



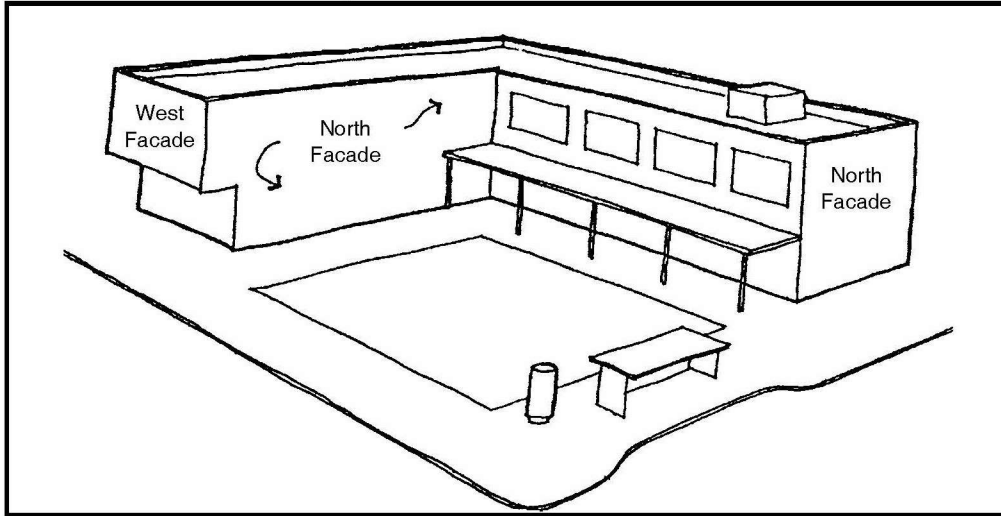


Figure: FACADE

### 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.”

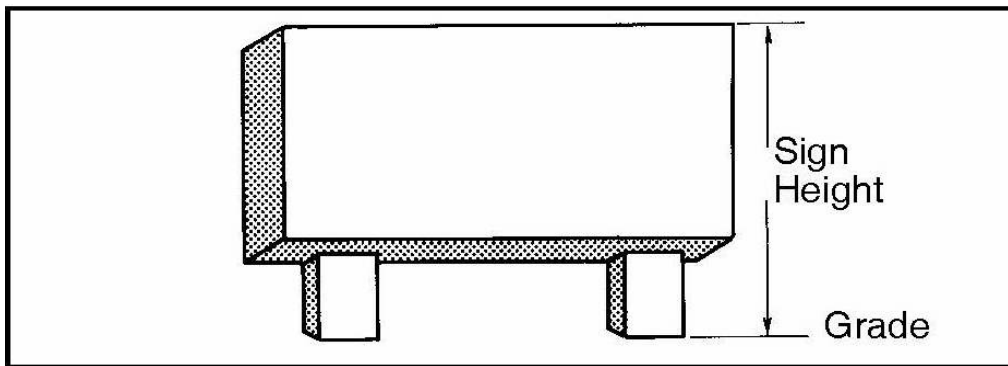


Figure: FREESTANDING SIGN

### 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 small sign of a noncommercial nature not exceeding nine (9) square feet in surface area without advertising,~~ 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, instructions regarding parking. Also included are property control and warning signs such as “no trespassing,” “no dumping,” etc.

##### 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.

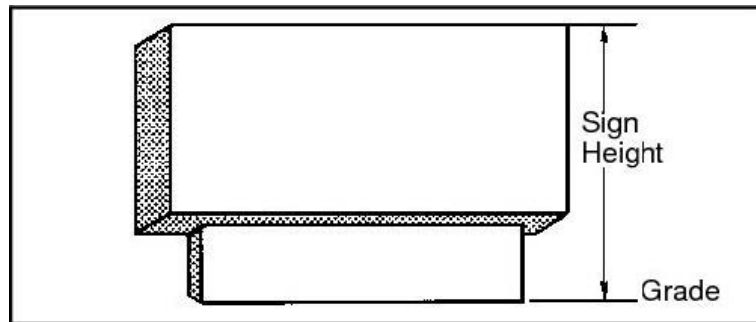


Figure: MONUMENT SIGN

#### 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. A sign which contains no message, statement, or expression related to commercial interests. Noncommercial signs include, but are not limited to, signs expressing political views, religious views, or information about and/or announcements of public agencies.~~

#### 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).

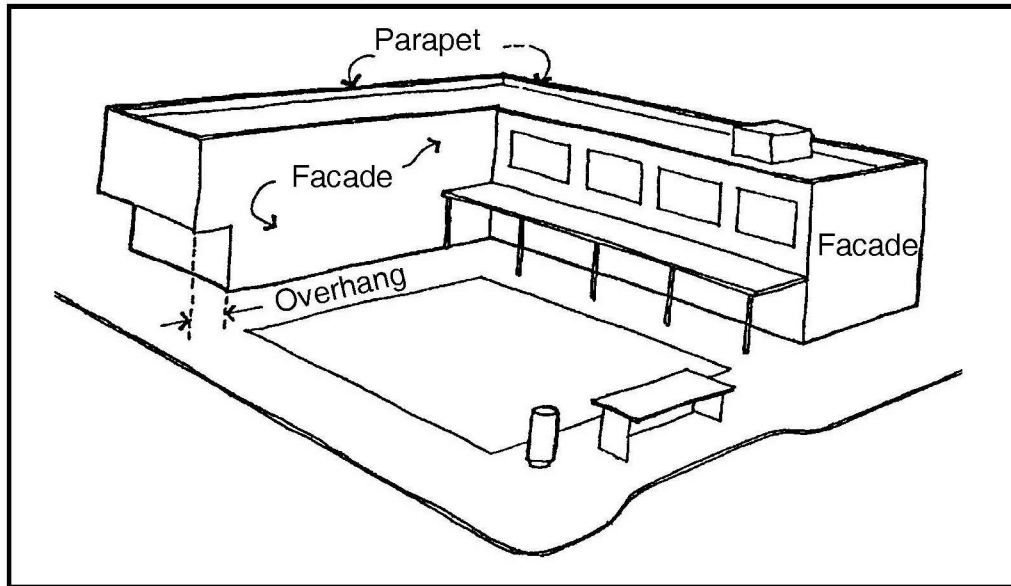


Figure: PARAPET

### 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 Permanent 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.~~

Any communication device, structure, or fixture which is intended for commercial or non-commercial use; using graphics, written copy, letters, numbers, figures, symbols, logos, or registered trademarks. Painted wall designs or patterns which do not represent a product, service or registered trademark, and which do not identify the user, are not considered signs.

Sign Copy

Any combination of letters, numerals, words, symbols, pictures, emblems or other characters that constitute a message in either permanent or removable form.

## Sign, Off-Premises

Any 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 that directs attention to a business, commodity, service, activity or entertainment not conducted, sold or offered upon the premises where the sign is located.

## Sign, On-Premises

Any sign which displays a message which is directly related to the use of the property on which it is located carries advertisements incidental to a lawful use of the premises on which it is located, including signs indicating the business transacted at, services rendered, or goods sold or produced on the premises, or name of the person, firm or corporation occupying the premises.

## 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. A sign structure or device used for the display of messages or images, which is easily installed and removed and which is not intended or suitable for long-term or permanent display due to the sign construction, materials, placement, or installation. Any sign not covered by this definition is a permanent sign and must comply with the applicable permanent sign regulations.

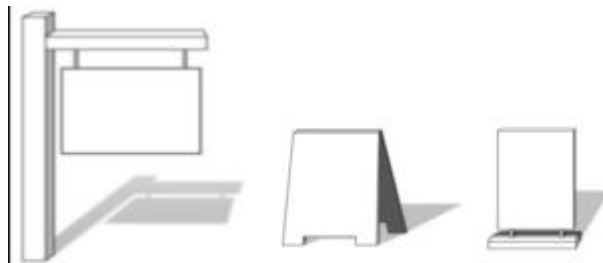


Figure: EXAMPLES OF TEMPORARY SIGNS

#### 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****A. Number of Primary Permanent Signs.**

1. Primary Permanent 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~~ non-commercial 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.~~

~~C. **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.** 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.~~

~~a. The sign shall not exceed nine (9) square feet in surface area.~~

~~2. **Perimeter Informational Sign.** Informational signs oriented to and readable from the street.~~

~~a. 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.~~

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

~~1. **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.~~

~~a. The sign shall not exceed nine (9) square feet in surface area.~~

~~2. **Perimeter Directional Sign.** Directional signs oriented to and readable from the street.~~

- ~~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;~~
- ~~e. 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.~~

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

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

2. The number of directional signs shall not exceed one (1) per entrance to a site, except that two (2) 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 may only be portable in excess of the limits on portable signs if necessary for orderly site operations~~ see SMC 15.600.070, Temporary Sign Standards, for requirements regarding temporary signs.

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. **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)

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

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

1. This section regulates signs in the following zones: NB, CB, CB-C, RBX, I, and O/CM.
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 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) inches in height.

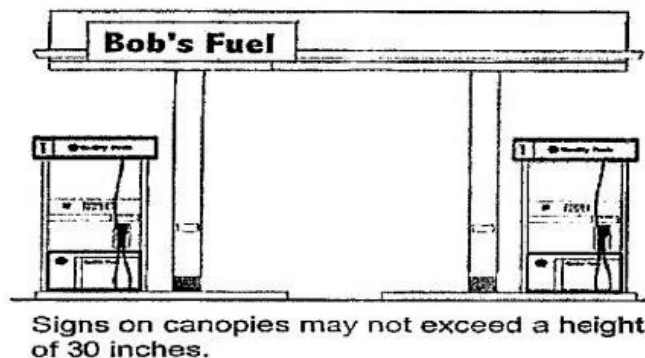


Figure: CANOPY

- 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. 17-1023 § 1; Ord. 15-1018 § 1)



**15.600.040 Multi-Family Residential Zone Classification Signs****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 permanent~~ 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 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.
- c. **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 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)

#### **15.600.050 Single-Family Residential Zone Classification Signs**

- A. 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. Each residential dwelling shall display and maintain on-premises street address number identification.
- ~~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.~~
- ~~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.~~
- E. Any home occupation shall be allowed the signage described and regulated in SMC 15.465.500(C), Home Occupations.
- 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.
- 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.
- ~~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)~~

#### **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)

**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.~~

~~e.—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;~~

~~e.—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.~~

~~e.—**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;~~

~~e.—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. (Ord. 18-1001 § 1; Ord. 15-1018 § 1)~~

**15.600.080 Political Signs Noncommercial Speech 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)

Noncommercial speech signs do not promote commercial products or services. The content of such signs is not regulated, but is subject to the following requirements:

A. The sign area of all noncommercial speech signs on a lot shall not exceed thirty-two (32) square feet.

B. The maximum height is limited to six (6) feet.

C. Noncommercial speech signs that do not comply with the requirements of this section shall be subject to the permit requirements, sign area, setback and other provisions of this chapter. All noncommercial speech signs shall comply with general sign regulations per SMC 15.600.180.

D. For requirements regarding temporary noncommercial speech signs, see SMC 15.600.090, Temporary Sign Standards.

#### **15.600.090 Real Estate Signs Temporary Sign Standards**

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)~~

**A. General.**

1. All temporary signs are subject to the placement, size, and height requirements of this chapter, and the requirements in the underlying zone. The content of temporary signs is not regulated.

2. No sign permit is required for temporary signs.

**B. Materials.** Temporary signs shall be made of any durable material, and the sign face shall be of rigid or flexible construction, unless otherwise required by this section.

**C. Illumination.** Temporary signs shall not be directly illuminated or be provided with any electric service.

**D. Standards.**

1. The sign area of individual temporary signs shall not exceed nine (9) square feet, except a single on-premise temporary sign may be as large as thirty-two (32) square feet.

2. The maximum height of a temporary sign is six (6) feet.

3. Signs may be displayed for a period not to exceed 180 days, except for when the sign is related to an event or a specific date, in which case it shall be removed within fourteen (14) days following the event or specific date.

4. Temporary signs shall not be permanently attached to the ground, a building, or to any other structure, other than what is necessary to secure it to prevent theft, wind damage or safety problems.

5. Temporary signs attached to building walls shall not be placed in a manner that obstructs any door, fire department sprinkler connection, or address numbers.

6. Temporary signs shall not be placed on the roof of a building, or affixed to a permanent sign or its structure, tree, utility pole, or street sign.

7. Aerial displays are permitted for specific promotions or events but shall be removed seven (7) days after the promotions or events end. However, in no case shall an aerial display be displayed for more than twenty-eight (28) days.

8. **Banners.** A banner may have a sign area of up to thirty-two (32) square feet. The height of banners shall not exceed the height of the building or fence to which they are attached.

a. For buildings or tenant spaces with an exterior wall width greater than thirty-two (32) feet in width, the maximum size of a banner shall be up to one (1) square foot of banner area for every one linear foot of exterior wall space per tenant/business space, up to a maximum size of one hundred (100) square feet.

b. If the banner is strung between support posts, the maximum height shall not exceed fifteen (15) feet, as measured from the existing ground level to the top of the banner.

c. These limitations do not apply to city-owned banners affixed to city property.

#### **E. General Location Provisions.**

1. With the exception of public right-of-way, temporary signs shall only be located on public or private property with the property owner's permission.
2. Temporary signs shall not be placed in any public park, trail, open space, or other public space, except for those signs placed or authorized by the government, agency, or organization that owns or maintains the land.
3. No part of a temporary sign may overhang a paved roadway, sidewalk, bicycle path, parking space, driveway, loading area, or wheelchair access.
4. Temporary signs shall not be placed within any roadway median, traffic circle, traffic island, or roundabout.
5. Temporary signs in the public right-of-way shall be located at least five (5) feet from any other temporary sign.
6. Temporary signs in the public right-of-way shall be located at least twenty-five (25) feet from traffic signs, signals, wayfinding signs, and other traffic control devices erected by the city or other public authority.
7. Off-premise, commercial temporary signs may only be located in the right-of-way adjacent to the commercial premises.

#### **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 § 4)~~

#### **15.600.110 Exempt Signs or Displays**

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

- A. Traffic or pedestrian control signs or signals, signs in the public right-of-way for wayfinding or 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;
- 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; and other political or special purpose flags that are not intended to contribute to a commercial advertising display;~~

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 or property control 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;~~ Holiday and community special event decorations that do not display a commercial message;

~~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;~~

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

~~L J.~~ 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)~~

K. Signs when internal to the site and not prominently visible or legible at the ground level from public rights-of-way, parks, public easements, and public walkways.

L. Public art, such as murals of a non-commercial nature that do not conform to the definition of "sign."

#### **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);~~ 15.600.070(D);

- 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;
- I. Searchlights;
- J. Miscellaneous pole-mounted advertisements;
- 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;
- 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);~~
- 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)

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

- 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~~ permanent 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~~ permanent sign:
  - i. ~~Primary~~ Permanent 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.