



CITY OF SAMMAMISH SIGN CODE UPDATE

PLANNING ASSOCIATION OF WASHINGTON SIGN WORKSHOP

JUNE 23, 2017



AGENDA

- Drafting Stage
- Legislative Review
- Sign Code Content
- Legal Perspective
- Lessons Learned



DRAFTING STAGE

- **Goal:** Smooth transition between new and old code.
- Set framework, provide “levers” for decision makers.



DRAFTING STAGE



Expired Pilot Programs



Code Clean-Up



Wall Signs



Sign Placement

LEGAL PERSPECTIVE

- Legal Issues Addressed:
 - Potentially content-based regulations based upon category of non-commercial speech, and non-content based ways to uniformly regulate non-commercial speech after Reed.
 - Political signs, community event advertisements – “non-commercial speech”, grouped by sign type, not content
 - Regulation of size, locations (on-premises v. off-premises), total number of signs per mile/feet of roadway, temporal limitations
 - Distinction between “non-commercial” and “commercial” signage
 - Reed had no impact on commercial signage (subject to Central Hudson test) – City made no changes
 - Expanded support for distinction:
 - Long-standing prohibition on commercial signage in right of way (with limited exceptions)
 - Expanded list of policy bases for regulations – off-premises (Metromedia), aesthetics/blight, traffic safety

LEGISLATIVE REVIEW

Strategy

- Keep close track of changes



#	Section	Original	Amended	Rationale
41	Original and Amended: 21B.45.140 (4) – Community Banner Signs	(4) Community Banner Signs. (a) Community banner signs shall only be located on public banner poles erected by the City for that use;(b) Letter on such signs shall not be less than 12 inches in height except for lettering associated with sponsor logos; (c) Community banner signs shall not be illuminated or have any attention-getting lights; and (d) Sponsor logos shall be limited to the name and corporate symbol of the sponsor.	(4) Community Banner Signs. (a) Community banner signs shall only be located on public banner poles erected by the City for that use; (b) Letter on such signs shall not be less than 12 inches in height except for lettering associated with sponsor logos; (c) Community banner signs shall not be illuminated or have any attention-getting lights; and (d) Sponsor logos shall be limited to the name and corporate symbol of the sponsor. <u>(d) Only City-sponsored events may be advertised using the Community Banner program</u>	Changed per direction from Commission on March 16.
42	Original: 21B.45.180(8) Amended: 21B.15.348 – Sign, community banner	“Sign, community banner” means a temporary sign, located on City banner poles, which advertises an event that would provide civic, cultural, educational, philanthropic, or service opportunities hosted or promoted by the City or a community group that is not-for-profit or nonprofit and nonpolitical with an IRS designation of Section 501(c) or (d).	“Sign, community banner” means a temporary sign, located on City banner poles, which advertises <u>a City-sponsored or hosted event.</u> an event that would provide civic, cultural, educational, philanthropic, or service opportunities hosted or promoted by the City or a community group that is not for profit or nonprofit and nonpolitical with an IRS designation of Section 501(c) or (d).	Definition changed to reflect new community banner restrictions. See #41.
43	Original: 21B.45.180(19) Amended: 21B.15.349.9 – Sign, permanent residential development identification	“Sign, permanent residential development identification” means a permanent monument or wall sign identifying the residential development upon which the sign is located.	“Sign, permanent residential development identification” means a permanent sign identifying the residential development upon which the sign is located.	Replaced with definition from Chapter 21A.15 SMC for consistency.

LEGISLATIVE REVIEW

Strategy

- Keep close track of changes
- Dynamic decision matrix



#	Issue	Decision Points
2	<p><u>Prohibition on non-commercial temporary signs in ROW around intersection</u> (SMC 21A.45.070(1)(b))</p> <p>(b) Non-commercial temporary signs shall not be placed in the right-of-way within a 150-foot radius of the center of an intersection.</p>	<p>Should there be a sign-free radius around intersections?</p> <ul style="list-style-type: none"> a. If yes: <ul style="list-style-type: none"> i. How large should the radius be? ii. Should the radius begin somewhere other than middle of intersection? b. If no: <ul style="list-style-type: none"> i. Is the Council interested in other methods of deterring sign pollution and improving safety?
3	<p><u>Community Banner</u> (SMC 21B.45.140(4)(d))</p> <p>(d) Only City-sponsored events may be advertised using the Community Banner program.</p>	<p>How does the Council want to amend the Community banner program?</p> <p>The City's options are:</p> <ul style="list-style-type: none"> a. Discontinue the program b. Use the program for government speech (Planning Commission's recommended action). c. Open program to all non-commercial messages. d. Continue to operate the program as is. <p>Does the Council wish to keep the option of expanding the banner program to other locations?</p>

LEGISLATIVE REVIEW

Strategy

- Keep close track of changes
- Dynamic decision matrix
- Small group meetings
- Be extremely and repetitively clear about Reed v Gilbert constraints



OLD CODE

	Political Signs	Fundraising Signs	Community Event Signs
Sign Type Allowed	Freestanding	Freestanding, Wall	Freestanding, A-Frame
Size Limit	32 sq ft (private property) 4 sq ft (ROW)	32 sq ft (private property in O, CB, NB, and TC-A Zones) 16 sq ft (<50 ft from property line in R-Zone) 32 sq ft (>50 ft from property line in R-Zone)	32 sq ft (private property) 6 sq ft (ROW)
Height Limit	8 ft (private property) 3 ft above grade (ROW)	8 ft (private property)	3.5 ft (ROW)
Duration	Removed 7 days after election.	A permit is required and shall be issued for a six-month period.	Removed 7 days after event; shall not be displayed more than 21 days.

NEW CODE

Non-Commercial Temporary Signs

Type I
Placed in
Public Right-of-Way
(Non-A-Frame)

Type II
Placed in
Public Right-of-Way
(A-Frame)

Type III
Private Property
(All Sign Types) (I)

Size Limit

4 sq ft

6 sq ft

32 sq ft

Height
Limit

3 ft above grade

3.5 ft

8 ft

Duration

180 consecutive days per
calendar year

5 consecutive days

180 consecutive days per
calendar year

(3) Sign area for signs contained entirely within a cabinet and mounted on measuring the entire area of the cabinet. (Ord. O99-29 § 1)

21A.45.060 General sign requirements.

(1) All signs, except billboards, community bulletin boards, community idea special event signs shall be on-premises signs; provided, that uses located office zones may have one off-premises directional sign of no more than 1

(2) Fuel price signs shall not be included in sign area or number limitation: signs do not exceed 20 square feet per street frontage.

(3) Projecting and awning signs and signs mounted on the sloping portion zones. In other zones, projecting and awning signs and signs mounted on signs, provided:

- (a) They maintain a minimum clearance of eight feet above finished
- (b) They do not project more than six feet perpendicular from the sup
- (c) They meet the standards of subsection (10) of this section if mou
- (d) They shall not exceed the number or size permitted for wall signs

(4) Changing message center signs and time and temperature signs, which size permitted for wall or freestanding signs, and shall be permitted only in message center signs may be permitted in the R zone, subject to the provisions and time and temperature signs shall not exceed the maximum sign

(5) Directional signs shall not be included in the sign area or number limit: they shall not exceed six square feet in surface area and are limited to on parking structure.

(6) Sign Illumination and Glare.

- (a) All signs in the NB, CB, or O zones, and community bulletin board
- (b) Unless otherwise provided for in subsection (6)(a) of this section, provided the light source for indirectly illuminated signs shall be no farther
- (c) Indirectly illuminated signs shall be arranged so that no direct rays: residences or any street right-of-way;

(d) Electrical requirements for signs shall be governed by Chapter 19.28 RCW and

(e) Signs with an on/off operation shall be permitted only in the CB zone.

(7) Maximum height for wall signs shall not extend above the highest exterior wall or sign

(8) Maximum height for projecting signs shall not extend above the highest exterior wall

(9) Maximum height for awning signs shall not extend above the height of the awning

(10) Any sign attached to the sloping surface of a roof shall be installed on support structures, shall appear to be part of the building itself, and shall not extend above roof upon which the sign is attached.

(11) Except as otherwise permitted by this chapter, off-premises directional signs shall

(12) Mixed use developments in the NB, CB, or O zones are permitted one permanent 32 square feet in addition to the maximum sign area requirements in the zone where they are located. (Ord. O2004-153 § 2; Ord. O99-29 § 1)

21A.45.070 Community bulletin board signs.

One community bulletin board sign is permitted within the Sammamish Commons Corridor following limitations:

(1) Community bulletin board signs may not exceed 32 square feet and are only permitted in the O zones. (Ord. O99-29 § 1)

21A.45.080 Residential zone signs.

Signs in the R zone are limited as follows:

(1) Nonresidential Use.

- (a) One sign identifying nonresidential uses on the same residential parcel, not of exceeding 25 square feet and not exceeding six feet in height is permitted;
- (b) Schools are permitted one sign per school or school facility entrance, not exceeding six feet in height, which may be located in the setback. Two additional wall signs not the school or school facility are permitted;
- (c) Public agency facilities, including but not limited to civic centers, community centers, are permitted two signs for each facility. Each sign shall be limited to a sign not exceeding a height of more than six feet for freestanding signs;
- (d) Home occupation and home industry signs are limited to wall signs not exceeding

(2) Residential Use.

(a) One residential identification sign not exceeding two square feet is permitted; and

(b) One permanent residential development identification sign not exceeding 32 square feet is permitted per development. The maximum height for the sign shall be six feet. The sign may be freestanding or mounted on a wall, fence, or other structure. (Ord. O2009-249 § 1; Ord. O2005-180 § 1; Ord. O99-29 § 1)

21A.45.090 Office zone signs.

Signs in the O zones shall be limited as follows:

(1) Wall signs are permitted, provided they do not total an area more than 10 percent of the building facade on which they are located and provided they are limited to building facades with street frontage.

(2) Freestanding Signs.

(a) One freestanding sign not exceeding 50 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;

(b) On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign does not exceed 80 square feet; and

(c) The maximum height for freestanding signs shall be 15 feet. (Ord. O99-29 § 1)

21A.45.100 Neighborhood business zone signs.

Signs in the NB zones shall be limited as follows:

(1) Wall signs are permitted, provided they do not total an area more than 10 percent of the building facade on which they are located;

(2) Freestanding Signs.

(a) One freestanding sign not exceeding 50 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;

(b) Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage;

(c) On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign does not exceed 150 square feet; and

(d) The maximum height for freestanding signs shall be 15 feet. (Ord. O99-29 § 1)

	Residential Zone	Community Business Zone(1)(2)	Neighborhood Business Zone(1)(2)	Office Zone(1)(2)
	Freestanding Signs(3)			
Quantity(4)	X	One per street frontage(5)		One per street frontage
Maximum Sign Area	N/A	85 sq ft. + 20 sq ft for each additional business in a multiple tenant structure up to 145 sq ft.	50 sq ft	
Combined Sign Area Limit for Lots with Multiple Freestanding Signs(6)	N/A	250 sq ft	150 sq ft	80 sq ft
Maximum Height	N/A	20 feet	15 feet	
	Home Business Signs			
Maximum Sign Area(7)	6 sq ft	N/A		
	Permanent Residential Development Identification Signs			

	Residential Zone	Community Business Zone(1)(2)	Neighborhood Business Zone(1)(2)	Office Zone(1)(2)
Quantity	Two one-sided signs or one two-sided sign per major entrance	Two one-sided signs or one two-sided sign per major entrance (8)		
Maximum Sign Area	32 sq ft per sign	32 sq ft per sign		
Maximum Sign Height	6 ft per sign (9)	N/A		
	Projecting or Awning Signs Mounted on the Sloping Portion of Roofs (10)			
Quantity (11)	X	One Allowed in Lieu of Wall Signs		
Maximum Sign Area	N/A	No greater than 15 percent of building façade	No greater than 10 percent of building façade	
Minimum Clearance above Finished Grade (12)	N/A	8 ft		
Maximum Projection, Perpendicular from Supporting Building Façade	N/A	6 ft		
	Signs on Property with Public Agency Facilities (13)			
Quantity	2 per Facility	X		
Maximum Sign Area	30 sq ft	N/A		
Maximum Height	6 ft	N/A		
	Sign on Residentially Zoned Property with Nonresidential Use (14)			
Quantity	One	X		
Maximum Sign Area	25 sq ft	N/A		
Maximum Height	6 ft	N/A		
	Wall Signs			
Maximum Sign Area (15)	N/A (16)	15 percent of building façade	10 percent of building façade	10 percent of building façade (17)

Development Conditions

1. Directional signs for surface parking areas or parking structures located in the R-, CB, NB, and O-Zones shall not be included in the sign area or number limitations stated in this table, provided that they shall not exceed six square feet in surface area and are limited to one for each entrance or exit.
2. Fuel price signs shall not be included in sign area or number limitations referenced in this table, provided such signs do not exceed 20 square feet per street frontage.

RECOMMENDED BUT NOT ADOPTED (1/3)

150-ft radius around each intersection –
no temporary signs



RECOMMENDED BUT NOT ADOPTED (2/3)

No temporary sign placement in improved public ROW



RECOMMENDED BUT NOT ADOPTED (3/3)

Community banner program for government speech only



COMMUNITY BANNER OPTIONS

Option	Legal Risk	Message Control
1. Leave program as-is	High	High
2. Open to all non-commercial messages	Low	Low
3. Government speech	Low	High
4. Discontinue program	-	-



UNRESOLVED MATTERS (1/2)

- Electronic Reader Boards
 - Challenge of revisiting pre-Reed v Gilbert programs
 - How to weigh access vs excessive proliferation?



UNRESOLVED MATTERS (2/2)

- Public Art & Murals



LESSONS LEARNED

- All cities will face different challenges
- Keep the focus on “levers”
- Emphasize and re-emphasize consequence of Reed v Gilbert
- Public input matters
- Keep track!

