



CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3600
www.kirklandwa.gov

MEMORANDUM

Date: September 28, 2016

To: Kurt Triplett, City Manager

From: Dorian Collins, Senior Planner, AICP
Paul Stewart, Deputy Director, AICP
Eric Shields, Director, AICP

Subject: Planning Commission Recommendation to Adopt Amendments to the Kirkland Zoning Code, Content Neutral Sign Regulations – Chapters 5 and 100, File CAM16-00954

RECOMMENDATION

1. Adopt enclosed Ordinance 4532, consistent with the recommendation of the Planning Commission for amendments to the Zoning Code to continue content-neutrality in the regulation of signs (Phase 1).
2. Discuss and provide direction to staff regarding issues to be included in the scope for a subsequent, broader study of Kirkland's sign regulations (Phase 2).

BACKGROUND DISCUSSION

Content neutral regulations: Phase I

The findings of recent court decisions, including Reed v. Town of Gilbert, 135 S. Ct. 2218 (2015), make it prudent for local governments to review their sign regulations, and revise them where necessary to ensure they remain content-neutral. For example, while a jurisdiction may regulate the materials (wood, cardboard, etc.), type, location, duration or dimensions of a sign, it may not regulate the message to be displayed on the sign.

Kirkland must complete amendments to its sign code to ensure compliance with these court decisions by October 31, 2016. This deadline was established by the Washington Cities Insurance Authority (WCIA) as part of an audit.

The proposed amendments were the subject of discussions at the Planning Commission study session on August 11, and at the meeting of the Houghton Community Council on August 22, 2016. A joint public hearing with both bodies was held on September 8, 2016, and the recommendation of the Planning Commission for approval of the "Phase I" amendments is included as Exhibit A.

At the Council's October 4, 2016, meeting, Chair Eric Laliberte will present an overview of the Planning Commission's recommendation on the code amendments.

Phase II – Policy and general changes to sign regulations

Earlier this year, the City Council indicated interest in looking at the City's sign regulations more broadly through a subsequent study and following the Phase I amendments necessary to ensure content neutrality. As the Council has not yet identified priorities or the types of changes they may wish to consider, staff suggests that the Council discuss the issues that might be included within the scope of the next phase of study at its meeting on October 4, 2016. Attachment 1 to this memorandum contains a preliminary list of possible policy questions that staff, the Planning Commission and the Houghton Community Council have identified during the current review of the standards in Chapter 100 (Signs) of the Kirkland Zoning Code. The comment letters attached to the Planning Commission's recommendation (Exhibit A) may identify additional issues that the Council would like to include in the study scope. Additional revisions necessary for clarification or "clean up" of the regulations may also be included in the second phase of study. Based on Council discussion and direction, staff will prepare a scope of work for Phase 2 along with the proposed timeframe in relation to other tasks noted on the Planning Work Program.

Staff expects that public involvement will be a key part of the next phase of study. For example, the issue of how the City should regulate portable "A frame" signs is often raised by citizens. This sign type is also valued by many businesses, particularly those related to real estate. However, A frame signs can create clutter, impede pedestrian traffic and be unsightly. Since the issues surrounding this type of sign are of interest to a wide range of people in Kirkland, this phase would provide opportunities for discussions about business needs versus community concerns and objectives.

SEPA COMPLIANCE

An addendum to the City of Kirkland 2015 Comprehensive Plan Update – Draft and Final Environmental Impact Statement was issued for the proposed amendments on August 24, 2016.

PUBLIC PROCESS

Staff provided a briefing on the proposed amendments to the Kirkland Alliance of Neighborhoods in June, 2016. The proposed amendments were discussed at study sessions of the Planning Commission and Houghton Community Council in August, and a joint public hearing was held on September 8, 2016. Pursuant to KZC 160.40, notice of the hearing was published in the official City newspaper, posted on official notice boards and posted on the City website. Notice to neighborhood associations was also provided via email.

Attachments

1. Phase II – Preliminary Policy and General Issues for Study

Exhibit:

- A. Planning Commission recommendation, dated September 8, 2016

cc: CAM16-00954
Planning Commission
Houghton Community Council

Phase II
Zoning Code Amendments to Chapter 100 (Signs)
Preliminary Potential Policy Issues for Consideration

- **100.15 Scope and Exclusions:**
 - Paragraph 1 - Directional signs: Should the exempted size be limited to less than the current 4 sq. ft.)?
 - Paragraph 5, historic plaques, and paragraph 10, signs integral to facades showing construction date are similar and should be reviewed (PC, 8/11).
- **100.30 Sign Type:**
 - Delete allowances for "pole" signs since poles signs are no longer allowed?
 - 100.30.1: Clarify what constitutes an "electrical sign." Have recent technological changes affected this? (PC, 8/11)
 - Plate 13: Consider greater flexibility to monument sign standards.
- **100.35 Number of Signs:** Should more than one pedestal or monument sign be allowed per abutting ROW on sites with longer frontages?
- **100.45 Sign Area Chart:** Current regulations limit sign area on sites with long ROW frontages. Should the sign area formula be adjusted to reduce the penalty for long frontages?
- **100.52 CBD, JBD and YBD Certain Signs Prohibited:** "Cabinet signs" are prohibited in three zones. Should they also be prohibited in other districts?
- **100.65 Sign Height and Dimensions:** Wall signs are not allowed to project above a roof. Should this limitation be more or less restrictive? Monument signs are limited to a height of 12 feet. Is this still appropriate?
- **100.70 Special Regulations Regarding Pole Signs:** Eliminate pole sign regulations since they are no longer allowed.
- **100.80 Master Sign Plan:** Master sign plans allow businesses to deviate from basic sign regulations if a superior sign package is approved. Are there adjustments to basic sign regulations that would allow more businesses to avoid having to apply for a MSP?
- **100.85 Prohibited Devices:**
 - Are the items listed as prohibited devices still appropriate?
 - Is the reference to "barber poles" in 100.85.1.f still appropriate (PC (11))?
 - Should portable signs, now prohibited by 100.85.i, be allowed and regulated?
 - Should 100.85.2.d, allowing an exemption for "Thematic flags, banners or pennants that are complementary to and normally associated with the character of a specific location" be revised?
- **100.110 Illumination Limitations on Electrical Signs:** Are references to and measurements cited for "electrical" signs and "incandescent lamps" (subsections 1 and

2) still appropriate? (PC 8/11)

- **100.112.10** (new section for directional signs): Should regulations for “Off-site-directional” signs be deleted given requirements for content neutrality?
- **100.115.30 Signs Displayed Prior to, During, or After Elections:** Should signs be allowed for a longer period prior to elections? (HCC 8/22 and comment from WCIA) How should we handle “political” signs displaying a message not tied to elections? One alternative is to allow temporary signs associated with a residence or in residential zones and establish performance standards (size, location, number, duration).
- **Miscellaneous:** How should signs on telephone poles, kiosks, etc. be regulated? (HCC 8/22)
- **Language to address signs along the state highway system** (WSDOT comments)



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MEMORANDUM

Date: September 8, 2016

To: Kirkland City Council

From: Eric Laliberte, Chair, Kirkland Planning Commission

Subject: Planning Commission Recommendation to Adopt Zoning Code Amendments – Content Neutral Sign Regulations, File CAM16-00954

INTRODUCTION

We are pleased to submit the recommended amendments to the Kirkland Zoning Code for consideration by the City Council.

The proposed amendments are discussed below.

BACKGROUND

The Planning Commission (PC) and Houghton Community Council (HCC) held study sessions in August to provide direction to staff on draft amendments that remove content-based language in the Definitions and Signs chapters of the Zoning Code. Those meeting packets can be viewed at the following links: [PC Study Materials](#) and [HCC Study Materials](#).

The PC and HCC also held a joint public hearing on September 8, 2016. Both bodies voted to recommend approval of the proposed amendments. The materials prepared for the public hearing can be viewed [here](#).

We received several written comments (Attachment 1). The comments are generally related to broader issues related to sign regulations, rather than the limited issue of content neutrality. We suggest that the issues raised in these comments be included within the scope of a subsequent phase of study of the City's sign regulations. We also considered the comments and concerns of the Houghton Community Council. The HCC passed a motion to support the proposed amendments.

The proposed amendments would eliminate several definitions of sign types contained in Chapter 5 of the Zoning Code that are based on content. Proposed amendments to the Signs chapter of the Zoning Code (Chapter 100) include revisions to the "Purpose" section of the chapter and other changes necessary to achieve content-neutrality in the regulations. A summary of proposed changes to each section is provided in the memo included in the [PC Study Materials](#). The recommended amendments are shown in Attachment 2 to this memo.

Decisional Criteria

The decisional criteria found in KZC Section 135.25 were considered when making this recommendation, and can be viewed by following this link to the September 8th public hearing [staff memorandum](#).

Attachment

1. Correspondence
2. Proposed amendments to the KZC, Chapter 5 and Chapter 100

cc: CAM16-00954

Dorian Collins

From: Eric Shields
Sent: Monday, June 20, 2016 2:30 PM
To: 'Karen Story'
Cc: Dorian Collins
Subject: RE: Sign Ordinance comments

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Thanks Karen. I'll keep these comments handy for when we start the amendment process. Regarding the following comment you made to the lead paragraph to section 100.115: "The existing section specifies the quantity, size, location, and duration. Will that information still be part of this section?" the draft regulations in the subsequent paragraphs do continue to specify the quantity, size, location and duration pretty much the same as in the existing regulations.

Eric

From: Karen Story [mailto:karen@nwnative.us]
Sent: Sunday, June 19, 2016 8:07 PM
To: Eric Shields <EShields@kirklandwa.gov>
Subject: Sign Ordinance comments

Hi Eric,

I really appreciate the opportunity to give feedback on the draft content neutrality document. I've attached the document with just a few comments, extracted here:

- *The above new exclusions are partially based on content. If this is a problem, we could simply exclude informational signs (or perhaps all signs) less than two sq. ft. I hope we don't have to exclude all signs less than two feet, as this could lead to a proliferation of small signs.*
- *Temporary signs are those intended and designed to be displayed for a limited period of time. They must be made of cloth, paper, cardboard or similar lightweight material and must be installed to be easily removed. They may not be lighted. The existing section specifies the quantity, size, location, and duration. Will that information still be part of this section?*
- *Signs for Properties for Sale or Rent: (Replaces "real estate" signs.)
b. Other uses: 32 square feet per sign face; I've noticed that many properties on corners have two signs this size, connected in a L shape to face each right of way. Is this allowed?
Off-site signs: In addition to the provisions above, during any time when a property is open for public viewing, additional off site signs may be displayed subject to the following:
What about in-ground real estate signs?*
- *Signs for Properties with Active Construction: (Replaces "construction" signs.)
2. Maximum sign area: 32 square feet per sign face; Should the maximum area be less in residential zones? I think the maximum area should be less in residential areas.*
- *Signs Displayed Prior to, During and After Elections (Replaces "political" signs.)
1. Maximum number: No limit; Would it be reasonable to limit to one per block? It can get pretty out of control.*
- *Recommend also considering whether portable signs, e.g. sandwich boards or staked signs, should be allowed. May be best to do that as part of more extensive sign code review. I do not think they should be*

allowed, otherwise we'll have the same sign clutter situation we have now.

The city of Scottsdale is one of the most aesthetically pleasant I have ever visited. A big reason for this is the lack of sign clutter. Below is a link to their sign regulations. Note these important bits:

- Real estate signs are only allowed on streets that *abut* the property for sale or lease. (Open house A-boards are allowed during an open house, but may not be placed on sidewalks.)
- The following signs are not allowed:
 - All A-frames or sandwich boards (except open house)
 - Temporary signs, including wire H-frame signs stuck into the ground, and signs attached to fences and poles
- **They have a volunteer sign removal program.**
- They allow strip mall businesses to install permanent, permitted signs next to entrances that help direct clients to those businesses that are set back off the street and thus can be hard to see. This eliminates the need for H-frame signs such as those that have sprouted like mushrooms along NE 85th St.



Here is the link to the full sign code: <http://www.scottsdaleaz.gov/codes/signs>

Dorian Collins

From: Bolotin, Leah <BolotiL@wsdot.wa.gov>
Sent: Friday, August 12, 2016 3:44 PM
To: Dorian Collins
Cc: Thorniley, Vicky; Klockenteger, Katherine; Prestrud, Charles; Michael Hubner (mhubner@psrc.org); COM GMU Review Team
Subject: WSDOT comments on Kirkland signage code, Expedited Review #22690

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dorian,

Attached please find a WSDOT review of the proposed amendments to definitions and sign regulations contained in the Kirkland Zoning Code. We understand the purpose of this update to be compliant with the Reed v. Town of Gilbert decision. However, WSDOT takes the opportunity to review for conformance to the [Highway Advertising Control Act](#) and the [Scenic Vistas Act](#) whenever sign code updates are submitted to Commerce.

Please contact Vicky Thorniley, Transportation Engineer, directly if you have any questions regarding her review. She may be contacted at 360-705-7282 or vicky.thorniley@wsdot.wa.gov.

Thank you for your consideration,
Leah

Leah Bolotin, AICP
Senior Planner
WSDOT Sno-King Planning Office
206-440-5057
[WSDOT Planning Resources](#)

From: Thorniley, Vicky
Sent: Tuesday, August 9, 2016 10:20 AM
To: Bolotin, Leah <BolotiL@wsdot.wa.gov>
Subject: RE: 22690, City of Kirkland, Expedited Review Requested, DevRegs

Thank you for sending the proposed code amendments to me to review. WAC 468-66-050(3)(h) states that on premise signs located along a primary system highway inside an incorporated city or town or a commercial or industrial area are not regulated by WSDOT. Off premise signs are regulated by WSDOT. But since many cities ask for our review of on premise signs so that they can adjust their municipal codes to more closely align with WAC 468.66 and RCW 47.42, and since cities and towns are regulated by the Scenic Vistas Act, I have the following comments:

5.10.115 Changing Message Center – visible to a state route, as stated in WAC 468.66.050(3)(g) an electronic sign may only be used as an on premise sign and/or to present public service information. Public Service Information is defined in WAC 468-66-010(2) as date, temperature, weather or information about nonprofit activities sponsored by civic or charitable organizations.

100.40 Sign Area and 100.45 Sign Area Chart – just want to confirm that visible to a state route, an on premise sign more than 50 feet from the main building of the activity advertised on the sign cannot exceed 20 feet in length, width, or height or 150 square feet in area including border and trim but excluding supports. WAC 468-66-050(3)(f) explains where signs can be located if the sign is more than 50 feet from the main building: no more than 150 feet from the main building, or no more than 150 feet from the main entrance to the activity advertised, or no more than 50 feet from the outside edge of a regularly used parking lot contiguous to the to the advertised activity.

100.55 Development Containing Uses in More Than One Category – reminder again about the use of electronic sign use as described above under 5.10.115

100.70 Special Regulations Regarding Pole Signs – please refer to 100.40 sign area above. Visible to an interstate, no sign can exceed 150 square feet per WAC 468-66-050(3) and (5). Visible to an interstate, only one sign located more than 50 feet from the main building can be erected visible to any one direction of traffic. WSDOT does not restrict height of a structure.

100.75 Location of Signs – with the exception of official state or city erected signs, no signs can be in the state right-of-way.

100.80 Master Sign Plan – visible to a state route, no on premise sign can exceed 150 square feet, please refer to 100.40 sign area above.

100.85 Prohibited Devices – Exceptions – please refer to 5.10.111 changing message center information.

100.110 Illumination Limitations on Electronic Signs – WAC 468-66-050(g)(v) states no electronic sign lamp may be illuminated to a degree of brightness that is greater than necessary for adequate visibility. In no case may the brightness exceed 8000 nits or equivalent candelas during daylight hours, or 1000 nits or equivalent candelas between dusk and dawn.

100.112.10 Off Site Directional – only WSDOT or City signs are allowed in state right-of-way, all other signs are prohibited

100.115 Temporary Signs – temporary signs are not allowed on state right-of-way

100.115.10 Signs for Properties for Sale or Rent (5) Off Site Signs – WSDOT does not allow for sale or for rent signs, visible to a state route, to be located off the property that is for sale or lease.

100.115.30 Signs Displayed Prior to, During and After Elections – WSDOT does not allow signs associated with elections to be located in state right-of-way

100.115.40 Temporary Signs in Non-Residential Zones (3) – the code says signs are allowed to be placed on building, wall or fence. Make sure the fence is not a WSDOT right-of-way fence.

100.115.50 Signs Associated with Temporary Events – no signs permitted on state right-of-way

Please don't hesitate to contact me if you have additional questions.

Vicky

From: COM GMU Review Team [<mailto:reviewteam@commerce.wa.gov>]

Sent: Monday, August 08, 2016 1:04 PM

To: Andersen, Dave (COM) <dave.andersen@commerce.wa.gov>; Bunten, Donna (ECY) <DBUN461@ECY.WA.GOV>; FLORES, HUGO (DNR) <HUGO.FLORES@dnr.wa.gov>; Griffith, Greg (DAHP) <Greg.Griffith@DAHP.WA.GOV>; Shultz, Ron

(SCC) <RShultz@scc.wa.gov>; Cooper, Kelly (DOH) <Kelly.Cooper@DOH.WA.GOV>; Houser, Karena <HouserK@wsdot.wa.gov>; Heinitz, Eric F. (DOC) <efheinitz@DOC1.WA.GOV>; Klockenteger, Katherine <KlockeK@wsdot.wa.gov>; McLain, Kelly (AGR) <KAardal@agr.wa.gov>; Herzog, Peter (PARKS) <Peter.Herzog@PARKS.WA.GOV>; Folkerts, Keith E (DFW) <Keith.Folkerts@dfw.wa.gov>; Miller, Kyle <MilleKy@wsdot.wa.gov>

Cc: COM GMU Review Team <reviewteam@commerce.wa.gov>

Subject: 22690, City of Kirkland, Expedited Review Requested, DevRegs

Please respond to this email by 8/22/2016

Indicate in the first line of your reply: NO COMMENT or YES COMMENT

If we do not hear from you by the date indicated, Commerce will assume that your agency will not be reviewing or commenting on the proposal and that Commerce may grant expedited review.

If you will be reviewing the item, please provide the name and contact information of the staff person who will be commenting.

As a state agency contact for GMA review submittals, this is your opportunity to determine if you intend to comment on these proposed amendments. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply.

The City of Kirkland has requested expedited review of the following: Proposed amendments to the definitions and sign regulations contained in the Kirkland Zoning Code to ensure the regulations are content-neutral. This proposal was submitted for the required state agency review under RCW 36.70A.106. See the electronic attachments to this message for a complete description of the proposal.

If you have any questions, please contact reviewteam@commerce.wa.gov

Thank you.

Review Team, Growth Management Services
Department of Commerce
P.O. Box 42525
Olympia WA 98504-2525

Dorian Collins

Subject: FW: signs

From: Margaret Bull [wisteriouswoman@gmail.com]

Sent: Thursday, August 11, 2016 3:39 PM

To: Houghton Council

Subject: signs

Dear Houghton Community Council members,

I noticed that you are reviewing sign regulations. I want to say that the use of LED lights is really going to affect how bright lights on signs and in parking lots appear. Please go to Bellebotega and take a look at the Mod Pizza sign. It is incredibly bright.

I wouldn't want to live near that restaurant.

Best Regards,

Margaret Bull

Phase I - Zoning Code Amendments

Recommended Amendments to Make Kirkland Sign Regulations Content Neutral

A. Amendments to Chapter 5 – Remove Content-Related Definitions:

*The following definitions that are content based shall be **deleted**:*

- ~~5.10.165 **Construction**: A sign identifying parties involved in the construction of a project – size limited to 32 sq. ft. per face during construction;_~~
- ~~5.10.327 **Fuel price**: A sign indicting the price of fuel at a gas station – one sign allowed per abutting right of way, maximum size of 20 sq. ft. per sign face;~~
- ~~5.10.420 **Instructional**: A sign indicating public information such as restrooms and exit ways – maximum size of 2 sq. ft. per face;~~
- ~~5.10.425 **Integral sign**: A sign on the façade of a building noting the date of and other information about construction –one sign up to six sq. ft. in size allowed per structure;~~
- ~~5.10.585 **Off-site directional**: An off-site sign providing direction to a business or use – maximum size of 64 sq. ft. and 16 sq. ft. per use, must be approved by the Planning Director;~~
- ~~5.10.675 **Political**: A sign advertising a candidate for public office or a ballot proposition – maximum size of six sq. ft. per sign face, not allowed in street medians, must be removed seven days after election;~~
- ~~5.10.690 **Private Advertising**: A sign announcing an event or concern of personal interest to the user, such as “garage sale” or “lost dog” – no maximum number, may be 16 sq. ft. per sign face, may be no closer than 50 feet to another such sign, must be removed at end of use, event or condition;~~
- ~~5.10.700 **Private Notice**: A sign announcing a restriction on a type of action, such as “no trespassing” – maximum size of 2 sq. ft. per face;~~
- ~~5.10.710 **Private Traffic Direction**: Private property sign with information about vehicular movement – no maximum number, maximum size of 4 sq. ft. per sign face;~~
- ~~5.10.760 **Real Estate off-site**: A real estate sign located off the property for sale or rent – size limited to six sq. ft. per face, may have one per block, allowed only while property is for sale or lease;~~
- ~~5.10.765 **Real Estate on-site**: A sign advertising and located on a property for sale or rent- maximum size varies for different uses from 6 sq. ft. to 64 sq. ft. per face, allowed only while property is for sale or lease;~~
- ~~5.10.923 **Temporary commercial**: A non-permanent sign displaying temporary messages – no maximum number or size, must be removed at end of use, event or condition, but no longer than 60 days;~~
- ~~5.10.992 **Window sign**: A sign located inside a window and visible from the exterior of a building.~~

The following definition shall be revised to make it content-neutral:

- 5.10.115 **Changing Message Center**: An electronically controlled ~~public service time and temperature~~ sign where copy changes are shown on the same lamp bank.

B. Amendments to Chapter 100 Text – Remove Content-Related Text

Chapter 100 – SIGNS

Sections:

- [100.05](#) User Guide
- [100.10](#) Purpose
- [100.15](#) Scope and Exclusions
- [100.20](#) International Building Code – Compliance Required
- [100.25](#) Required Permits
- [100.30](#) Sign Type
- [100.35](#) Number of Signs
- [100.40](#) Sign Area
- [100.45](#) Sign Area Chart
- [100.50](#) Designated Corridors
- [100.52](#) CBD, JBD and YBD – Certain Signs Prohibited
- [100.55](#) Development Containing Uses in More Than One (1) Sign Category
- [100.60](#) Allocation of Sign Area within a Development with More Than One (1) Use or Tenant
- [100.65](#) Sign Height and Dimensions
- [100.70](#) Special Regulations Regarding Pole Signs
- [100.75](#) Location of Signs
- [100.80](#) Master Sign Plan
- [100.85](#) Prohibited Devices
- [100.90](#) Sign Maintenance and Removal
- [100.95](#) Landscaping Around Ground-Mounted Signs
- [100.100](#) Structural Components – Overall Appearance
- [100.110](#) Illumination Limitations on Electrical Signs
- [100.112](#) Special Signs
- [100.115](#) Temporary/~~Special~~ Signs
- [100.120](#) Bonds

100.05 User Guide (No changes proposed to this section in Phase I)

Chapters [15](#) through [56](#) KZC, which contain the use zone charts or development standards tables, assign a sign category to each use in each zone. This category is either A, B, C, D, E, or F. This chapter contains the specific requirements in each sign category. If you do not know what sign category applies to the subject property, you should consult the appropriate use zone chart or development standards table.

This chapter also contains regulations regarding special signs and temporary signs (e.g., political, real estate or temporary signs). These regulations are contained in KZC [100.112](#) and [KZC 100.115](#).

For properties within jurisdiction of the Shoreline Management Act, see Chapter [83](#) KZC.

(Ord. 4476 § 3, 2015; Ord. 4252 § 1, 2010)

100.10 Purpose

It is the purpose of this chapter to promote: balance the public interest and private business needs with the objectives of creating a community that is livable, sustainable and connected. Standards and regulations for Kirkland’s signs are designed to promote public safety and aesthetics in that they:

1. Support the economic well-being of all businesses by through providing sufficient means to identify their locations, products and services; Commercial communications that accommodate the need of-

~~the business community to convey information to the public;~~ and

2. ~~Protect and enhance~~ ~~The protection and enhancement of~~ the visual character and identity of the community by the thoughtful placement and design of signs; and
 3. ~~Eliminate~~ ~~The elimination of~~ clutter and visual distraction ~~by through~~ ensuring signs are appropriate in size and ~~relationship to the subject property, street frontage and building size;~~ and
 4. ~~Allow sufficient f~~ flexibility and incentive for creative and innovative sign designs; and
 5. ~~Uphold aesthetic standards of the city by through~~ encouraging good design and ~~t~~ the proper maintenance of signs; and
 6. ~~Reduce potential hazards to motorists and pedestrians by reducing signage or visual advertising distractions and obstructions that contribute to limited safety and site visibility, and~~
 7. ~~Recognize free speech rights by regulating signs in a content-neutral manner, and~~
6. ~~E~~nsure consistency with the goals and policies of the Comprehensive Plan.

100.15 Scope and Exclusions

.....
This chapter applies to all signs erected or altered after the effective date of this code. This chapter does not apply to the following:

1. Traffic signs, directional signs ~~not exceeding four square feet~~, and signs displaying a public service message installed by a governmental agency ***(Incorporates standards for Private Traffic Direction from 100.115)***.
2. Point-of-purchase advertising displays such as product dispensers.
3. National flags and flags of political subdivisions.
4. Gravestones.
5. Historical site plaques and signs integral to an historic building.
6. Structures or improvements intended for a separate use, such as phone booths, ~~Goodwill donation~~ containers and newspaper recycling boxes.
7. Building addresses with numbers and letters not more than 10 inches in height.
8. Exterior signs or displays not visible from streets or ways open to the public.
9. ~~Signs not exceeding two square feet per sign face, either providing public information about the facilities present on the subject property or announcing a restriction on the subject property.~~ ***(Replaces "instructional" and "private notice" signs from 100.115)***
10. ~~One sign per structure, not exceeding six square feet in area, incorporated into the façade of a building and denoting the date of and other information about construction of the building.~~ ***(Replaces "integral" signs from 100.115)***
11. ~~Temporary window signs that are located inside a window and visible from the exterior of a building.~~ ***(Replaces "window signs" from 100.115 and incorporates definition)***

(Ord. 4408 § 1, 2013)

100.20 International Building Code – Compliance Required (No changes proposed to this section in Phase I)

.....

1. General – Each sign erected or altered after the effective date of this code must comply with the provisions of the International Building Code as adopted by the City.

2. Conflict of Provisions – If any provision of this chapter conflicts with the International Building Code, the provision of this chapter will govern.

(Ord. 4320 § 1, 2011)

100.25 Required Permits

1. The following permits must be obtained for signs regulated by this chapter:

a. A permit must be obtained from the Fire Department in order to erect or move a sign or alter the structural components of an existing sign.

b. A permit must be obtained from the Planning and Building Department in order to display any sign for which a permit is not required by subsection (1)(a) of this section, except where those signs are excluded in Section 100.15 or listed in Section 100.115. for real estate on-site (other than for dwelling units), real estate off-site, construction, temporary commercial, integral, private notice, instructional, private advertising, window signs, private traffic direction and off-site directional signs.

Change in the temporary message on a reader board or electronic message center is also excluded from this permit requirement.

2. If a proposed use or site plan requires approval through Process I, IIA, or IIB, as described respectively in Chapters [145](#), [150](#), and [152](#) KZC, the Planning Official may require that any sign proposed for that development be approved through the same process if he/she determines that it will provide more coordinated, effective signs.

(Ord. 4491 §§ 3, 4, 2015; Ord. 4286 § 1, 2011; Ord. 3954 § 1, 2004)

100.30 Sign Type

Permitted types of signs for each sign category are listed below:

1. Sign Category A – Wall-mounted and pedestal signs. Electrical signs are not permitted. Commercial messages are not permitted.

2. Sign Category B – Wall-mounted, marquee and pedestal signs.

3. Sign Categories C, D and E – Wall-mounted, marquee, pedestal, projecting and monument signs. Projecting signs may not project above the roofline of the structure to which the sign is attached.

4. Sign Category F – Wall-mounted, marquee, pedestal, projecting, monument and pole signs. See also KZC [100.70](#) for special regulations regarding pole signs. Projecting signs may not project above the roofline of the structure to which the sign is attached.

See also KZC [100.115](#) for permitted special signs.

100.35 Number of Signs

The permitted maximum number of signs for each sign category is listed below. The permitted number applies only to the sign types listed in KZC [100.30](#) and does not apply to the special temporary signs described in KZC [100.115](#).

1. Sign Category A

- a. ~~Signs identifying a Each~~ detached dwelling unit: one (1).
 - b. ~~Signs identifying a Each~~ complex or subdivision: no limitation.
2. Sign Category B – One (1) per right-of-way providing direct vehicular access.
3. Sign Categories C, D, E and F
- a. Wall-mounted signs: no limitation.
 - b. Marquee signs: one (1) per business or use per right-of-way; ~~or one per pedestrian entrance, or vehicular entrance. Sign may not exceed four square feet per sign face.~~
 - c. Projecting signs: One per pedestrian or vehicular entrance. Sign may not exceed four square feet per sign face.
 - c. Pedestal, monument, or pole sign ~~(including center identification signs):~~ One (1) per abutting right-of-way per development; provided that businesses selling fuel for motorized vehicles are allowed one additional sign (Replaces “fuel price” signs from 100.115).

100.40 Sign Area

The maximum permitted sign area for each sign category is listed below. The permitted area applies only to the sign types listed in KZC [100.30](#) and does not apply to the ~~special temporary~~ signs described in KZC [100.115](#).

1. Sign Category A
 - a. ~~Signs identifying a Each~~ detached dwelling unit: two (2) square feet.
 - b. ~~Signs identifying a Each~~ complex or subdivision: 20 square feet per sign face.
2. Sign Category B – 20 square feet per sign face.
3. Sign Categories C, D, E and F
 - a. Each development is allowed the sign area shown in the chart in KZC [100.45](#); and
 - b. Each individually licensed business within a multi-use complex is allowed 30 square feet; and
 - c. Each multi-use complex containing seven (7) or more uses or businesses is allowed an additional 64 square feet per sign face per pedestal, monument or pole sign or 64 square feet for one (1) wall-mounted sign per abutting right-of-way ~~to be used for center identification signs.~~ These signs may not have internally lighted sign fields and must be constructed with materials, colors, shapes, or other architectural features which are the same as the buildings with which the signs are associated.
 - d. Businesses selling fuel for motorized vehicles are allowed an additional 20 square feet per sign face on the additional sign allowed by Section 100.35.3.c. (Compensates for eliminating “fuel price” signs).

(Ord. 3814 § 1, 2001)

100.45 Sign Area Chart (No changes proposed to this section in Phase I)

General – The chart below establishes the sign area allowed by KZC [100.40](#)(3)(a). The sign area is primarily dependent on the linear frontage of the subject property and the sign category of the use. To use this chart, first find the applicable sign category along the top of the chart, then find the linear frontage of the subject property along the left margin of the chart. Where the sign category and the linear frontage meet you will find the maximum sign area for the subject property. Next, review the sign area multipliers listed on the right side of the chart to determine if there are any increases or decreases in the maximum allowable sign area.

TOTAL
LINEAR
FRONTAGE
OF
SUBJECT
PROPERTY
IS
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THAN

SIGN
CATEGORIES

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1. Find the sign category that applies to your use.
2. Find the linear frontage of the subject property.
3. Where sign category and linear frontage meet you will find the maximum sign size for the subject property.
4. Use the multiplier to the right of the chart to determine if maximum allowable sign area is increased by the factors listed.

	C	D	E	F
25	20	26	48	56
30	20	28	50	59
35	20	29	52	62
40	21	31	55	65
45	21	32	57	68
50	22	33	59	70
55	23	34	61	72
60	23	35	63	74

SIGN AREA MULTIPLIERS

TOTAL
LINEAR
FRONTAGE
OF
SUBJECT
PROPERTY
IS
LESS
THAN



SIGN
CATEGORIES

1. Find the sign category that applies to your use.
2. Find the linear frontage of the subject property.
3. Where sign category and linear frontage meet you will find the maximum sign size for the subject property.
4. Use the multiplier to the right of the chart to determine if maximum allowable sign area is increased by the factors listed.



	C	D	E	F
65	24	36	64	76
70	25	37	66	78
75	25	38	68	80
80	26	39	69	82
85	26	40	70	84
90	27	40	72	85
95	27	41	73	87
100	28	42	74	88
105	28	42	76	90
110	29	43	77	91
115	29	44	78	92
120	30	44	79	94
125	30	45	80	95
130	30	46	81	96
135	31	46	82	97
140	31	47	83	99
145	32	47	84	100
150	32	48	85	101
155	32	48	86	102
160	33	49	87	103
165	33	49	88	104
170	33	50	89	105
175	34	50	89	106
180	34	51	90	107
185	34	51	91	108
190	34	52	92	109
195	35	52	93	110
200	35	53	94	111
205	35	53	94	112

1. Except on a designated corridor, if no signs within the entire development are cabinet signs, then multiply the figure in the chart by 1.25 and multiply the sign area allowed by KZC [100.40\(3\)](#) (b) by 1.25.

2. If all signs within the entire development, other than center identification signs, are building-mounted signs, multiply either the above product or the figure in the chart by 1.25 and multiply the sign area allowed by KZC [100.40\(3\)\(b\)](#) by 1.25.

TOTAL
LINEAR
FRONTAGE
OF
SUBJECT
PROPERTY
IS
LESS
THAN

⇒

SIGN
CATEGORIES

1. Find the sign category that applies to your use.
2. Find the linear frontage of the subject property.
3. Where sign category and linear frontage meet you will find the maximum sign size for the subject property.
4. Use the multiplier to the right of the chart to determine if maximum allowable sign area is increased by the factors listed.

↓

	C	D	E	F
210	36	53	95	113
215	36	54	96	114
220	36	54	97	115
225	36	55	97	116
230	37	55	98	116
235	37	56	99	117
240	37	56	99	118
245	38	56	100	119
250	38	57	101	120
(Measured in Linear Feet)	(Measured in Square Feet)			

If the linear frontage of the subject property exceeds 250 feet, please refer to Plate 9.

(Ord. 3814 § 1, 2001)

100.50 Designated Corridors (No changes proposed to this section in Phase I)

1. General – KZC [100.45](#) contains limitations on sign area along the following designated corridors:
 - a. Market Street between Central Way and Forbes Creek Drive.
 - b. State Street, between NE 68th Street and 2nd Avenue South.
 - c. Lake Washington Boulevard and Lake Street South between NE 38th Street and 3rd Avenue South.
 - d. Lakeview Drive and NE 60th Street.
2. Electrical Signs Prohibited – Electrical signs shall not be located along designated corridors.

(Ord. 4408 § 1, 2013; Ord. 4333 § 1, 2011)

100.52 CBD, JBD and YBD – Certain Signs Prohibited (No changes proposed to this section in Phase I)

Cabinet signs shall be prohibited in all Central Business District (Chapter [50](#) KZC), Juanita Business District (Chapter [52](#) KZC) and Yarrow Bay Business District zones (Chapter [56](#) KZC).

(Ord. 4333 § 1, 2011; Ord. 3814 § 1, 2001)

100.55 Development Containing Uses in More Than One (1) Sign Category (No changes proposed to this section in Phase I)

.....
If a subject property contains a mix of commercial and residential uses, the residential uses must comply with Sign Category A and the commercial uses must comply with the sign category assigned to the commercial uses that predominate on the subject property. Within mixed use projects, residential uses may have electrical signs (except on designated corridors) only if the electrical signs are attached to areas of the building associated with the commercial uses.

In all other cases, if the subject property contains uses assigned to different sign categories, the signs for the entire development must comply with the sign category assigned to the uses that predominate on the subject property.

(Ord. 4193 § 1, 2009)

100.60 Allocation of Sign Area within a Development with More Than One (1) Use or Tenant (No changes proposed to this section in Phase I)

.....
The owner(s) of a development with more than one (1) use or tenant must submit to the City a letter allocating the allowable sign area for the development to the various uses or leasable area in the development or to sign (s) which identify the development. The owner(s) must agree in the letter to include the specified sign allocation in all leases, rental agreements, condominium by-laws and similar documents.

100.65 Sign Height and Dimensions (No changes proposed to this section in Phase I)

.....
The permitted height of signs for each type of sign is listed below:

1. Wall-Mounted and Marquee Signs:

Shall not project above the roofline of the building, parapet or similar architecture feature to which they are attached.

2. Under Marquee Signs:

Shall not extend further from a building facade than the marquee or canopy to which they are attached.

3. Pedestal Signs:

- a. Shall not exceed five (5) feet above average ground elevation.
- b. Must conform to the dimensional standards shown on Plate [12](#).

4. Monument Signs:

- a. Shall not exceed 12 feet above average ground elevation.
- b. Must conform to the dimensional standards shown on Plate [13](#).

5. Pole Signs:

- a. Shall not exceed 20 feet above average ground elevation.
- b. Must conform to the dimensional standards shown on Plate [13A](#).

See KZC [100.70](#) for special regulations regarding pole signs.

(Ord. 4408 § 1, 2013)

100.70 Special Regulations Regarding Pole Signs (No changes proposed to this section in Phase I)

Pole signs are permitted only in Sign Category F. They must be approved using Process I, described in Chapter 145 KZC. However, prior to issuing a decision, the Planning Director may consult with the Planning Commission. The City may grant a request for a pole sign and may grant increased sign area and height if:

1. It is necessary to identify a use that is oriented toward and primarily intended to serve motorists on the interstate system; and
2. It will not be out of scale or character with signs for nearby uses; and
3. It will not focus attention away from existing signs oriented to the interstate motorist and create a demand for increased height for other signs; and
4. It will not create a traffic hazard.

100.75 Location of Signs (No changes proposed to this section in Phase I)

1. General

- a. Except as allowed under subsection (2) of this section, all signs must be located on the same lot or property as the use, building, or event with which the sign is associated.
- b. All signs shall be located outside those areas required in KZC 115.135 to be kept clear of all sight obstructions.

2. Exceptions – The provisions of subsection (1) of this section do not apply as follows:

- a. The provisions of subsection (1)(a) of this section do not apply to the signs regulated under KZC 100.115.
- b. Wall-mounted and marquee signs may extend into a right-of-way abutting the subject property only upon approval of the Department of Public Works.
- c. Monument and pole signs must be set back at least five (5) feet from all property lines, except in zones that have no setbacks.
- d. The owners of two (2) or more properties that adjoin or are separated only by a private roadway may propose a joint sign package to the City. The City will review and decide upon the proposal by the Planning Director. The City will approve the joint sign package if it will provide more coordinated, effective and efficient signs. In determining the total allowable size for all of the signs in the joint sign package, the City will use the total area of signs that would be allowed for all of the participating properties if they were not proposing a joint sign package. The decision of the Planning Director in approving or denying a joint sign package may be appealed using the appeal provision, as applicable, of Process I, KZC 145.60 through 145.110.

100.80 Master Sign Plan (No changes proposed to this section in Phase I)

1. General – This section provides a mechanism under which special consideration can be given to signs which use a master sign plan to encourage the integration of signs into the framework of the building or buildings on the subject property. The City may allow deviations from the requirements of this chapter consistent with the criteria listed in subsection (4) of this section. At an applicant's request, this section may also be used to review proposed changes to sign plans which were initially approved as part of a previously approved PUD or CUP under prior zoning ordinances or through Process IIA or IIB under this code (Ordinance 2740, as amended).

2. Required Review Process – An application for a master sign plan under this section will be reviewed and decided upon by the Planning Director. However, prior to issuing a decision, the Planning Director may consult with the Planning Commission.
3. Required Information – As part of any application for a master sign plan under this section, the applicant shall submit the following information:
 - a. A narrative describing how the proposal is consistent with the criteria listed in subsection (4) of this section.
 - b. A colored rendering of the proposed signs in relation to development in the area and on the subject property.
4. Criteria – The City may approve a proposed master sign plan if:
 - a. The proposal manifests exceptional effort toward creating visual harmony between the sign, buildings, and other components of the subject property through the use of a consistent design theme. The elements which create visual harmony may include but are not limited to color, materials, location, and/or type of sign(s) proposed.
 - b. The proposed deviations are the minimum necessary to create readable signs from the rights-of-way providing direct vehicular access based on traffic speeds and patterns in the area of the subject property.
 - c. The signs are in character and orientation with planned and existing uses in the area of the subject property.
5. Minor Modifications – The Planning Official may grant a minor modification to the approved master sign plan in writing if:
 - a. The change does not increase the sign area of the subject property approved in the original master sign plan.
 - b. The change maintains visual harmony with those elements specifically identified in the original master sign plan as integral to the design theme of the subject property (for example; location(s), color(s), material (s), or type(s)).
6. Appeals – The decision of the Planning Director in approving or denying a master sign plan under subsection (2) of this section and modifications granted by the Planning Official under subsection (5) of this section may be appealed using the appeal provision, as applicable, of Process I, KZC [145.60](#) through [145.110](#).

100.85 Prohibited Devices

1. General – Except as specifically allowed under subsection (2) of this section, the following devices and facilities are specifically prohibited:
 - a. Pennants, banners, streamers and private flags except as permitted under KZC [100.115](#).
 - b. Strings of lights, flashing lights, colored lights, advertising search lights, and flares.
 - c. Twirlers, propellers, and wind-activated devices.

- d. Balloons.
 - e. ~~Signs of a garish or of a carnival-like nature.~~
 - f. Any sign that rotates, turns or moves by electrical or mechanical means except barber poles.
 - g. Projecting and under marquee signs, except as permitted by KZC [100.44535](#).
 - h. Any sign attached to or placed on a vehicle or trailer parked on public or private property. The prohibition of this subsection does not prohibit the identification of a firm or its principal products on a vehicle operating during the normal course of business.
 - i. Any portable outdoor sign, except ~~political, private advertising, or off-site real estate signs~~ as regulated by KZC [100.115](#).
 - j. Any sign with the shape and colors of a traffic sign.
 - k. Any sign which constitutes a traffic hazard including but not limited to signs containing words such as "stop," "look," "danger."
2. Exceptions – The provisions of subsections (1)(a) through (k) of this section do not apply to the following:
- a. Holiday decorations ~~appropriately displayed.~~
 - b. The use of devices described in subsection (1) of this section for no more than seven (7) days to announce the grand opening of a business or use.
 - ~~c. The use of devices described in subsection (1) of this section if approved on a temporary basis using Process I, described in Chapter 145 KZC, if this will not be detrimental to any nearby neighborhood or use.~~
 - d. Thematic flags, banners or pennants that are complementary to and normally associated with the character of a specific location.
 - e. Changing message centers.

(Ord. 3814 § 1, 2001)

100.90 Sign Maintenance and Removal (No changes proposed to this section in Phase I)

- 1. Maintenance – All signs must be kept in a safe manner at all times. Damaged or deteriorated signs must be repaired within 30 days of notification by the City. The area surrounding groundmounted signs must be kept free of litter and debris at all times.
- 2. Removal – Unless otherwise specified in this code, the applicant or property owner must remove all nonconforming signs within 14 days and all conforming signs within 90 days of the date of the closure or discontinuance of the business, use or event with which the signs were associated.

100.95 Landscaping Around Ground-Mounted Signs (No changes proposed to this section in Phase I)

An area around the base of each ground-mounted sign equal to the sign area must be landscaped to improve the overall appearance of the sign and to reduce the risk of automobiles hitting the sign or supports of the sign. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases, planter boxes, pole covers, or decorative framing.

100.100 Structural Components – Overall Appearance (No changes proposed to this section in Phase I)

To the maximum extent possible, signs should be constructed and installed so that angle irons, guywires, braces, and other structural elements are not visible. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or woods.

100.110 Illumination Limitations on Electrical Signs (No changes proposed to this section in Phase I)

No sign may contain or utilize any of the following:

1. Any exposed incandescent lamp with a wattage in excess of 25 watts.
2. Any exposed incandescent lamp with an internal or external reflector.
3. Any continuous or sequential flashing operation.
4. Except for changing message centers, any incandescent lamp inside internally lighted signs.
5. External light sources directed towards or shining on vehicular or pedestrian traffic or on a street.
6. Internally lighted signs using 800 milliamp ballasts if the lamps are spaced closer than 12 inches on center.
7. Internally lighted signs using 425 milliamp ballasts if the lamps are spaced closer than six (6) inches on center.

100.115 Temporary/Special Signs

A. The chart below establishes regulations that apply to numerous signs of a temporary or special nature or purpose. These signs shall be permitted in addition to the signs permitted in Sign Categories A through F, and shall be subject to the requirements set forth in the following chart. Except as specifically stated in the chart, the signs in the chart are not subject to the regulations of KZC 100.30 through 100.75 and KZC 100.95.

No temporary or special signs shall be posted or placed upon public property; provided that, certain temporary signs may be posted or placed within certain portions of a public street right-of-way as identified by the chart below.

TYPE OF SIGN	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIGN AREA	PERMITTED LOCATION	PERMITTED DURATION OF DISPLAY
Real Estate, On-site	For each dwelling unit, use or development: 1 per broker per abutting right-of-way.	Dwelling units: 6 sq. ft. per sign face. Other uses or developments: 32 sq. ft. per sign face – not to exceed 64 sq. ft. per property for sale or rent.	Subject property.	Must remove when property is sold or rented.
Real Estate, Off-Site	1 per block per property for sale or rent.	6 sq. ft. per sign face.	Private property/public right-of-way. ⁽³⁾	Must remove when property is sold or rented.

Construction	1 per abutting right-of-way.	32 sq. ft. per sign face.	Subject property.	Shall not be displayed prior to issuance of a building permit. Must be removed prior to issuance of a certificate of occupancy.
Temporary Commercial	No maximum.	No maximum.	Subject property. Must remove after being entirely attached to a building face or fence.	being displayed 60 days or at end of use, event or condition, whichever comes first.
Integral	1 per structure.	6 sq. ft. per sign face.	Subject property.	No limitation.
Private Notice and Instructional	No maximum.	2 sq. ft. per sign face.	Subject property.	No limitation.
Private Advertising	No maximum.	16 sq. ft. per sign face.	No closer than .50 ft. from another sign advertising the same use, event or condition.	Must remove at end of use, event or condition.
Private Traffic Direction	No maximum.	4 sq. ft. per sign face.	Subject property.	No limitation.
Off-site Directional ⁽¹⁾	1.	16 sq. ft. per use, not to exceed 64 sq. ft.	Private property/public right-of-way. ⁽³⁾	Determined on case-by-case basis.
Political right-of-way. ⁽³⁾	No maximum.	6 sq. ft. per sign face.	Private property/public	No later than 7 days after the final election.
Projecting and Under Marquee	1 per pedestrian or vehicular entrance.	4 sq. ft. per sign face.	Subject property right-of-way abutting subject property. For uses subject to Sign Categories C, D, E and F only. Shall not project above roofline of structure to which sign is attached.	No limitation.
Fuel Price ⁽²⁾	1 per abutting right-of-way.	20 sq. ft. per sign face.	Subject property.	No limitation.
Window Sign	No maximum.	No limitation.	Subject property.	No limitation

-
- (1) Must be approved by the Planning Director. Shall only be approved if there is a demonstrated need for an off-site sign because of poor visibility or traffic patterns. All uses in an area wanting a permanent off-site directional sign must use one (1) sign. The applicant must show that the proposed sign can accommodate all uses in the area that may reasonably need to be listed on the sign. The decision of the Planning Director in approving or denying an off-site directional sign may be appealed using the appeal provision, as applicable, of Process I, KZC [145.60](#) through [145.110](#).
- (2) Fuel price signs are also subject to KZC [100.95](#).
- (3) Signs which are permitted to be placed within a public street right-of-way shall be located between the curb and the abutting private property, or where no curb exists, between the edge of the paved travel lane or paved shoulder and the abutting private property, but in no case on a sidewalk or driveway.
-

B. All temporary or special signs which are in violation of any provision of this section, shall be brought into conformance upon ten day's written notice of violation to the responsible party by the Planning Official, pursuant to the notice provisions of KZC [170.35](#). If the responsible party fails to remove or correct the sign violation within seven (7) calendar days after being served with notice of the violation, the Planning Official shall have the authority to remove the violative sign(s), and to assess the charges for such removal against the responsible party. For the purposes of this section, the "responsible party" shall be the owner or operator of the subject property upon which the sign violation occurs; provided that, in the case of off-site directional signs, the "responsible party" shall be the applicant(s) for the off-site directional sign; and provided further that, in the case of political signs, the responsible party shall be the political candidate and/or the manager of the political campaign promoted by the violative sign(s).

C. Notwithstanding the other provisions of this section, the Planning Official may remove without notice any temporary or special sign which is in violation of any provision of this chapter and is located in the public right-of-way or on public property, and may assess the costs of removal of such signs against the responsible party.

(Ord. 4408 § 1, 2013; Ord. 4286 § 1, 2011; Ord. 3814 § 1, 2001)

100.112 Special Signs

100.112.10 Off-Site Directional:

1. Maximum number: One.
 2. Maximum sign area: Sixteen square feet per use, not to exceed 64 sq. ft.
 3. Permitted location: Private property/public right of way. Signs which are permitted to be placed within a public street right-of-way shall be located between the curb and the abutting private property, or where no curb exists, between the edge of the paved travel lane or paved shoulder and the abutting private property, but in no case on a sidewalk or driveway.
- (Relocated from Temporary Signs, 100.115).***

100.115 Temporary/~~Special~~ Signs

Temporary signs are those intended and designed to be displayed for a limited period of time. They must be made of cloth, paper, cardboard or similar lightweight material and must be installed to be easily removed. They may not be lighted. Signs which are permitted to be placed within a public street right-of-way shall be located between the curb and the abutting private property, or where no curb exists, between the edge of the paved travel lane or paved shoulder and the abutting private property, but in no case on a sidewalk or driveway.

100.115.10 Signs for Properties for Sale or Rent: *(Replaces “real estate” signs)*

1. Maximum number: One per dwelling unit or property for sale or rent;
2. Maximum sign area:
 - a. Detached dwelling units: six square feet per sign face;
 - b. Other uses: 32 square feet per sign face;
3. Permitted location: On the property for sale or rent;
4. Duration: Must remove after the property is sold or rented.
5. Off-site signs: In addition to the provisions above, during any time when a property is open for public viewing, additional off site signs may be displayed subject to the following:
 - a. Maximum Number: One sign per block within ¼ mile of the property for sale or rent;
 - b. Maximum sign area: 6 square feet per sign face;
 - c. Permitted Location: Except for areas required to be kept clear of sight obstructions by section 115.135 of this code:
 - i. On private property, with the consent of the property owner, or
 - ii. In public rights of way, other than paved vehicular travel lanes, paved parking areas, sidewalks or pedestrian paths, driveway aprons and center medians.

100.115.20 Signs for Properties with Active Construction: *(Replaces “construction” signs)*

1. Maximum number: One per right of way abutting the property;
2. Maximum sign area: 32 square feet per sign face;
3. Permitted location: On the property actively under construction.

100.115.30 Signs Displayed Prior to, During and After Elections *(Replaces “political” signs)*

1. Maximum number: No limit;
2. Maximum sign area: Six square feet per sign face;
3. Permitted location:
 - a. On private property with the consent of the property owner; and
 - b. In public rights of way, other than paved vehicular travel lanes, paved parking areas, sidewalks or pedestrian paths, driveway aprons and center medians;
4. Permitted duration: Between 30 days prior to and 7 days after an election.

100.115.40 Temporary Signs in Non-Residential Zones *(Replaces “temporary commercial” signs)*

1. Maximum number: No limit;
2. Maximum sign area: No maximum;
3. Permitted location: Property in a nonresidential zone on which the business is located, attached to the face of a building, a wall or fence;
4. Permitted duration: During the use, event or condition advertised on the sign, but not more than 60 days.

100.115.50 Signs Associated with Temporary Events *(Replaces “private advertising” signs)*

1. Maximum number: No limit;
2. Maximum sign area: Six square feet per sign face;

3. Permitted location:

- a. On the property with which the sign is associated; and
 - b. In public rights of way, other than paved vehicular travel lanes, paved parking areas, driveway aprons and center medians. Signs placed on sidewalks must be located outside of the path of pedestrian travel, leaving a travel width of at least five feet;
4. Permitted duration: Between two days prior to and four hours after the event.

100.120 Bonds (No changes proposed to this section in Phase I)

The City may require a bond under Chapter [175](#) KZC to ensure compliance with any aspect of this chapter.

The Kirkland Zoning Code is current through Ordinance 4514, passed April 19, 2016.
Disclaimer: The City Clerk's Office has the official version of the Kirkland Zoning Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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ORDINANCE O-4532

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTERS 5 AND 100 OF THE KIRKLAND ZONING CODE REGARDING DEFINITIONS AND REGULATIONS TO ENSURE CONTENT NEUTRALITY IN SIGN REGULATIONS AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM16-00954.

1 WHEREAS, the City Council has received a recommendation
2 from the Kirkland Planning Commission to amend various sections of
3 Chapters 5 and 100 of the Kirkland Zoning Code, as set forth in the
4 report and recommendation of the Planning Commission dated
5 September 8, 2016 and bearing Kirkland Planning and Building
6 Department File No. CAM16-00954; and
7

8 WHEREAS, prior to making the recommendation, the Kirkland
9 Planning Commission, following notice as required by RCW 36.70A.035,
10 held a public hearing on the amendment proposals on September 8,
11 2016; and
12

13 WHEREAS, pursuant to the State Environmental Policy Act
14 (SEPA), Chapter 43.21c RCW, a SEPA Addendum to Existing
15 Environmental Documents was issued by the responsible official
16 pursuant to WAC 197-11-625 on August 24, 2016; and
17

18 WHEREAS, in a regular public meeting on October 4, 2016, the
19 City Council considered the environmental documents received from the
20 responsible official, together with the report and recommendation of the
21 Planning Commission and a report from staff,
22

23 NOW, THEREFORE, the City Council of the City of Kirkland do
24 ordain as follows:
25

26 Section 1. Chapters 5 and 100 of the Kirkland Zoning Code are
27 amended as set forth in Attachment A attached to this ordinance and
28 incorporated by reference.
29

30 Section 2. If any section, subsection, sentence, clause, phrase,
31 part or portion of this ordinance, including those parts adopted by
32 reference, is for any reason held to be invalid or unconstitutional by any
33 court of competent jurisdiction, such decision shall not affect the validity
34 of the remaining portions of this ordinance.
35

36 Section 3. To the extent the subject matter of this ordinance is
37 subject to the disapproval jurisdiction of the Houghton Community
38 Council, this ordinance shall become effective within the Houghton
39 Community Municipal Corporation only upon approval of the Houghton
40 Community Council or the failure of said Community Council to
41 disapprove this ordinance within 60 days of the date of the passage of
42 this ordinance.

43 Section 4. Except as provided in Section 3, this ordinance shall
44 be in full force and effect five days from and after its passage by the
45 Kirkland City Council and publication, pursuant to Kirkland Municipal
46 Code 1.08.017, in the summary form attached to the original of this
47 ordinance and by this reference approved by the City Council, as
48 required by law.

49
50 Section 5. A complete copy of this ordinance shall be certified
51 by the City Clerk, who shall then forward the certified copy to the King
52 County Department of Assessments.

53
54 Passed by majority vote of the Kirkland City Council in open
55 meeting this _____ day of _____, 2016.

56
57 Signed in authentication thereof this _____ day of
58 _____, 2016.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

Phase I - Zoning Code Amendments

A. Amendments to Chapter 5:

Delete:

- ~~5.10.165 **Construction:** A sign identifying parties involved in the construction of a project – size limited to 32 sq. ft. per face during construction;~~
- ~~5.10.327 **Fuel price:** A sign indicting the price of fuel at a gas station – one sign allowed per abutting right of way, maximum size of 20 sq. ft. per sign face;~~
- ~~5.10.420 **Instructional:** A sign indicating public information such as restrooms and exit ways – maximum size of 2 sq. ft. per face;~~
- ~~5.10.425 **Integral Sign:** A sign on the façade of a building noting the date of and other information about construction – one sign up to six sq. ft. in size allowed per structure;~~
- ~~5.10.585 **Off-site directional:** An off-site sign providing direction to a business or use – maximum size of 64 sq. ft. and 16 sq. ft. per use, must be approved by the Planning Director;~~
- ~~5.10.675 **Political:** A sign advertising a candidate for public office or a ballot proposition – maximum size of six sq. ft. per sign face, not allowed in street medians, must be removed seven days after election;~~
- ~~5.10.690 **Private Advertising:** A sign announcing an event or concern of personal interest to the user, such as “garage sale” or “lost dog” – no maximum number, may be 16 sq. ft. per sign face, may be no closer than 50 feet to another such sign, must be removed at end of use, event or condition;~~
- ~~5.10.700 **Private Notice:** A sign announcing a restriction on a type of action, such as “no trespassing” – maximum size of 2 sq. ft. per face;~~
- ~~5.10.710 **Private Traffic Direction:** Private property sign with information about vehicular movement – no maximum number, maximum size of 4 sq. ft. per sign face;~~
- ~~5.10.760 **Real Estate off-site:** A real estate sign located off the property for sale or rent – size limited to six sq. ft. per face, may have one per block, allowed only while property is for sale or lease;~~
- ~~5.10.765 **Real Estate on-site:** A sign advertising and located on a property for sale or rent- maximum size varies for different uses from 6 sq. ft. to 64 sq. ft. per face, allowed only while property is for sale or lease;~~
- ~~5.10.923 **Temporary commercial:** A non-permanent sign displaying temporary messages – no maximum number or size, must be removed at end of use, event or condition, but no longer than 60 days;~~
- ~~5.10.992 **Window sign:** A sign located inside a window and visible from the exterior of a building.~~

Revise:

- 5.10.115 **Changing Message Center:** An electronically controlled ~~public service time and temperature~~ sign where copy changes are shown on the same lamp bank.

B. Amendments to Chapter 100 Text – Remove Content-Related Text

Chapter 100 – SIGNS

Sections:

- [100.05](#) User Guide
- [100.10](#) Purpose
- [100.15](#) Scope and Exclusions
- [100.20](#) International Building Code – Compliance Required
- [100.25](#) Required Permits
- [100.30](#) Sign Type
- [100.35](#) Number of Signs
- [100.40](#) Sign Area
- [100.45](#) Sign Area Chart
- [100.50](#) Designated Corridors
- [100.52](#) CBD, JBD and YBD – Certain Signs Prohibited
- [100.55](#) Development Containing Uses in More Than One (1) Sign Category
- [100.60](#) Allocation of Sign Area within a Development with More Than One (1) Use or Tenant
- [100.65](#) Sign Height and Dimensions
- [100.70](#) Special Regulations Regarding Pole Signs
- [100.75](#) Location of Signs
- [100.80](#) Master Sign Plan
- [100.85](#) Prohibited Devices
- [100.90](#) Sign Maintenance and Removal
- [100.95](#) Landscaping Around Ground-Mounted Signs
- [100.100](#) Structural Components – Overall Appearance
- [100.110](#) Illumination Limitations on Electrical Signs
- [100.112](#) ~~Special Signs~~
- [100.115](#) Temporary/~~Special~~ Signs
- [100.120](#) Bonds

100.05 User Guide

Chapters [15](#) through [56](#) KZC, which contain the use zone charts or development standards tables, assign a sign category to each use in each zone. This category is either A, B, C, D, E, or F. This chapter contains the specific requirements in each sign category. If you do not know what sign category applies to the subject property, you should consult the appropriate use zone chart or development standards table.

This chapter also contains regulations regarding special signs and temporary signs ~~(e.g., political, real estate or temporary signs)~~. These regulations are contained in KZC [100.112](#) and [KZC 100.115](#).

For properties within jurisdiction of the Shoreline Management Act, see Chapter [83](#) KZC.

(Ord. 4476 § 3, 2015; Ord. 4252 § 1, 2010)

100.10 Purpose

It is the purpose of this chapter to promote: balance the public interest and private business needs with the objectives of creating a community that is livable, sustainable and connected. Standards and regulations for Kirkland’s signs are designed to promote public safety and aesthetics in that they:

1. Support the economic well-being of all businesses by ~~through~~ providing sufficient means to identify their locations, products and services; ~~Commercial communications that accommodate the need of~~

~~the business community to convey information to the public; and~~

2. ~~Protect and enhance~~ The protection and enhancement of the visual character and identity of the community by the thoughtful placement and design of signs; and
 3. ~~Eliminate~~ The elimination of clutter and visual distraction by through ensuring signs are appropriate in size and relationship to the subject property, street frontage and building size; and
 4. Allow sufficient flexibility and incentive for creative and innovative sign designs; and
 5. Uphold aesthetic standards of the city by through encouraging good design and the proper maintenance of signs; and
 6. Reduce potential hazards to motorists and pedestrians by reducing signage or visual advertising distractions and obstructions that contribute to limited safety and site visibility, and
 7. Recognize free speech rights by regulating signs in a content-neutral manner, and
6. ~~E~~nsure consistency with the goals and policies of the Comprehensive Plan.

100.15 Scope and Exclusions

.....
This chapter applies to all signs erected or altered after the effective date of this code. This chapter does not apply to the following:

1. Traffic signs, directional signs not exceeding four square feet, and signs displaying a public service message installed by a governmental agency.
2. Point-of-purchase advertising displays such as product dispensers.
3. National flags and flags of political subdivisions.
4. Gravestones.
5. Historical site plaques and signs integral to an historic building.
6. Structures or improvements intended for a separate use, such as phone booths, Goodwill- donation containers and newspaper recycling boxes.
7. Building addresses with numbers and letters not more than 10 inches in height.
8. Exterior signs or displays not visible from streets or ways open to the public.
9. Signs not exceeding two square feet per sign face, either providing public information about the facilities present on the subject property or announcing a restriction on the subject property.
10. One sign per structure, not exceeding six square feet in area, incorporated into the façade of a building and denoting the date of and other information about construction of the building.
11. Temporary window signs that are located inside a window and visible from the exterior of a building.

(Ord. 4408 § 1, 2013)

100.20 International Building Code – Compliance

-
1. General – Each sign erected or altered after the effective date of this code must comply with the provisions of the International Building Code as adopted by the City.
 2. Conflict of Provisions – If any provision of this chapter conflicts with the International Building Code, the provision of this chapter will govern.

(Ord. 4320 § 1, 2011)

100.25 Required Permits

1. The following permits must be obtained for signs regulated by this chapter:
 - a. A permit must be obtained from the Fire Department in order to erect or move a sign or alter the structural components of an existing sign.
 - b. A permit must be obtained from the Planning and Building Department in order to display any sign for which a permit is not required by subsection (1)(a) of this section, except where those signs are excluded in Section 100.15 or listed in Section 100.115. for real estate on-site (other than for dwelling units), real estate off-site, construction, temporary commercial, integral, private notice, instructional, private advertising, window signs, private traffic direction and off-site directional signs.

~~Change in the temporary message on a reader board or electronic message center is also excluded from this permit requirement.~~

2. If a proposed use or site plan requires approval through Process I, IIA, or IIB, as described respectively in Chapters [145](#), [150](#), and [152](#) KZC, the Planning Official may require that any sign proposed for that development be approved through the same process if he/she determines that it will provide more coordinated, effective signs.

(Ord. 4491 §§ 3, 4, 2015; Ord. 4286 § 1, 2011; Ord. 3954 § 1, 2004)

100.30 Sign Type

Permitted types of signs for each sign category are listed below:

1. Sign Category A – Wall-mounted and pedestal signs. Electrical signs are not permitted. ~~Commercial messages are not permitted.~~
2. Sign Category B – Wall-mounted, marquee and pedestal signs.
3. Sign Categories C, D and E – Wall-mounted, marquee, pedestal, projecting and monument signs. Projecting signs may not project above the roofline of the structure to which the sign is attached.
4. Sign Category F – Wall-mounted, marquee, pedestal, projecting, monument and pole signs. See also KZC [100.70](#) for special regulations regarding pole signs. Projecting signs may not project above the roofline of the structure to which the sign is attached.

~~See also KZC [100.115](#) for permitted special signs.~~

100.35 Number of Signs

The permitted maximum number of signs for each sign category is listed below. The permitted number applies only to the sign types listed in KZC [100.30](#) and does not apply to the special temporary signs described in KZC [100.115](#).

1. Sign Category A
 - a. ~~Signs identifying a Each~~ detached dwelling unit: one (1).
 - b. ~~Signs identifying a Each~~ complex or subdivision: no limitation.
2. Sign Category B – One (1) per right-of-way providing direct vehicular access.
3. Sign Categories C, D, E and F
 - a. Wall-mounted signs: no limitation.

b. Marquee signs: one (1) per business or use per right-of-way, or one per pedestrian entrance, or vehicular entrance. Sign may not exceed four square feet per sign face.

c. Projecting signs: One per pedestrian or vehicular entrance. Sign may not exceed four square feet per sign face.

c. Pedestal, monument, or pole sign ~~(including center identification signs)~~: One (1) per abutting right-of-way per development, provided that businesses selling fuel for motorized vehicles are allowed one additional sign.

100.40 Sign Area

The maximum permitted sign area for each sign category is listed below. The permitted area applies only to the sign types listed in KZC [100.30](#) and does not apply to the ~~special temporary~~ signs described in KZC [100.115](#).

1. Sign Category A

a. ~~Signs identifying a Each~~ detached dwelling unit: two (2) square feet.

b. ~~Signs identifying a Each~~ complex or subdivision: 20 square feet per sign face.

2. Sign Category B – 20 square feet per sign face.

3. Sign Categories C, D, E and F

a. Each development is allowed the sign area shown in the chart in KZC [100.45](#); and

b. Each individually licensed business within a multi-use complex is allowed 30 square feet; and

c. Each multi-use complex containing seven (7) or more uses or businesses is allowed an additional 64 square feet per sign face per pedestal, monument or pole sign or 64 square feet for one (1) wall-mounted sign per abutting right-of-way ~~to be used for center identification signs~~. These signs may not have internally lighted sign fields and must be constructed with materials, colors, shapes, or other architectural features which are the same as the buildings with which the signs are associated.

d. Businesses selling fuel for motorized vehicles are allowed an additional 20 square feet per sign face on the additional sign allowed by Section 100.35.3.c.

(Ord. 3814 § 1, 2001)

100.45 Sign Area Chart

General – The chart below establishes the sign area allowed by KZC [100.40](#)(3)(a). The sign area is primarily dependent on the linear frontage of the subject property and the sign category of the use. To use this chart, first find the applicable sign category along the top of the chart, then find the linear frontage of the subject property along the left margin of the chart. Where the sign category and the linear frontage meet you will find the maximum sign area for the subject property. Next, review the sign area multipliers listed on the right side of the chart to determine if there are any increases or decreases in the maximum allowable sign area.

TOTAL
 LINEAR
 FRONTAGE
 OF
 SUBJECT
 PROPERTY
 IS
 LESS
 THAN

SIGN
 CATEGORIES

⇒

⇩

1. Find the sign category that applies to your use.
2. Find the linear frontage of the subject property.
3. Where sign category and linear frontage meet you will find the maximum sign size for the subject property.
4. Use the multiplier to the right of the chart to determine if maximum allowable sign area is increased by the factors listed.

	C	D	E	F
25	20	26	48	56
30	20	28	50	59
35	20	29	52	62
40	21	31	55	65
45	21	32	57	68
50	22	33	59	70
55	23	34	61	72
60	23	35	63	74

SIGN AREA MULTIPLIERS

TOTAL
LINEAR
FRONTAGE
OF
SUBJECT
PROPERTY
IS
LESS
THAN



SIGN
CATEGORIES



1. Find the sign category that applies to your use.
2. Find the linear frontage of the subject property.
3. Where sign category and linear frontage meet you will find the maximum sign size for the subject property.
4. Use the multiplier to the right of the chart to determine if maximum allowable sign area is increased by the factors listed.

	C	D	E	F
65	24	36	64	76
70	25	37	66	78
75	25	38	68	80
80	26	39	69	82
85	26	40	70	84
90	27	40	72	85
95	27	41	73	87
100	28	42	74	88
105	28	42	76	90
110	29	43	77	91
115	29	44	78	92
120	30	44	79	94
125	30	45	80	95
130	30	46	81	96
135	31	46	82	97
140	31	47	83	99
145	32	47	84	100
150	32	48	85	101
155	32	48	86	102
160	33	49	87	103
165	33	49	88	104
170	33	50	89	105
175	34	50	89	106
180	34	51	90	107
185	34	51	91	108
190	34	52	92	109
195	35	52	93	110
200	35	53	94	111
205	35	53	94	112

1. Except on a designated corridor, if no signs within the entire development are cabinet signs, then multiply the figure in the chart by 1.25 and multiply the sign area allowed by KZC [100.40\(3\)](#) (b) by 1.25.

2. If all signs within the entire development, other than center identification signs, are building-mounted signs, multiply either the above product or the figure in the chart by 1.25 and multiply the sign area allowed by KZC [100.40\(3\)\(b\)](#) by 1.25.

TOTAL
LINEAR
FRONTAGE
OF
SUBJECT
PROPERTY
IS
LESS
THAN



SIGN
CATEGORIES

1. Find the sign category that applies to your use.
2. Find the linear frontage of the subject property.
3. Where sign category and linear frontage meet you will find the maximum sign size for the subject property.
4. Use the multiplier to the right of the chart to determine if maximum allowable sign area is increased by the factors listed.



	C	D	E	F
210	36	53	95	113
215	36	54	96	114
220	36	54	97	115
225	36	55	97	116
230	37	55	98	116
235	37	56	99	117
240	37	56	99	118
245	38	56	100	119
250	38	57	101	120
(Measured in Linear Feet)	(Measured in Square Feet)			

If the linear frontage of the subject property exceeds 250 feet, please refer to Plate 9.

(Ord. 3814 § 1, 2001)

100.50 Designated Corridors

1. General – KZC [100.45](#) contains limitations on sign area along the following designated corridors:
 - a. Market Street between Central Way and Forbes Creek Drive.
 - b. State Street, between NE 68th Street and 2nd Avenue South.
 - c. Lake Washington Boulevard and Lake Street South between NE 38th Street and 3rd Avenue South.
 - d. Lakeview Drive and NE 60th Street.
2. Electrical Signs Prohibited – Electrical signs shall not be located along designated corridors.

(Ord. 4408 § 1, 2013; Ord. 4333 § 1, 2011)

100.52 CBD, JBD and YBD – Certain Signs Prohibited

Cabinet signs shall be prohibited in all Central Business District (Chapter [50](#) KZC), Juanita Business District (Chapter [52](#) KZC) and Yarrow Bay Business District zones (Chapter [56](#) KZC).

(Ord. 4333 § 1, 2011; Ord. 3814 § 1, 2001)

100.55 Development Containing Uses in More Than One (1) Sign Category

If a subject property contains a mix of commercial and residential uses, the residential uses must comply with Sign Category A and the commercial uses must comply with the sign category assigned to the commercial uses that predominate on the subject property. Within mixed use projects, residential uses may have electrical signs (except on designated corridors) only if the electrical signs are attached to areas of the building associated with the commercial uses.

In all other cases, if the subject property contains uses assigned to different sign categories, the signs for the entire development must comply with the sign category assigned to the uses that predominate on the subject property.

(Ord. 4193 § 1, 2009)

100.60 Allocation of Sign Area within a Development with More Than One (1) Use or Tenant

The owner(s) of a development with more than one (1) use or tenant must submit to the City a letter allocating the allowable sign area for the development to the various uses or leasable area in the development or to sign (s) which identify the development. The owner(s) must agree in the letter to include the specified sign allocation in all leases, rental agreements, condominium by-laws and similar documents.

100.65 Sign Height and Dimensions

The permitted height of signs for each type of sign is listed below:

1. Wall-Mounted and Marquee Signs:

Shall not project above the roofline of the building, parapet or similar architecture feature to which they are attached.

2. Under Marquee Signs:

Shall not extend further from a building facade than the marquee or canopy to which they are attached.

3. Pedestal Signs:

- a. Shall not exceed five (5) feet above average ground elevation.
- b. Must conform to the dimensional standards shown on Plate [12](#).

4. Monument Signs:

- a. Shall not exceed 12 feet above average ground elevation.
- b. Must conform to the dimensional standards shown on Plate [13](#).

5. Pole Signs:

- a. Shall not exceed 20 feet above average ground elevation.
- b. Must conform to the dimensional standards shown on Plate [13A](#).

See KZC [100.70](#) for special regulations regarding pole signs.

(Ord. 4408 § 1, 2013)

100.70 Special Regulations Regarding Pole Signs

Pole signs are permitted only in Sign Category F. They must be approved using Process I, described in Chapter 145 KZC. However, prior to issuing a decision, the Planning Director may consult with the Planning Commission. The City may grant a request for a pole sign and may grant increased sign area and height if:

1. It is necessary to identify a use that is oriented toward and primarily intended to serve motorists on the interstate system; and
2. It will not be out of scale or character with signs for nearby uses; and
3. It will not focus attention away from existing signs oriented to the interstate motorist and create a demand for increased height for other signs; and
4. It will not create a traffic hazard.

100.75 Location of Signs

1. General

- a. Except as allowed under subsection (2) of this section, all signs must be located on the same lot or property as the use, building, or event with which the sign is associated.
- b. All signs shall be located outside those areas required in KZC 115.135 to be kept clear of all sight obstructions.

2. Exceptions – The provisions of subsection (1) of this section do not apply as follows:

- a. The provisions of subsection (1)(a) of this section do not apply to the signs regulated under KZC 100.115.
- b. Wall-mounted and marquee signs may extend into a right-of-way abutting the subject property only upon approval of the Department of Public Works.
- c. Monument and pole signs must be set back at least five (5) feet from all property lines, except in zones that have no setbacks.
- d. The owners of two (2) or more properties that adjoin or are separated only by a private roadway may propose a joint sign package to the City. The City will review and decide upon the proposal by the Planning Director. The City will approve the joint sign package if it will provide more coordinated, effective and efficient signs. In determining the total allowable size for all of the signs in the joint sign package, the City will use the total area of signs that would be allowed for all of the participating properties if they were not proposing a joint sign package. The decision of the Planning Director in approving or denying a joint sign package may be appealed using the appeal provision, as applicable, of Process I, KZC 145.60 through 145.110.

100.80 Master Sign Plan

1. General – This section provides a mechanism under which special consideration can be given to signs which use a master sign plan to encourage the integration of signs into the framework of the building or buildings on the subject property. The City may allow deviations from the requirements of this chapter consistent with the criteria listed in subsection (4) of this section. At an applicant's request, this section may also be used to review proposed changes to sign plans which were initially approved as part of a previously approved PUD or CUP under prior zoning ordinances or through Process IIA or IIB under this code (Ordinance 2740, as amended).

2. Required Review Process – An application for a master sign plan under this section will be reviewed and

decided upon by the Planning Director. However, prior to issuing a decision, the Planning Director may consult with the Planning Commission.

3. Required Information – As part of any application for a master sign plan under this section, the applicant shall submit the following information:

- a. A narrative describing how the proposal is consistent with the criteria listed in subsection (4) of this section.
- b. A colored rendering of the proposed signs in relation to development in the area and on the subject property.

4. Criteria – The City may approve a proposed master sign plan if:

- a. The proposal manifests exceptional effort toward creating visual harmony between the sign, buildings, and other components of the subject property through the use of a consistent design theme. The elements which create visual harmony may include but are not limited to color, materials, location, and/or type of sign(s) proposed.
- b. The proposed deviations are the minimum necessary to create readable signs from the rights-of-way providing direct vehicular access based on traffic speeds and patterns in the area of the subject property.
- c. The signs are in character and orientation with planned and existing uses in the area of the subject property.

5. Minor Modifications – The Planning Official may grant a minor modification to the approved master sign plan in writing if:

- a. The change does not increase the sign area of the subject property approved in the original master sign plan.
- b. The change maintains visual harmony with those elements specifically identified in the original master sign plan as integral to the design theme of the subject property (for example; location(s), color(s), material (s), or type(s)).

6. Appeals – The decision of the Planning Director in approving or denying a master sign plan under subsection (2) of this section and modifications granted by the Planning Official under subsection (5) of this section may be appealed using the appeal provision, as applicable, of Process I, KZC [145.60](#) through [145.110](#).

100.85 Prohibited Devices

1. General – Except as specifically allowed under subsection (2) of this section, the following devices and facilities are specifically prohibited:

- a. Pennants, banners, streamers and private flags except as permitted under KZC [100.115](#).
- b. Strings of lights, flashing lights, colored lights, advertising search lights, and flares.
- c. Twirlers, propellers, and wind-activated devices.

- d. Balloons.
 - e. ~~Signs of a garish or of a carnival-like nature.~~
 - f. Any sign that rotates, turns or moves by electrical or mechanical means except barber poles.
 - g. Projecting and under marquee signs, except as permitted by KZC [100.44535](#).
 - h. Any sign attached to or placed on a vehicle or trailer parked on public or private property. The prohibition of this subsection does not prohibit the identification of a firm or its principal products on a vehicle operating during the normal course of business.
 - i. Any portable outdoor sign, except ~~political, private advertising, or off site real estate signs~~ as regulated by KZC [100.115](#).
 - j. Any sign with the shape and colors of a traffic sign.
 - k. Any sign which constitutes a traffic hazard including but not limited to signs containing words such as "stop," "look," "danger."
2. Exceptions – The provisions of subsections (1)(a) through (k) of this section do not apply to the following:
- a. Holiday decorations ~~appropriately displayed.~~
 - b. The use of devices described in subsection (1) of this section for no more than seven (7) days to announce the grand opening of a business or use.
 - ~~c. The use of devices described in subsection (1) of this section if approved on a temporary basis using Process I, described in Chapter 145 KZC, if this will not be detrimental to any nearby neighborhood or use.~~
 - d. Thematic flags, banners or pennants that are complementary to and normally associated with the character of a specific location.
 - e. Changing message centers.

(Ord. 3814 § 1, 2001)

100.90 Sign Maintenance and Removal

1. Maintenance – All signs must be kept in a safe manner at all times. Damaged or deteriorated signs must be repaired within 30 days of notification by the City. The area surrounding groundmounted signs must be kept free of litter and debris at all times.
2. Removal – Unless otherwise specified in this code, the applicant or property owner must remove all nonconforming signs within 14 days and all conforming signs within 90 days of the date of the closure or discontinuance of the business, use or event with which the signs were associated.

100.95 Landscaping Around Ground-Mounted Signs

An area around the base of each ground-mounted sign equal to the sign area must be landscaped to improve the overall appearance of the sign and to reduce the risk of automobiles hitting the sign or supports of the sign. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases, planter boxes, pole covers, or decorative framing.

100.100 Structural Components – Overall Appearance

To the maximum extent possible, signs should be constructed and installed so that angle irons, guywires, braces, and other structural elements are not visible. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or woods.

100.110 Illumination Limitations on Electrical Signs

No sign may contain or utilize any of the following:

1. Any exposed incandescent lamp with a wattage in excess of 25 watts.
2. Any exposed incandescent lamp with an internal or external reflector.
3. Any continuous or sequential flashing operation.
4. Except for changing message centers, any incandescent lamp inside internally lighted signs.
5. External light sources directed towards or shining on vehicular or pedestrian traffic or on a street.
6. Internally lighted signs using 800 milliamp ballasts if the lamps are spaced closer than 12 inches on center.
7. Internally lighted signs using 425 milliamp ballasts if the lamps are spaced closer than six (6) inches on center.

100.115 Temporary/Special Signs

A. The chart below establishes regulations that apply to numerous signs of a temporary or special nature or purpose. These signs shall be permitted in addition to the signs permitted in Sign Categories A through F, and shall be subject to the requirements set forth in the following chart. Except as specifically stated in the chart, the signs in the chart are not subject to the regulations of KZC [100.30](#) through [100.75](#) and KZC [100.95](#).

No temporary or special signs shall be posted or placed upon public property; provided that, certain temporary signs may be posted or placed within certain portions of a public street right-of-way as identified by the chart below.

TYPE OF SIGN	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIGN AREA	PERMITTED LOCATION	PERMITTED DURATION OF DISPLAY
Real Estate, On-site	For each dwelling unit, use or development: 1 per broker per abutting right-of-way.	Dwelling units: 6 sq. ft. per sign face. Other uses or developments: 32 sq. ft. per sign face – not to exceed 64 sq. ft. per property for sale or rent.	Subject property.	Must remove when property is sold or rented.
Real Estate, Off-Site	1 per block per property for sale or rent.	6 sq. ft. per sign face.	Private property/public right-of-way. ⁽³⁾	Must remove when property is sold or rented.

Construction	1 per abutting right-of-way.	32 sq. ft. per sign face.	Subject property.	Shall not be displayed prior to issuance of a building permit. Must be removed prior to issuance of a certificate of occupancy.
Temporary Commercial	No maximum.	No maximum.	Subject property. Must remove after being entirely attached to a building face or fence.	being displayed 60 days or at end of use, event or condition, whichever comes first.
Integral	1 per structure.	6 sq. ft. per sign face.	Subject property.	No limitation.
Private Notice and Instructional	No maximum.	2 sq. ft. per sign face.	Subject property.	No limitation.
Private Advertising	No maximum.	16 sq. ft. per sign face.	No closer than .50 ft. from another sign advertising the same use, event or condition.	Must remove at end of use, event or condition.
Private Traffic Direction	No maximum.	4 sq. ft. per sign face.	Subject property.	No limitation.
Off-site Directional ⁽¹⁾	1.	16 sq. ft. per use, not to exceed 64 sq. ft.	Private property/public right-of-way. ⁽³⁾	Determined on case-by-case basis.
Political right-of-way. ⁽³⁾	No maximum.	6 sq. ft. per sign face.	Private property/public	No later than 7 days after the final election.
Projecting and Under Marquee	1 per pedestrian or vehicular entrance.	4 sq. ft. per sign face.	Subject property right-of-way abutting subject property. For uses subject to Sign Categories C, D, E and F only. Shall not project above roofline of structure to which sign is attached.	No limitation.
Fuel Price ⁽²⁾	1 per abutting right-of-way.	20 sq. ft. per sign face.	Subject property.	No limitation.
Window Sign	No maximum.	No limitation.	Subject property.	No limitation

(1) Must be approved by the Planning Director. Shall only be approved if there is a demonstrated need for an off-site sign because of poor visibility or traffic patterns. All uses in an area wanting a permanent off-site directional sign must use one (1) sign. The applicant must show that the proposed sign can accommodate all uses in the area that may reasonably need to be listed on the sign. The decision of the Planning Director in approving or denying an on-site directional sign may be appealed using the appeal provision, as applicable, of Process I, KZC [145.60](#) through [145.110](#).

(2) Fuel price signs are also subject to KZC [100.95](#).

(3) Signs which are permitted to be placed within a public street right-of-way shall be located between the curb and the abutting private property, or where no curb exists, between the edge of the paved travel lane or paved shoulder and the abutting private property, but in no case on a sidewalk or driveway.

B. All temporary or special signs which are in violation of any provision of this section, shall be brought into conformance upon ten day's written notice of violation to the responsible party by the Planning Official, pursuant to the notice provisions of KZC [170.35](#). If the responsible party fails to remove or correct the sign violation within seven (7) calendar days after being served with notice of the violation, the Planning Official shall have the authority to remove the violative sign(s), and to assess the charges for such removal against the responsible party. For the purposes of this section, the "responsible party" shall be the owner or operator of the subject property upon which the sign violation occurs; provided that, in the case of off-site directional signs, the "responsible party" shall be the applicant(s) for the off-site directional sign; and provided further that, in the case of political signs, the responsible party shall be the political candidate and/or the manager of the political campaign promoted by the violative sign(s).

C. Notwithstanding the other provisions of this section, the Planning Official may remove without notice any temporary or special sign which is in violation of any provision of this chapter and is located in the public right-of-way or on public property, and may assess the costs of removal of such signs against the responsible party.

(Ord. 4408 § 1, 2013; Ord. 4286 § 1, 2011; Ord. 3814 § 1, 2001)

100.112 Special Signs

100.112.10 Off-Site Directional:

1. Maximum number: One.
2. Maximum sign area: Sixteen square feet per use, not to exceed 64 sq. ft.
3. Permitted location: Private property/public right of way. Signs which are permitted to be placed within a public street right-of-way shall be located between the curb and the abutting private property, or where no curb exists, between the edge of the paved travel lane or paved shoulder and the abutting private property, but in no case on a sidewalk or driveway.

100.115 Temporary/~~Special~~ Signs

Temporary signs are those intended and designed to be displayed for a limited period of time. They must be made of cloth, paper, cardboard or similar lightweight material and must be installed to be easily removed. They may not be lighted. Signs which are permitted to be placed within a public street right-of-way shall be located between the curb and the abutting private property, or where no curb exists, between the edge of the paved travel lane or paved shoulder and the abutting private property, but in no case on a sidewalk or driveway.

100.115.10 Signs for Properties for Sale or Rent:

1. Maximum number: One per dwelling unit or property for sale or rent;
2. Maximum sign area:
 - a. Detached dwelling units: six square feet per sign face;
 - b. Other uses: 32 square feet per sign face;
3. Permitted location: On the property for sale or rent;
4. Duration: Must remove after the property is sold or rented.
5. Off-site signs: In addition to the provisions above, during any time when a property is open for public viewing, additional off site signs may be displayed subject to the following:
 - a. Maximum Number: One sign per block within ¼ mile of the property for sale or rent;
 - b. Maximum sign area: 6 square feet per sign face;
 - c. Permitted Location: Except for areas required to be kept clear of sight obstructions by section 115.135 of this code:
 - i. On private property, with the consent of the property owner, or
 - ii. In public rights of way, other than paved vehicular travel lanes, paved parking areas, sidewalks or pedestrian paths, driveway aprons and center medians.

100.115.20 Signs for Properties with Active Construction:

1. Maximum number: One per right of way abutting the property;
2. Maximum sign area: 32 square feet per sign face;
3. Permitted location: On the property actively under construction.

100.115.30 Signs Displayed Prior to, During and After Elections

1. Maximum number: No limit;
2. Maximum sign area: Six square feet per sign face;
3. Permitted location:
 - a. On private property with the consent of the property owner; and
 - b. In public rights of way, other than paved vehicular travel lanes, paved parking areas, sidewalks or pedestrian paths, driveway aprons and center medians;
4. Permitted duration: Between 30 days prior to and 7 days after an election.

100.115.40 Temporary Signs in Non-Residential Zones

1. Maximum number: No limit;
2. Maximum sign area: No maximum;
3. Permitted location: Property in a nonresidential zone on which the business is located, attached to the face of a building, a wall or fence;
4. Permitted duration: During the use, event or condition advertised on the sign, but not more than 60 days.

100.115.50 Signs Associated with Temporary Events

1. Maximum number: No limit;

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- 2. Maximum sign area: Six square feet per sign face;
 - 3. Permitted location:
 - a. On the property with which the sign is associated; and
 - b. In public rights of way, other than paved vehicular travel lanes, paved parking areas, driveway aprons and center medians. Signs placed on sidewalks must be located outside of the path of pedestrian travel, leaving a travel width of at least five feet;
 - 4. Permitted duration: Between two days prior to and four hours after the event.

100.120 Bonds

The City may require a bond under Chapter [175](#) KZC to ensure compliance with any aspect of this chapter.

The Kirkland Zoning Code is current through Ordinance 4514, passed April 19, 2016.
Disclaimer: The City Clerk's Office has the official version of the Kirkland Zoning Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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PUBLICATION SUMMARY
OF ORDINANCE O-4532

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTERS 5 AND 100 OF THE KIRKLAND ZONING CODE REGARDING DEFINITIONS AND REGULATIONS TO ENSURE CONTENT NEUTRALITY IN SIGN REGULATIONS AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM16-00954.

SECTION 1. Provides amendments related to definitions and development regulations for signs in Chapter 5 and Chapter 100 of the Kirkland Zoning Code.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Provides that the effective date of the ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code Section 1.08.017 and establishes the effective date as five days after publication of summary.

SECTION 5. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2016.

I certify that the foregoing is a summary of Ordinance 4532 approved by the Kirkland City Council for summary publication.

City Clerk