



CITY OF KIRKLAND
Planning and Building Department
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MEMORANDUM

To: Houghton Community Council

From: Jon Regala, Planning Supervisor
Adam Weinstein, Deputy Planning Director

Date: February 16, 2018

File No.: CAM17-00419

Subject: RECONSIDERATION OF RECOMMENDATIONS TO TEMPORARY SIGN AND PERMANENT OFF-SITE SIGN REGULATIONS

RECOMMENDATION

- Consider potential impacts resulting from allowing temporary A-frame signs for commercial uses.
- Deliberate and determine if the previous recommendations on the amendments should be revised. The recommendation will be transmitted to the City Council.

BACKGROUND DISCUSSION

On January 11, 2018, a joint public hearing with the Planning Commission and Houghton Community Council (HCC) was held regarding amendments to the City's temporary sign and permanent off-site sign regulations. Following public testimony and deliberation, the Planning Commission and HCC recommended that the following amendments be considered by the City Council (see Attachment 1 for proposed regulatory text (redline version)):

1. Combine and clarify various locational standards.
2. Include A-frame signs as an allowed sign type for properties for sale or rent, and allow signs to be located off-site within ¼ mile of the subject property, during open house hours only.
3. Make no changes to the list of prohibited signs in Kirkland Zoning Code (KZC) 100.85.
4. Delete provisions for permanent off-site directional signs and allow such signs only through a Master Sign Plan application.
5. Include A-frame signs as an allowed sign type for commercial uses subject to the following standards:
 - a. Maximum number: 1 per business
 - b. Location: May be located on private property or in the right-of-way. The sign must allow for a minimum 5-foot walkway clearance if placed on a sidewalk and comply with all other locational standards in the KZC or Kirkland Municipal Code (KMC) (e.g., sight distance rules, fire lanes).
 - c. Maximum size: 6 sq. ft.

d. Duration: During business hours only

After the hearing, the HCC requested to further discuss their recommendations given concerns regarding sign clutter and the potential consequences of the loosened rules. In particular, the HCC would like to consider:

1. City of Mill Creek's use of post-style temporary signs
2. Locations in the City where signage is problematic or could become problematic, and an assessment of how the aesthetics of these areas could change with implementation of new sign rules.
3. Whether the code amendments should be deferred to a more comprehensive update of the sign code currently planned to be completed in 2018.

These topics are discussed below.

City of Mill Creek: Post-Style Temporary Signs

Currently A-frame signs are prohibited in the City of Mill Creek, except for real estate advertising purposes. In-lieu of A-frame signs, temporary post-style signs were first introduced as part of a pilot program in 2008 to provide businesses flexibility in displaying temporary signs (see Attachment 2, excerpt from Ord. No. 2008-682 adopted June 24, 2008).

In 2011, based on the success of the post-style signs, the City of Mill Creek adopted permanent regulations that allowed the continuance of this temporary sign type (see Attachment 3, excerpt from Ord. No. 2011-727 adopted May 3, 2011). Figure 1 summarizes the regulations. It should be noted that in Mill Creek a sign permit is required for this sign type and may be placed in the right-of-way only if a 'waiver' is granted by the Planning Director.

Staff Comment: Staff has the following concerns about Mill Creek's approach:

- The required design may be too prescriptive, and fabricating such signs could be expensive (compared to the cost of standard A-frame signs).
- Requiring a permit for these temporary signs may be unnecessarily onerous to business owners.
- The very strict design criteria employed by Mill Creek may not be sufficiently flexible to allow for customized, high-quality signs that reflect the design aesthetics of individual businesses.

A-Frame Scenarios

Two common violations regarding placement of temporary signs are shown below. At the same time, the scenarios below are desired by many business owners to advertise their businesses.

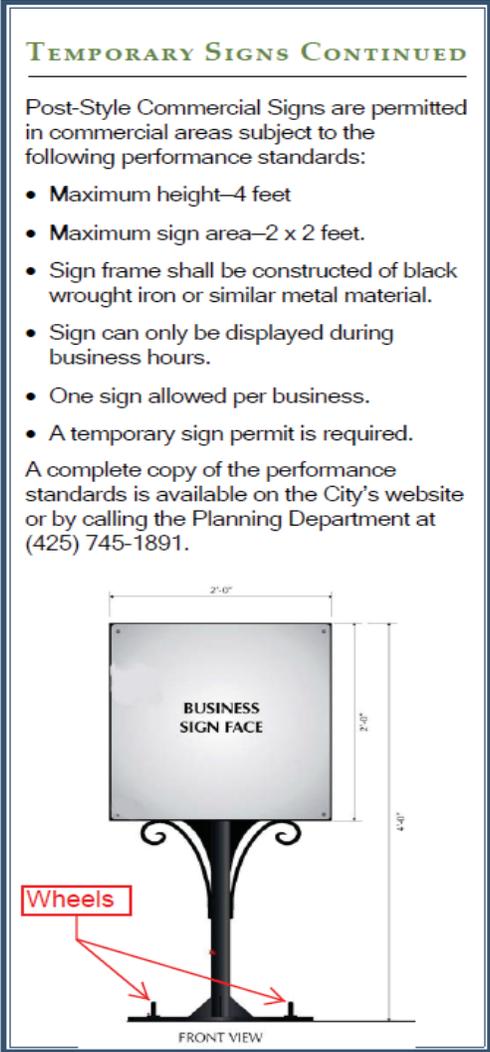


Figure 1

Scenario 1 (see Figures 2 and 3) – Sign exposure at the street front with the building already along the street front. Even if the code allowed temporary A-frame signs, there is no place to put such a sign other than the right of way.



Figure 2 – Central Way



Figure 3 – Lake Street

Scenario 2 (see Figures 4 to 6) – Buildings are set back at a distance from the street and are not easily visible; therefore there is a desire for sign exposure and/or directional signs at the street front. Such signs are commonly placed in the right-of-way or landscaped areas. As a result, multiple signs accumulate along the property frontage. The signs in the photos below are prohibited by code since they are either A-frame or flag signs, and the signs are located off-site and not on the face of a building, wall, and/or fence.



Figure 4 – NE 85th Street



Figure 5 – Market Street



Figure 6 – 124th Ave NE

Staff Comment: The proposed amendments would make the A-frame signs in both scenarios described above legal provided that the signs do not violate locational standards such as preserving at least 5 feet of walkway clearance on a sidewalk or pedestrian path.

In addition, the proposed amendments could potentially increase the amount of A-frame signage on properties that currently have few or no temporary signs. Figures 7 and 8 use dots to illustrate A-frames that could be allowed based on the number of tenants on a single property. As illustrated in these figures, a provision allowing every tenant on a multi-tenant property to display an A-frame sign could result in sign clutter within some properties.

To address this concern, code options would be to:

1. Prohibit such signs along the property roadway frontage when they are not located next to a building (see discussion on next page); or
2. Limit the number of A-frame signs along each property frontage. If limiting the number of signs, a suggestion from staff would be to limit the number to one sign for each frontage and that each sign would be allowed a slightly larger area (8 sq. ft.) to allow for multiple tenant panels to be placed within one A-frame sign.



Figure 7 - Menchie's property on 6th St.

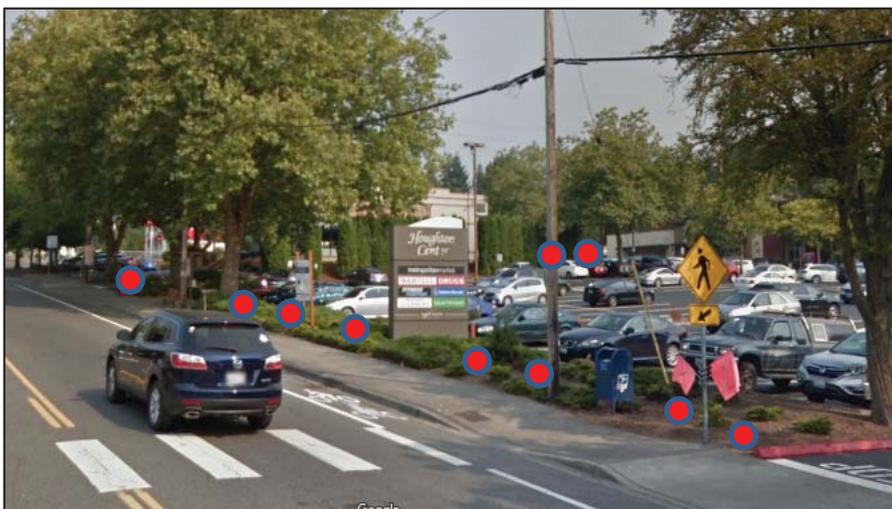


Figure 8 - Houghton Center on NE 68th St.

Additionally, staff walked around downtown, observed the current use of A-frame signs, and identified potential problems with sign design and placement that should be addressed in any code amendments.

Characteristics of successfully designed A-frame signs are (see Figures 9 to 11):

- Modest size. Common sizes for A-frame signs are (width x height):
 - 2' x 2' (4 sq. ft.)
 - 2' x 2.7' (5.3 sq. ft.)
 - 2' x 3' (6 sq. ft.)
 - 2' x 4' (8 sq. ft.)
 - 2.7' x 4' (10.7 sq. ft.)

Many of the A-frame signs in downtown are 6 sq. ft. or less. Code should limit A-frame signs to 6 sq. ft. or less and in scale with the storefront.

- High-quality design. There should be a visual harmony/theme between the sign and business in terms of color, material, and character. 'Dry-erase board' A-frame signs do not convey a high-quality aesthetic and are not suitable for Downtown.
- Location
 - Signs should be placed next to the building façade and near the building entrance.
 - Signs should not be located near the curb if placed on a sidewalk or pedestrian path.
 - Signs should allow ample clearance for pedestrians.



Figure 9 – A-frame near building entry



Figure 10 – A-frame near building entry



Figure 11 – A-frame near building entry

Figures 12 and 13 below show A-frame signs located along the curbside of the sidewalk near the drive aisle. The placement of the signs away from the building generates visual clutter and infringes on the pedestrian realm.



Figure 12 – A-frame near curb



Figure 13 – A-frame near curb

On a related note, a blade sign (see Figures 14 and 15) is a currently-permitted means of advertising businesses for office and commercial uses. Such signs are oriented perpendicular to the travel lane and are visible to pedestrians and drivers.

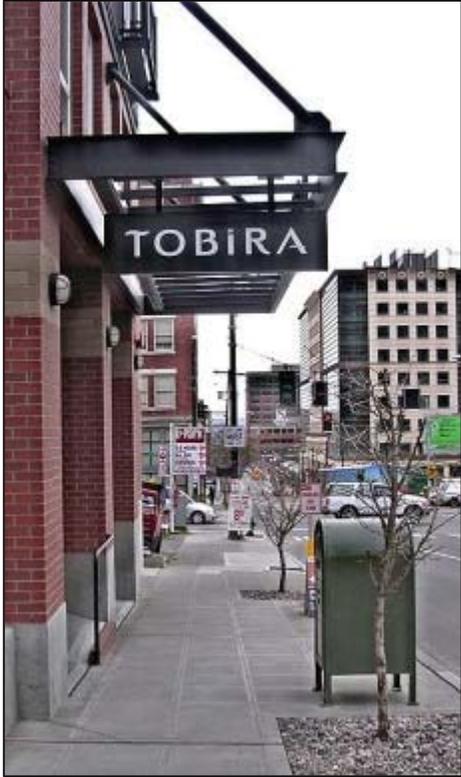


Figure 14 – Blade sign example



Figure 15 – Blade sign example

Staff Recommendation

To address the issues raised above regarding multiple A-frame signs along the sidewalk and/or property frontage, staff has prepared the following code revisions to the previously proposed amendments in Attachment 1 (see redlines below):

- 5. Temporary Signs Associated with a Commercial Use other than signs for properties for Sale or Rent
 - a. Maximum number: no limit;
 - b. Maximum sign area: no maximum;
 - c. Permitted location: property in a nonresidential zone on which the business is located, and attached to the face of a building, wall, or fence; and
 - d. Permitted duration: during the use, event or condition advertised on the sign, but not for more than 60 continuous days.
 - e. Permitted sign type: A-frame signs are allowed in addition to the signs listed in KZC 100.115.1.a subject to the following standards:
 - 1) Maximum number: one (1) per business

- 2) Maximum sign area: six (6) sq. ft.;
- 3) Permitted location: in addition to the locational standards in KZC 100.115.1.c, the following apply:
 - a) A-frame signs shall be placed adjacent to the building wall at the building entrance. Such signs are allowed to be located in the right-of-way provided that there is a minimum 5-foot walkway clearance if placed on a sidewalk or pedestrian path. In no case shall the sign be placed along the curbside of a sidewalk or pedestrian path; and
 - b) In-lieu of an A-frame at a building entrance, one (1) stand-alone A-frame sign is allowed per property for a multi-tenant panel sign. Such signs are allowed to be located in the right-of-way along the property frontage provided that there is a minimum 5-foot walkway clearance if placed on a sidewalk or pedestrian path. In no case shall the sign be placed along the curbside of a sidewalk, or pedestrian path.
- 4) Permitted duration: signs shall be displayed only during business hours.
- 5) Prohibited sign types: A-frame signs with:
 - a) Changeable letters; (see Figure 16)
 - b) An erasable sign face with a white writing surface (see Figure 17). An erasable A-frame sign is allowed if it has a black or dark gray writing surface.(see Figure 18)



Figure 16 – Changeable letter A-frame



Figure 17 – White writing surface



Figure 18 – Black/dark gray writing surface

Sign Code Update (KZC Chapter 100)

A project to update the sign code - KZC Chapter 100 is on the Planning work program scheduled for completion in 2018. Staff is currently in the process of determining the project scope and timing. In the meantime, staff believes that temporary sign rules should be addressed now so that businesses have a clear understanding of the regulations as amended and to allow the City to enforce sign violations. A-frames and other similar signs that are currently prohibited have proliferated in recent years, and staff believes that a workable solution is needed as soon as possible.

Discussion points: There may be opportunities to improve upon the existing sign code to allow for additional flexibility and visibility for businesses and their signage needs. Ideas include:

- Taking a look at how we regulate blade/projecting signs
- Allowing more than one ground mounted sign if conditions are warranted by site conditions
- Increase sign area allowances

Are there other changes to the sign code that the HCC would like staff to explore as part of the larger sign code update project (staff will be returning for a more comprehensive workshop on this item)?

NEXT STEPS

The City Council is scheduled to take action on the proposed amendments on March 20, 2018.

ATTACHMENTS

1. Amendments presented at Jan. 11, 2018 Public Hearing
2. Pages from Ord. 2008-682 (City of Mill Creek)
3. Pages from Ord. 2011-727 (City of Mill Creek)

CC: Party of Record List for CAM17-00419
Code Enforcement Officers

PROPOSED CHANGES (Redlined Version)

TEMPORARY SIGNS

100.115 Temporary Signs

1. General - Temporary signs are those intended and designed to be displayed for a limited period of time for an associated use, event, and/or condition. Below are the general standards that apply to all temporary signs in Sections 2 through 6 below. Temporary signs are not subject to the regulations of KZC 100.30 through 100.75 and KZC 100.95.
 - a. Permitted sign type: They must be made of cloth, paper, cardboard or similar lightweight material and ~~must be~~ installed to be easily removed and as allowed in Sections 2 through 6 below. See KZC 100.85 for prohibited signs.
 - b. Illumination: must be non-illuminated. They may not be lighted.
 - c. Permitted location - All temporary signs shall:
 - 1) Be located on the subject property except as allowed in Sections 2 through 6 below;
 - 2) Not be placed in paved vehicular travel lanes, paved parking areas, and driveway aprons;
 - 3) Not be placed in private sidewalks or pedestrian paths except when there is 5' or greater of walkway clearance; and
 - 4) Comply with all locational standards for signs in the Kirkland Zoning and Municipal codes, including but not limited to the prohibition of temporary signs in public parks (KMC 11.80.040) and fire lanes (Fire Department Operating Policies), near fire hydrants (Fire Department Operating Policies), on utility poles, street furniture, utility vaults, and street trees (KMC 11.24.020(1)(k)), and areas required to be kept clear of sight obstructions (KZC 115.135). 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.
2. Signs for Properties for Sale or Rent
 - a. The following applies to temporary signs for properties for sale or rent, except as allowed in subsection b of this section:
 - 1) Maximum number: one (1) per dwelling unit or property for sale or rent;
 - 2) Maximum sign area:
 - a) Detached dwelling units: six (6) 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) Permitted sign type: A-frame signs are allowed in addition to signs listed in KZC 100.115.1.a.
 - 5) Permitted duration: must remove after the property is sold or rented;
 - b. ~~Off-site signs: In addition to the provisions above, during any time when a property is open for public viewing, additional off-site temporary signs may be displayed subject to the following:~~

- 1) Maximum ~~N~~number: ~~One~~ (1) sign per block within one-quarter (1/4) mile of the property for sale or rent;
 - 2) Maximum sign area: six (6) square feet per sign face;
 - 3) Permitted location: ~~Except for areas required to be kept clear of sight obstructions by KZC 115.135:~~
 - a) On private property, with the consent of the property owner, or
 - b) In public rights-of-way, 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, driveway, or center median.~~other than paved vehicular travel lanes, paved parking areas, sidewalks or pedestrian paths, driveway aprons and center medians.~~
 - 4) Permitted sign type: A-frame signs are allowed in addition to signs listed in KZC 100.115.1.a.
3. Signs for Properties with Active Construction
 - a. Maximum number: one (1) per right-of-way abutting the property;
 - b. Maximum sign area: 32 square feet per sign face;
 - c. Permitted ~~duration~~location: after development permit issuance and prior to final inspection on the property actively under construction.
 4. Signs Displayed Prior to, During and After Elections
 - a. Maximum number: no limit;
 - b. Maximum sign area: six (6) square feet per sign face;
 - c. Permitted location:
 - 1) On private property with the consent of the property owner; and
 - 2) In public rights-of-way, 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, driveway, or center median.~~other than paved vehicular travel lanes, paved parking areas, sidewalks or pedestrian paths, driveway aprons and center medians;~~
 - d. Permitted duration: no later than seven (7) days after the final election.
 5. Temporary Signs ~~in Nonresidential Zones~~Associated with a Commercial Use other than signs for properties for Sale or Rent
 - a. Maximum number: no limit;
 - b. Maximum sign area: no maximum;
 - c. Permitted location: property in a nonresidential zone on which the business is located, and attached to the face of a building, ~~a~~ wall, or fence;
 - d. Permitted duration: during the use, event or condition advertised on the sign, but not for more than 60 continuous days.
 6. Signs Associated with Temporary Events
 - a. Maximum number: no limit;
 - b. Maximum sign area: six (6) square feet per sign face;

- c. Permitted location:
- 1) On the property ~~where the event with which the sign is associated~~advertised by the sign is located; and
 - 2) In public rights-of-way, 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, driveway, or center median.~~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 (5) feet.~~
- d. Permitted duration: between two (2) days prior to and four (4) hours after the event.

OFF-SITE SIGNS (PERMANENT)

Delete entire section

~~100.112 Special Signs~~

- ~~1. Off-Site Directional~~
- ~~a. Maximum number: one (1).~~
 - ~~b. Maximum sign area: 16 square feet per use, not to exceed 64 square feet.~~
 - ~~c. 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.~~

Code Amendment #5

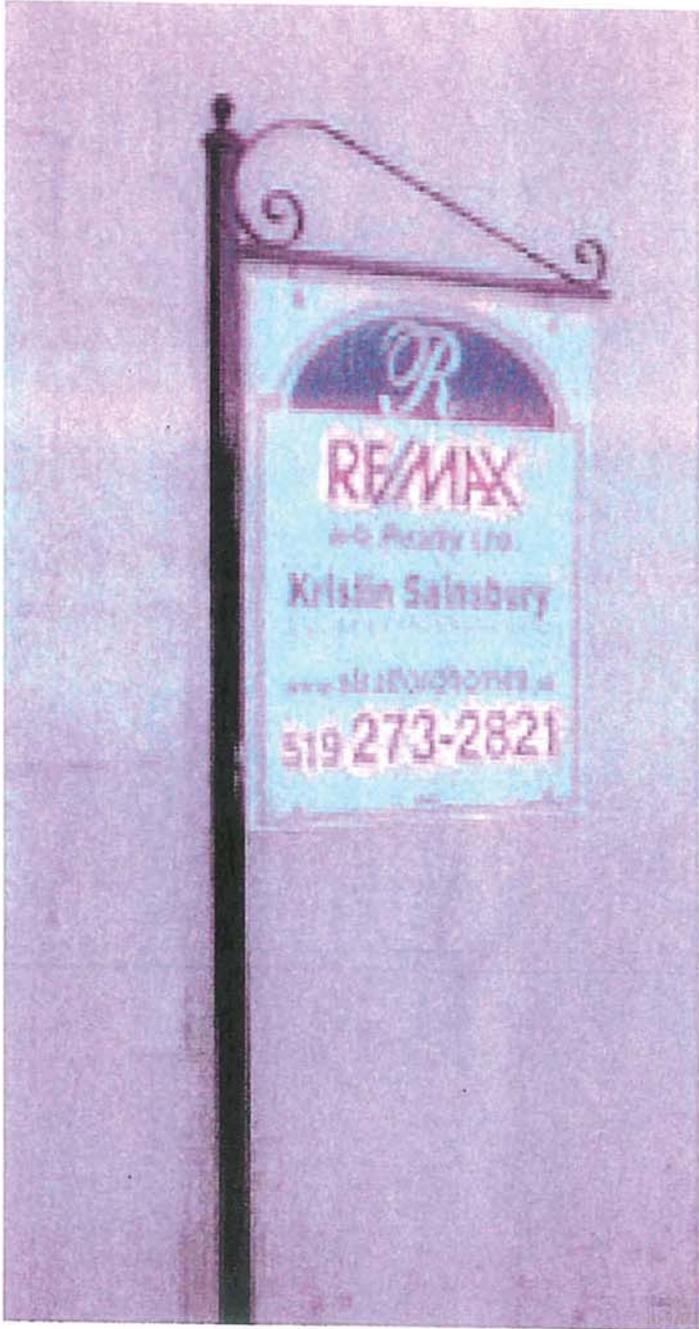
17.26.080 Temporary banners and signs – Commercial, shopping center and noncommercial.

A. Commercial.

1. Established Businesses.

- a) Banner sign: One temporary banner per year, not to exceed three feet in width and 12 feet in length, is permitted to celebrate business anniversaries, announce the opening of a multi-family building for sale or rent, and/or announce major sales for a period not to exceed 45 consecutive days. Both ends of the temporary banner shall be attached to the building and shall be placed no higher than the top of the wall of the building on which it is located. Temporary banners shall be permitted subject to the issuance of a temporary sign permit.
- b) Post-style sign: One temporary post-style sign per business (similar to those depicted in Figures ____ and ____) is allowed subject to conformance with the following performance standards:
 - i. Maximum sign height shall be four feet.
 - ii. Maximum sign area shall not exceed 2'x2'.
 - iii. The sign frame and post shall be constructed of wrought iron or similar metal material with a design that is substantially similar to Figures ____ and ____, as approved by the Director.
 - iv. Each sign shall be supported by a portable base that allows the sign to be moved indoors during non-business hours.
 - v. The sign frame, post and base shall be black. The sign frame, post and base shall not include any moving parts, such as propellers, spinners or twirlers.
 - vi. The sign may be displayed during business hours only.
 - vii. One sign shall be allowed per business.
 - viii. For multiple businesses located in a building that has a single primary, common entrance, only one sign shall be displayed at such entrance at any time. Signage shall be allowed only at the primary entrance, not at secondary entrances. It shall be the responsibility of the businesses that share the primary entrance to coordinate sign displays.
 - ix. Signs shall not be located in any street right-of-way or public access easement. Signs shall not interfere with traffic vision clearance or pedestrian movement. Signs shall be located no further than 15 feet from the building entrance and 15 feet as measured perpendicular from the building facade; see Figure #. Exceptions to this criterion shall only be allowed under special circumstances at the reasonable discretion of the Director of the Department of Community Development.
 - x. No sign shall be displayed until a temporary sign permit has been issued pursuant to this chapter. The temporary sign permit shall be kept readily available for inspection.

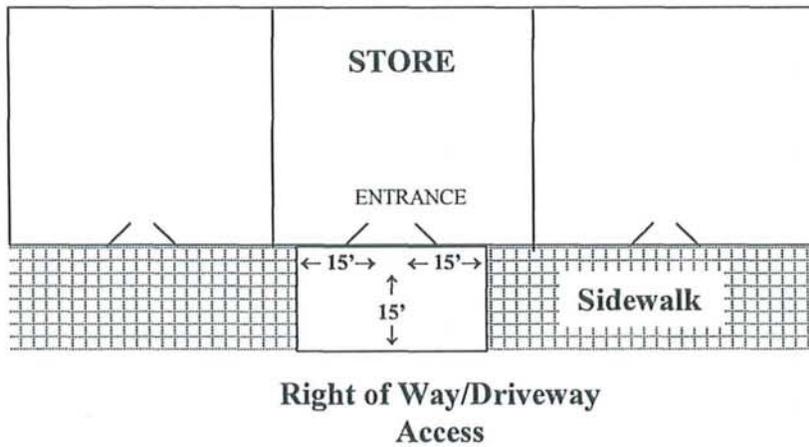






2008 CODE AMENDMENT #5

TEMPORARY COMMERCIAL SIGNS



Sign display area:
Sign shall be displayed no further than 15 feet from the business/building entrance, as measured perpendicular from the entrance.

Sidewalk/passageway:
Keep minimum 4' clear for pedestrian/handicapped access.

Package #2011-2 Proposed Code Amendments

**Code Amendments #2.1 and 2.2
 Section 17.26.080 - Temporary Post-Style Commercial Signs and Noncommercial Banners**

Issue: In response to concerns raised by local businesses and non-profit organizations in 2009, the City Council implemented two pilot programs that temporarily suspended portions of the City’s sign regulations as contained in MCMC Chapter 17.26. The first pilot program addressed the number and location requirements for commercial temporary post style signs and the second pilot program addressed the minimum amount of time required between issuing noncommercial banner permits. Both of the pilot programs included a provision to report back to the City Council on the effectiveness/impact of the pilot programs. Both pilot programs appeared to be successful, and Council has asked that the code be amended to include the provisions of the pilot programs.

Staff Recommendation: Amend the code as requested by Council.

Proposed Text:

17.26.080 Temporary banners and signs – Commercial, shopping center and noncommercial.

A. Commercial.

1. Established Businesses.

- a. Banner Sign. One temporary banner per year, not to exceed three feet in width and 12 feet in length, is permitted to celebrate business anniversaries, announce the opening of a multi-family building for sale or rent, and/or announce major sales for a period not to exceed 45 consecutive days. Both ends of the temporary banner shall be attached to the building and shall be placed no higher than the top of the wall of the building on which it is located. Temporary banners shall be permitted subject to the issuance of a temporary sign permit.

- b. Post-Style Sign. One temporary post-style commercial sign (post-style sign) per business (similar to those depicted in Figure 17-7) is allowed subject to conformance with the following performance standards:

- i. Maximum sign height shall be four feet.
- ii. Maximum sign area shall not exceed two feet by two feet.
- iii. The sign frame and post shall be constructed of wrought iron or similar metal material with a design that is substantially similar to Figure 17-7, as approved by the director of the department of community development.
- iv. Each sign shall be supported by a portable base that allows the sign to be moved indoors during nonbusiness hours.
- v. The sign frame, post and base shall be black. The sign frame, post and base shall not include any moving parts, such as propellers, spinners or twirlers.
- vi. The sign may be displayed during business hours only.
- vii. One sign shall be allowed per business.
- viii. For multiple businesses located in a building that has a

~~single primary, common entrance, only one sign shall be displayed at such entrance at any time. Signage shall be allowed only at the primary entrance, not at secondary entrances. It shall be the responsibility of the businesses that share the primary entrance to coordinate sign displays.~~

viii. A post-style sign may be displayed anywhere on the business property. "Business property" shall have its usual meaning in the context of a single-establishment, and in addition extend to the entire commercial center for any business located within such commercial center.

ix. Signs shall not be located in any street right-of-way or public access easement; provided this limitation may be waived, in whole or in part, upon application to the Director of Community Development, if the physical characteristics of the property (such as lack of adequate area outside the right-of-way or topography of the property outside the right-of-way) make it impractical to place the sign on private property. Upon receipt of a request for a waiver, the Director shall review the application for good cause shown, and may impose such additional conditions in writing as the Director determines appropriate to protect the public health, safety and welfare if the waiver is granted. At street intersections, driveways, corner or radius lots, or other potential traffic conflict points, no signs shall be located in an area that would obstruct the required sight distance as set forth in the current edition of the AASHTO Geometric Design Manual as determined by the city engineer. ~~Signs shall be located no further than 15 feet from the building entrance and 15 feet as measured perpendicular from the building facade; see Figure 17-8. Exceptions to this criterion shall only be allowed under special circumstances at the reasonable discretion of the director of the department of community development.~~

x. No sign shall be displayed until a temporary sign permit has been issued pursuant to this chapter. The temporary sign permit shall be kept readily available for inspection.

17.26.080 Temporary banners and signs – Commercial, shopping center and noncommercial.

C. Noncommercial.

1. Temporary signs, banners, posters, festoons, flags and pennants (collectively "banners") are permitted to announce a campaign, drive or event of a nonprofit, charitable or community organization which is located in the city. Such banners may be posted 14 days before the event and shall be removed within three days after the event. ~~No temporary permit for a noncommercial banner shall be issued within 60 days from the date of issuance of a previous noncommercial banner permit.~~ A maximum of six (6) temporary permits for noncommercial banners may be issued for the same location/address in any calendar year.

Code Amendment #2.3:

Section 17.26.080 Temporary banners and signs – Commercial, shopping center and noncommercial

Issue: In 2010, an Administrative Interpretation was approved regarding banner/sign regulation applicability to interior site locations (e.g., a school or church parking lot). The