Ordinance No. 3162

(Amending or Repealing Ordinances)

CFN=131 – Zoning Codes
Passed 4/5/1994
Relating to land use and zoning, amending Sec 15.06.050(3) of the Kent City Code to allow greater sign area for convenience stores with gasoline sales; and to eliminate the thirty square foot restriction on fuel price signs

Amended by Ords. 3409;3439,3543;3612;3648;4011
ORDINANCE NO. 3142

AN ORDINANCE of the City of Kent, Washington, relating to land use and zoning, amending Section 15.06.050(B) of the Kent City Code to allow greater sign area for convenience stores with gasoline sales; and to eliminate the thirty square foot restriction on fuel price signs.

WHEREAS, the City of Kent maintains a regulatory review process wherein citizens may petition, and the City Council may endorse, amendments to the City's Zoning Code; and

WHEREAS, a regulatory review request was filed by an applicant in 1993 which proposed certain amendments to the City's sign regulations pertaining to convenience stores with gasoline sales; and

WHEREAS, the Planning Commission reviewed the regulatory change and found that the proposed sign code changes were consistent with the regulations applicable to other commercial businesses; and

WHEREAS, in September of 1993, the Planning Commission held a public hearing and made a recommendation to the City Council on the proposed sign code changes; and

WHEREAS, in November of 1993, the City Council endorsed the recommendation of the Planning Commission and passed Ordinance No. 3142 to implement the amendments; and
WHEREAS, on January 6, 1994, it came to the attention of the Planning Department that the ordinance did not conform to the recommendation of the Planning Commission; and

WHEREAS, any change to the ordinance, as approved, required an additional public hearing and recommendation to the City Council; and

WHEREAS, on February 28, 1994, the Planning Commission held an additional public hearing to request an amendment to Section 15.06.050(B) in the Kent Zoning Code regarding convenience stores and gasoline sales; and

WHEREAS, the Planning Commission again reviewed the proposed regulatory change and clarified their recommendation to be consistent with the applicant's proposed amendment and the recommendation of the planning staff; and

WHEREAS, the City Council considered the Planning Commission's recommendation on April 5, 1994 and concurred with the proposed modifications to the City's sign regulations; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Kent City Code Section 15.06.050 (as previously amended by Ord. No. 3142; Ord. No. 2810 §1; Ord. No. 3050 §§ 6, 7), is hereby amended as follows:
Sec. 15.06.050. Regulations for specific districts.

In all districts the planning director shall have the option to waive sign type requirements in unique and special cases where due to building design or other special circumstance the development is unable to conform to stated standards.

A. Signs permitted in residential districts.
   1. Identification signs for single-family dwellings and duplexes. One (1) identification sign shall be permitted for each occupancy. The sign shall not exceed an area of three (3) square feet, shall not exceed a height of six (6) feet above the surface of the street, shall be attached directly to a building, fence, standard or mailbox, and shall be unlighted or provided with indirect illumination. Home occupations shall not be allowed additional sign area.
   2. Identification signs for multifamily dwellings. One (1) identification sign shall be permitted for each development, except that multiple-family dwellings with more than one (1) street frontage may be allowed an additional sign for each street frontage of such lot. Each sign shall not exceed an area of twenty-five (25) square feet, may be a wall or freestanding sign, shall be unlighted or indirectly lighted, and shall not exceed a height of six (6) feet above the ground if freestanding.
   3. Farm product identification signs. No permit is required, but such signs may not be located in the public right-of-way.

B. Signs permitted in neighborhood convenience commercial, community commercial, general commercial and commercial manufacturing districts. The aggregate sign area for
any lot shall not exceed one and one-half (1 1/2) feet for each foot of street frontage. Aggregate sign area for corner lots shall not exceed one square foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

1. Identification signs for occupancies. Each business establishment may have one (1) freestanding sign for each street frontage if not located in a shopping center, and three (3) additional signs.

   a. Freestanding sign. The freestanding sign shall not exceed a height of thirty (30) feet. The maximum sign area permitted is two hundred (200) square feet for the total of all faces. No one (1) face shall exceed one hundred (100) square feet. The sign may be illuminated.

   b. Additional signs. Three (3) additional signs shall be permitted subject to the following restrictions:

      (1) The total area of all signs, graphics or other advertising shall not be more than ten (10) percent of the building facade to which they are attached or on which they are displayed.

      (2) On properties where a pole sign cannot be erected due to setback requirements or building placement, a projecting sign may be allowed in lieu of the permitted freestanding sign. The projecting sign may not exceed fifteen (15) square feet in outside dimension.

2. Identification signs for shopping centers. One (1) freestanding identification sign, which may list the names of the occupants of the shopping center, shall be permitted for each street frontage of each shopping center. The maximum sign area permitted for a freestanding sign is two hundred (200) square feet for the total of all faces. No one (1) face shall
exceed one hundred (100) square feet. A freestanding sign shall not exceed a height of thirty (30) feet, and may be illuminated.

3. Automobile service station signs. The aggregate sign area for any corner lot shall not exceed one and one-half (1 1/2) square feet for each foot of lot frontage, and the aggregate sign area for any interior lot shall not exceed one and one-half square feet for each foot of lot frontage; and the permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

   a. Freestanding signs. One (1) freestanding lighted double-faced identification sign, not exceeding two hundred square feet for the total of all faces, with no such face exceeding one hundred (100) square feet, is permitted. Such sign shall not exceed a height of thirty (30) feet. If on a corner lot, two (2) monument signs not exceeding one hundred (100) square feet per sign for the total of all faces are permitted. Such monument signs shall not exceed a height of fifteen (15) feet. Freestanding signs shall be lighted during business hours only.

   b. Additional signs. Three (3) additional signs shall be permitted subject to the following restrictions: the total area of all signs, graphics or other advertising shall not be more than ten (10) percent of the building facade to which they are attached or on which they are displayed.

   c. Fuel price signs. Fuel price signs shall be included in the aggregate sign area, and shall be limited to thirty (30) square feet total.

4. Farm product identification signs. No permit is required, but such signs may not be located in the public right-of-way.
C. Signs permitted in downtown commercial and downtown commercial enterprise districts. The aggregate sign area for any lot shall not exceed one and one-half (1 1/2) square feet for each foot of street frontage. The aggregate sign area for corner lots shall not exceed one (1) foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

1. Identification signs for multitenant buildings.
   a. Wall sign. Each multitenant building may have one (1) identification wall sign for the building's identification for each street frontage. The sign shall not exceed a total of five (5) percent of the facade to which it is attached. The sign shall not name or advertise the individual tenants of the building. Aggregate sign area shall apply. A multitenant building will have the option of the sign described in this subsection a. or the identification sign described in subsection C.1.b. of this section.
   b. Freestanding sign. Each building may have one (1) freestanding sign on each street frontage. The sign may not exceed fifteen (15) feet in height. The maximum sign area permitted for the freestanding sign is one hundred (100) square feet for the total of all faces. No one (1) face shall exceed fifty (50) square feet. Multitenant freestanding signs shall not name or advertise the individual tenants of the building.

2. Identification signs for occupancies. Each occupant of a multitenant building shall be permitted two (2) wall signs. Such signs shall not exceed ten (10) percent of the facade of the individual business unit. Aggregate sign area shall not apply.
3. Identification signs for single-tenant building.
   a. Each building may have one (1) freestanding sign for each street frontage. The sign may not exceed a height of thirty (30) feet. The maximum sign area permitted for the freestanding sign is one hundred (100) square feet for the total of all faces. No one (1) face shall exceed fifty (50) square feet.
   b. Three (3) additional signs shall be permitted. All signs are subject to the aggregate sign area allowed. The total area of all signs, graphics or other types of signs shall not exceed ten (10) percent of the facade to which they are attached or on which they are displayed.

D. Signs permitted in office district.
   1. Generally. One (1) freestanding double-faced identification sign shall be permitted for each lot. The sign shall not exceed a maximum area of fifty (50) square feet for the total of all faces. No one (1) face shall exceed twenty-five (25) square feet. A freestanding sign shall not exceed a height of fifteen (15) feet and shall be unlighted or provided with indirect illumination.
   2. Identification signs for buildings. One (1) identification sign shall be permitted for each principal building. The sign shall not exceed an area of five (5) percent of the facade to which it is attached, shall be attached flat against the building, shall not project above the eave of the roof or the top of the parapet, and shall be unlighted or provided with indirect illumination. Such signs shall not advertise or name individual tenants of the building.
3. Identification signs for occupancies. Signs not exceeding a total of five (5) percent of the facade of the business unit to which they are attached shall be permitted for each occupancy in a multitenant building when the occupancy has outside frontage.

E. Signs permitted in industrial districts.
   1. Aggregate sign area. The aggregate sign area for lots in the MA and M1 districts shall not exceed one-half square foot for each foot of street frontage. The aggregate sign area for lots in the M2 and DLM districts shall not exceed three-fourths square foot for each foot of street frontage. The aggregate sign area for lots in the M3 district shall not exceed one (1) square foot for each foot of street frontage. In no case shall the aggregate sign area exceed one-half square foot for each foot of street frontage on a corner lot. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

   a. Identification signs for buildings. One (1) identification sign shall be permitted for each lot on each street frontage, which may be a freestanding sign or a wall sign. The maximum sign area permitted for a freestanding sign is two hundred (200) square feet for the total of all faces. No one (1) face shall exceed one hundred (100) square feet. If the sign is a wall sign its size shall not exceed twenty (20) percent of the building facade. A freestanding sign shall not exceed a height of twenty (20) feet. The sign may be illuminated.

   b. Identification signs for occupancies. One (1) identification sign shall be permitted for each occupancy on each street frontage and shall be a wall sign. The maximum size of the sign shall be ten (10) percent of the building...
facade. This sign may be illuminated. If the identification sign permitted under subsection E.1.a. of this section is a wall sign, an additional wall sign may be permitted on a building facade not facing a street frontage.

2. Farm product identification signs. No permit is required, but the sign may not be located in the public right-of-way.

F. Signs permitted in planned unit developments, special use combining districts and mobile home park districts and for conditional uses. All signs in planned unit developments, special use combining districts and mobile home parks and for conditional uses shall be incorporated as part of the developmental plan and approved with the developmental plan. Subsequent changes which conform to the adopted signing program may be granted by the planning director.

G. Signs permitted in shopping centers. The aggregate sign area for each occupant of a shopping center shall not exceed twenty (20) percent of the front facade of the unit. Wall signs are permitted on each exterior wall of the individual business unit. A minimum of thirty (30) square feet shall be permitted for any occupancy. No combination of signs shall exceed ten (10) percent of the facade to which they are attached. If there is an attached canopy or overhang, a ten-square-foot sign may be attached to the canopy or overhang in addition to the other permitted signs. Such sign shall be at least eight (8) feet above any pedestrian walkway.
Section 2. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from the time of its final passage as provided by law.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 5th day of April, 1994.

APPROVED the 6th day of April, 1994.

PUBLISHED the 8th day of April, 1994.
I hereby certify that this is a true copy of Ordinance No. 3162, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK

(SEAL)