Ordinance No. 3706

(Amending or Repealing Ordinances)

CFN=0131 Zoning Codes
Passed – 8/17/2004
Stadium Sign Amendment - Chapter 15.02 and Section 15.06.040

Adding New Sections 15.02.204; 15.02.506 and 15.06.040(S)
ORDINANCE NO. 3706

AN ORDINANCE of the city council of the city of Kent, Washington, amending chapter 15.02 and section 15.06.040 of the Kent City Code, defining stadiums and allowing stadium signs to include sponsorship or corporate advertising information. (ZCA 2004-4).

RECITALS

A. On June 10, 2004, the Kent School District filed an application for a Kent City Code (KCC) text amendment seeking an amendment to Section 15.02.425 of the KCC, which defines institutional signs (ZCA 2004-4). The amendment would have allowed certain institutional facilities to include signs with advertising of up to forty (40) percent of the exposed sign display.

B. On July 26, 2004, the Land Use & Planning Board held a public hearing on the issue and at the conclusion of the public hearing the Land Use & Planning Board forwarded a recommendation to the Kent City Council.

C. On July 10, 2004, the City provided the required sixty (60) day notification under RCW 36.70A.106 to the state of Washington of the proposed amendment to the zoning code. An approval was received on July 21, 2004.
D. On August 17, 2004, the City Council voted to amend chapter 15.02 and section 15.06.040 of the Kent City Code to include a definition of stadiums and allow stadium signs to include advertising on up to forty (40) percent of the total square footage per regulated sign face.

ORDINANCE

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

SECTION 1. Amendment. Section 15.02.204 of the Kent City Code is added as follows:

Institution means a civic, religious, or other similar organization, including but not limited to, an athletic field, hospital, university, religious institution, and community center.

SECTION 2. Amendment. Section 15.02.506 of the Kent City Code is added as follows:

Stadium means a large oval, round, or U-shaped open structure, as for football, baseball, track events, etc. surrounded by tiers of seats, for a minimum of 2,500 spectators.

SECTION 3. Amendment. Section 15.06.040 of the Kent City Code is amended as follows:

Sec. 15.06.040. General restrictions and limitations for all districts.

A. Signs in street right-of-way or future street right-of-way. No sign shall be located in or project into the present or future right-of-way of any public street unless such location or projection is specifically authorized by other provisions of this section.
B. *Signs interfering with sight distance.* No sign shall be so designed or constructed as to interfere with the sight distance of motorists proceeding on or approaching adjacent streets, alleys, driveways or parking areas, or of pedestrians proceeding on or approaching adjacent sidewalks or pedestrian ways.

C. *Signs over driveways.* No sign suspended over or projecting into the area above a driveway located on private property shall be situated at a height of less than fifteen (15) feet above the surface of the driveway.

D. *Signs over public sidewalks and pedestrian ways.* No sign suspended over or projecting into the area above a public sidewalk or pedestrian way shall be situated at a height of less than eight and one-half (8 1/2) feet above the surface of the sidewalk or pedestrian way, and no sign may project more than seventy-five (75) percent of the distance between the property line and the curbline except for signs attached to the underside of a canopy or other architectural projection.

E. *Directional signs.* Directional signs and signs indicating entrances, exits, service areas and parking areas shall be excluded from the sign provisions of this title, and may be erected on private property upon approval of the building director, traffic engineer and planning director. These signs shall not contain advertising or promotional information, and may be restricted in size.

F. *Removal of signs on closure of business.* Upon the closure and vacation of business or activity, the owner of the business or activity shall have one hundred twenty (120) days from the date of closure to remove all signs related to the business or activity.

G. *Window signs.* Window signs shall be considered as a sign and computed as part of the aggregate sign area and number of signs. Any painted-over window shall be considered as a wall. The following signs, if used in the specified manner, are not computed as part of the aggregate sign area and do not require a permit:

1. Decals indicating credit cards honored.
2. Banners or posters on the inside of windows. Such signs may be used in conjunction with national advertising programs, or as weekly marketing specials, or as decorations customary for special holidays.

H. *Painted signs.* Signs painted on exterior wall, window or structure of any kind shall be computed as part of the aggregate sign area and number of signs.

I. *Barber poles.* In addition to any other signs authorized by the provisions of this chapter, any barbershop shall be entitled to display a barber pole. The design of the pole and its location and manner of erection shall be subject to the approval of the building director.

J. *Credit card signs.* Signs indicating credit cards honored may be displayed in window areas only. Such signs are not computed as part of the aggregate sign area and do not require a permit.

K. *Institutional signs.* For churches, schools, hospitals, public facilities and institutional uses, one (1) double-faced freestanding or wall identification sign is permitted for each street frontage. The sign may have an aggregate area of one (1) square foot for each ten (10) lineal feet of street frontage. However, each use is guaranteed a minimum sign area of twelve (12) square feet per display face regardless of street frontage. The sign may be illuminated. Freestanding symbols of sculpture used as identification may be permitted with the approval of the planning department. Wall signs, lettering or symbols may also be approved by the planning department.

L. *Gate or entrance sign.* Gate or entrance signs may be permitted, and may be located in public rights-of-way, if approved by the planning department.

M. *Community bulletin board.* Subdivisions and residential communities may be allowed to erect a permanent structure as a community bulletin board if approved by the building and planning directors.
N. **Business hours signs.** Signs stating business hours shall be excluded from the provisions of this title, and may be erected upon private property upon the approval of the building director and planning director. These signs shall not contain advertising or promotional information. Maximum number permitted shall be one (1) per entrance, with a maximum size of four (4) square feet.

O. **Public service signs.** Nonadvertising or nonpromotional signs may be erected as a public service to the community by public service clubs or other nonprofit organizations. Such signs may be located in any zone upon approval by the building and planning directors.

P. **Real estate signs.** Real estate signs are permitted as follows. No sign permit is required.

1. **Residential uses.**

   a. **Single-family dwellings and duplexes.** One (1) real estate sign shall be permitted for each street frontage of a lot. The sign may have two (2) faces, shall not exceed a height of five (5) feet above the surface of the street unless placed in a window, shall not exceed an area of four (4) square feet per face, and shall be unlighted.

   b. **Multiple-family dwellings.** One (1) real estate sign shall be permitted for each street frontage of a development. The sign shall not exceed an area of twelve (12) square feet, shall be attached flat against a principal building, shall not project above the eave of the roof or the top of the parapet of the building, and shall be unlighted.

2. **Commercial and industrial uses.** One (1) real estate sign shall be permitted for each public entrance, but there shall not be more than four (4) signs per lot. The sign shall not exceed an area of eight (8) square feet, shall be attached flat against the building or freestanding, shall not project above the eave of the roof or the top of the parapet of the building, and shall be unlighted.
3. **Unimproved acreage.** One (1) real estate sign shall be permitted for each lot. The sign shall not exceed an area of one-fourth (1/4) square foot for each foot of lot frontage and shall not in any event exceed fifty (50) square feet. The sign shall not exceed a height of ten (10) feet above the surface of the nearest street, and shall be unlighted.

Q. **Temporary signs.** Temporary signs may be authorized by the planning department for a time period specified for each type of temporary sign.

1. **Temporary subdivision or apartment signs.** A temporary real estate sign declaring a group of lots, dwellings or occupancies within a subdivision or apartment complex for sale or rent shall be permitted subject to the following conditions:

   a. One (1) such sign shall be permitted for each street frontage of the premises being sold or leased. The sign shall be located on the premises being sold or leased.

   b. The area of such signs shall not exceed an area of twenty-five (25) square feet each.

   c. The signs shall not exceed a height of ten (10) feet above the level of the street.

   d. The signs shall be unlighted.

   e. The signs shall not interfere with the sight distance of pedestrians and motorists proceeding on or approaching adjacent streets.

   f. The signs may remain as long as the project remains unsold or unleased, or for one (1) year, whichever period shall be lesser; provided, however, that the planning director shall have the authority to extend the time period one (1) year.
2. **Nonpolitical campaign signs.** Temporary nonpolitical signs announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization may be allowed upon any lot. Such signs may be posted thirty (30) days prior to the event, drive, campaign, etc. All such signs shall be collectively subject to the fifty dollar ($50) deposit. Such signs shall be removed within seven (7) days after the event, drive, campaign, etc.

3. **Construction signs.** One (1) sign identifying a project under construction shall be permitted for each street frontage of the building or structure under construction. The sign may contain the name of the building contractor and his subcontractors, the architect and the engineer. The sign shall be permitted during the period of construction, and shall not exceed a total of fifty (50) square feet for all faces.

4. **Grand openings and special events signs.** Special permits may be issued by the planning department for a period not to exceed thirty (30) days for banners, streamers and temporary or portable signs for special events such as carnivals, outdoor affairs and sales, grand openings and events of a similar nature.

R. **Off-premises signs.**

1. **Authorized.** The total number of off-premises sign structures allowed within the city of Kent shall not exceed the total number of off-premises sign structures in existence as of the effective date of the ordinance codified in this subsection.¹ Off-premises sign structures shall be inventoried by the city. In order to assist the city in its inventory, the owner of any off-premises sign located within the city shall, to the best of its ability, provide the city with information as to the dates of installation, repair, or alteration of the owner’s off-premises signs within the city and no repair, alteration, or replacement of any such off-premises sign may occur until such information is provided to the city. Subject to any permitting requirements, any person, firm, or corporation who owns or maintains off-premises
sign structures within the city of Kent shall be authorized to alter, repair, maintain and relocate their off-premises sign structures in existence as of the effective date of the ordinance codified in this subsection. As unincorporated areas are annexed to the city of Kent, the total number of off-premises sign structures in the area annexed will constitute an addition to the number authorized in the city of Kent and shall be added to the inventory and shall be eligible to be relocated.

To the extent the provisions of KCC 15.08.100 (F) are inconsistent with this subsection (R)(1), the provisions of this subsection shall prevail.

2. **Districts where permitted.** Off-premises signs are permitted in M1, M2 and M3 districts. Off-premises signs not in one of the above zones shall be categorized as legal nonconforming signs. A sign structure authorized to be relocated pursuant to subsection (R)(1) of this section may only be relocated to an M1, M2, or M3 zoning district. The owner of an off-premises sign shall have two (2) years to relocate an inventoried off-premises sign that has been removed under the authority of a demolition permit. A one (1) year extension may be granted by the city planning director in instances where relocation cannot be undertaken due to circumstances beyond the control of the owner of the off-premises sign to be relocated.

3. **Standards.**

   a. **Maximum size.** As of the effective date of the ordinance codified in this subsection, the maximum size per sign face is three hundred (300) square feet.

   b. **Maximum height.** Maximum height is thirty-five (35) feet.

   c. **Distance from any intersection.** Off-premises signs shall be located a distance of three hundred (300) feet from any intersection.

---

1 Ord No. 3501, amending the provisions for off-premises signs, became effective March 5, 2000.
d. *Double-faced signs.* An off-premises sign structure may contain up to two (2) sign faces arranged either back-to-back or in a V-shape arrangement. The use of tri-vision panels on a sign face shall not in itself constitute additional sign faces.

e. *Spacing.* Not more than four (4) sign structures per one thousand (1,000) lineal feet are permitted.

4. *Permits.* Off-premises signs shall not be altered with regard to size, shape, orientation, height, or location without the prior issuance of a building permit. Ordinary maintenance shall not require building permits. Off-premises sign copy replacement may occur at any time and is exempt from the requirement for building permits.

5. *Tri-vision panels.* Subject to applicable permitting requirements, the allowable faces on off-premises sign structures listed on the official city of Kent off-premises sign inventory may contain tri-vision panels which rotate, subject to KCC 15.06.030(E). Tri-vision panels are the only type of moving parts authorized on off-premises signs.

6. *Unpermitted signs.* Owners of off-premises signs that have unpermitted tri-vision panels as of the date of the ordinance codified in this subsection, shall have one (1) year from the effective date of the ordinance enacting this provision to apply for and obtain permits for such.

7. *Electronic video signs prohibited.* Off-premises signs that contain electronic video displays similar to or otherwise depicting a television screen are prohibited.

8. *Hazard or nuisance.* All off-premises signs, together with all of their supports, braces, guys and anchors, shall be kept in good repair and in a proper state of preservation and safety. If an off-premises sign is determined by the Kent building official to be in a state of disrepair so as to constitute a safety hazard or a
nuisance as defined by the building code or Kent City Code, the building official may initiate enforcement proceedings pursuant to KCC 15.10.070.

9. **Enforcement.** Any violation of the provisions of this subsection (R) shall be subject to enforcement pursuant to KCC 15.10.070.

S. **Portable A-frame sandwich board signs.**

1. A portable A-frame or similarly designed sign which is no greater than thirty-six (36) inches wide by forty-two (42) inches tall.
   
   a. Not more than two (2) sandwich board signs may be utilized by retail uses in the M1 districts. They are not permitted in any other districts.
   
   b. Portable A-frame sandwich board signs are permitted to be placed on the business premises.
   
   c. Portable A-frame sandwich board signs placed on the business premises shall be in lieu of portable signs placed on the public right-of-way.
   
   d. The planning department shall develop procedures for processing such sign applications.

T. **Stadium signs.** One double-faced freestanding or wall identification sign is allowed for each street frontage. The sign may have an aggregate area of one square foot for each ten lineal feet of street frontage, up to a maximum sign area of 200 square feet per display face. However, each stadium is guaranteed a minimum sign area of twelve square feet per display face regardless of street frontage. The sign may be illuminated. The sign may include on each regulated display face advertising on up to 40% of the total square footage for that display face. The maximum height of a freestanding sign shall be 20 feet.
**SECTION 4.** - **Savings.** The existing chapters 15.02 and section 15.06.040 of the Kent City Code, which are amended by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

**SECTION 5.** - **Severability.** If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect.

**SECTION 6.** - **Effective Date.** This ordinance shall take effect and be in force thirty (30) days from and after passage as provided by law.

ATTEST:

JIM WHITE, MAYOR

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

I hereby certify that this is a true copy of Ordinance No. 3706 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

P:\Ordinance\02-15-06-040-StadiumSign.doc

Stadium Sign Amendment - Chapter 15.02 and Section 15.06.040