ORDINANCE NO. 4340

AN ORDINANCE of the City Council of the City of Kent, Washington, amending sections 6.07.020 and 6.07.050 of the Kent City Code, regulating signage in the public right of way, and amending chapters 15.02 and 15.06 of the Kent City Code, regulating signage generally within the City.

RECITALS

A. In 2015, the U.S. Supreme Court ruled in the case of Reed v. Town of Gilbert that when a municipality regulates the content of signs, those regulations will be subject to “strict scrutiny,” the highest constitutional hurdle, which requires a municipality to show that its content-based signage regulations further a compelling governmental interest and are narrowly tailored to serve that interest. The Court also observed, however, that content-neutral regulations (size, building materials, lighting, etc.) will be subject to lesser judicial scrutiny.

B. Subsequently, in 2017, the Ninth Circuit Court of Appeals recognized in Contest Promotions v. City and County of San Francisco that, under Reed v. Town of Gilbert, commercial signage is not subject to the same high level of free speech protection as non-commercial signage. The Court determined that, while non-commercial signs were entitled to the highest level of constitutional protection and regulations of such would be reviewed under the “strict scrutiny” test, commercial signs receive less protection and regulations of such will be reviewed under “intermediate scrutiny.” The Court in Contest Promotions also noted that aesthetics and

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safety are considered a "substantial government interest." Together, these cases suggest that local signage regulations are not unconstitutionally restrictive if they are content-neutral, regulate only commercial signage, and serve to address aesthetic or safety interests.

C. In order to evaluate the City’s existing sign regulations in light of these significant free speech cases, the City Council included a staff proposed work program item in the 2018 Annual Docket.

D. Staff review determined that the City’s sign regulations are generally content-neutral and mainly address only commercial signage. But, some amendments are necessary to better align the regulations with the guidance recently provided by federal courts.

E. Staff also identified minor areas requiring clarification and cleanup, including the need to relocate duplicative sign regulations in KCC 6.07.020 and 6.07.050 into 15.02 and 15.06.

F. The amendments to the City’s signage regulations made by this ordinance are necessary to serve the City’s substantial interest in preserving the City’s aesthetic values and are essential to promote the health, safety, and welfare of its residents.

G. On October 23, 2019, pursuant to RCW 36.70A.106, a request for expedited review was sent to the Washington State Department of Commerce, which acknowledged that the request was received on October 23, 2019. On November 6, 2019, the City was granted expedited review.

H. On October 25, 2019, the City’s SEPA Responsible Official issued a Determination of Nonsignificance for the 2019 Sign Code Amendments (ENV-2019-5, KIVA # RPSW-2194250).
I. The Land Use and Planning Board held a workshop to discuss these code amendments on April 22, 2019. After appropriate public notice, the board held a public hearing on October 28, 2019 to consider the proposed amendments. Following the hearing, the Board recommended the City Council approve the amendments as presented by staff.

J. On November 12, 2019, the Committee of the Whole considered the recommendation of the Board.

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

ORDINANCE

SECTION 1. – Amendment – KCC 6.07.020. Section 6.07.020 of the Kent City Code, entitled “Definitions,” is hereby amended as follows:

Sec. 6.07.020. Definitions.
The following words and phrases, wherever used in this chapter, shall have the meanings ascribed to them in this section except where otherwise defined and unless the context shall clearly indicate to the contrary:

A. Abutting property means and includes property bordering upon and contiguous to a public place.

B. Applicant means any person or entity applying for the issuance or renewal of a street use permit or any person or entity that has been issued a street use permit.

C. Banner means any pliable canvas or cloth sign material or holiday or festival decor such as garland or similar decor stretched over or across any public place.
D. **Director** means the director of public works or the director's designee including Kent City Code enforcement officials.

E. **Driveway** means that portion of a public place which provides vehicular access to abutting property through a depression in the constructed curb or, when there is no constructed curb, that area in front of such abutting property as is well-defined or that is designated by authorized signs or markings.

F. **Motorist information follow through sign** means a supplemental sign erected or installed to direct motorists to a qualifying business that provides services of specific interest to the traveling public.

G. **Portable sign** means a sign which is not permanently affixed to the ground or to a building or structure and which may be easily moved.

H. **Public place** means and includes streets, avenues, ways, boulevards, drives, places, alleys, sidewalks, planting (parking) strips, squares, triangles, and other rights-of-way open to the use of the public, and the space above or beneath the surface of same. This definition specifically does not include streets, alleys, ways, planting strips, and sidewalks which have not been deeded, dedicated, or otherwise permanently appropriated to the public for public use.

I. **Sidewalk cafe** means a portion of a public sidewalk on which tables and chairs are placed for the use of patrons while consuming food and/or beverages, including liquor as defined in RCW 66.04.010, served by a cafe, restaurant, or tavern located on abutting property.

J. **Sidewalk display** means a display of goods and wares on a public sidewalk for retail sale to the public by the owner or manager of a business.
upon abutting property, which products are being offered for sale inside the business.

K.J. Sidewalk vending unit or vending unit means a movable cart or similar device that is operated from a fixed location on a public way from which food, beverages (excluding liquor), flowers, plants, and/or merchandise are provided to the public with or without charge. The provisions of this chapter shall not apply to mobile caterers, generally defined as person(s) engaged in the business of transporting food and beverages in motor vehicles to residential, business, and industrial establishments pursuant to prearranged schedules, and dispensing items from the vehicles for retail sale to the personnel of such establishments.

L.K. Sign means any medium, including its structure and component parts, which is used or intended to be used out of doors to attract attention to the subject matter for advertising, identification, or informative purposes.

M.L. Special events means carnivals, fairs, festivals, parades, and other similar short-term uses of public places.

N.M. Use means and includes, but is not limited to, the following types of uses: to conduct a parade or other similar event upon any public place; to operate any sidewalk display, cafe, or restaurant, or any food cart or other similar vending unit upon any public place; to construct, store, erect, place, maintain, or operate in, upon, over, or under any public place any sidewalk cafe, food cart, or restaurant, staging, scaffold, structure, or material, machinery, or tools used or to be used in connection with the erection, alteration, repair, or painting of any building; or to move any building across or along any public place; or to use or occupy any public place for the storage or placement of any material, equipment, or thing; or
to allow any vehicle to be upon that portion of roadway designated as parking or curb space for purposes of selling or soliciting in addition to merely parking; or to open, excavate, or in any manner disturb or break the surface or foundation of any permanent pavement of a public place; or to alter the established grade of any street; or to disturb the surface of, dig up, cut, excavate, or fill in any public place; or to construct, reconstruct, maintain, or remove any sidewalk or crosswalk, pavement, sewers, water mains, grading, street lighting, or appurtenances thereto, except when permitted by ordinance; or to do any work in, or erect any structure under, along, or over, any public place and other such uses.

Q:N. _Vending_ means the commercial sale of food, beverages (excluding liquor), flowers, plants, and/or merchandise only from a sidewalk vending unit upon public ways of the city of Kent. "Vending" does not include liquor as defined in RCW 66.04.010, tobacco, firearms, munitions, or any article which a minor is prohibited by law from purchasing, or any materials restricted by the fire code from direct access or handling by the public.

**SECTION 2. - Amendment - KCC 6.07.050.** Section 6.07.050 of the Kent City Code, entitled "Signs," is hereby amended as follows:

**Sec. 6.07.050. Signs.**
The following provisions shall apply to the placement of signs on public places:

A.—Signs may be placed on a public place without a permit only as follows:

1. Portable signs. Portable signs as defined herein may be placed on a public place without a permit upon the following conditions:

   a. The location of the sign shall not reduce or obstruct pedestrian passage on the sidewalk to less than four (4) feet to the...
nearest street trees, utility poles, traffic control signs and devices, parking meters, fire hydrants, buildings and other similar devices and structures. Furthermore, such placement shall be consistent with any applicable standards established by the Americans with Disabilities Act and shall not obstruct vehicular traffic or parking or the use of any crosswalk, wheelchair ramp, bus, or taxi zone.

b. No portable signs shall be installed or placed upon power poles, telephone poles, street light standards, sign posts, trees, traffic controllers, markers, on any railing, bridge, overpass, street, crosswalk, public building, or lawn or open area surrounding any public building.

e. No portable sign shall be placed within ten (10) feet of a driveway, wheelchair ramp, crosswalk, or intersection or placed or situated on a public place in such a way as to constitute a threat to the health, safety and welfare of the public or interfere with the use of the public place.

d. Portable signs shall be installed so that the top of the sign does not exceed an elevation of thirty-six (36) inches higher than the height of the sidewalk, bike path or walkway. Where these improvements do not exist, the thirty-six (36) inch height limitation shall be measured from the highest edge of the street, alley or driveway.

e. Portable signs shall be constructed of weather resistant wood, metal or plastic. Canvas, cardboard and paper signs are prohibited.

f. Attachment of paper, plastic, balloons, or cardboard to a sign is not permitted if such attachment extends the approved height or width of the sign.

g. Portable signs shall not be weighted down, or otherwise attached to public property in such a way as to resist impact by a traveling vehicle, bicycle or pedestrian.

2. Political campaign signs. Political campaign signs may be placed on a public place without a permit; except, however, no sign shall
be placed or situated on a public place in such a way as to constitute a threat to the health, safety and welfare of the public or interfere with the use of the public place. Owners of political campaign signs shall be responsible for their post-election removal within seven (7) days following the date of the election for which the campaign signs were displayed. For general and primary elections, it is a rebuttable presumption that the post-election period extends to January 1st of the year of said election(s):

3. Banners. Banners may be placed on a public place only by permit pursuant to the provisions of this chapter.

4. Other. All other signs are prohibited on public places for private purposes and on any equipment, facilities and structures located upon public places, including, but not limited to, power poles, telephone poles, street light standards, sign posts, trees, traffic controllers, markers, railings, bridges, overpasses, and public buildings.

5. Removal. Owners of signs and banners displayed for temporary events shall be responsible for their removal within seven (7) days following the last date of the event or the activity for which the signs were displayed.

B:A Motorist information signs may be placed in the public right-of-way, subject to the following conditions:

1. The city is authorized to permit erection of motorist information follow through signs, in conformance with the requirements of this chapter, adjacent to city streets or roads. The applicant is responsible for manufacturing the sign panel and submitting it to the city. Upon the director's approval of an application for a street use permit the city shall erect and maintain the motorist information follow through sign. The applicant is responsible for the initial installation cost, and the city shall thereafter charge an annual administration and maintenance fee of one hundred dollars ($100.00).
2. The applicant must be a qualifying business eligible for specific information signs pursuant to the Washington State Department of Transportation Motorist Information Sign Program, Chapter 47.42 RCW, and Chapter 468-66 WAC, as the same may be amended, and must have a primary motorist information sign currently erected on a nearby state highway.

3. Motorist information follow through signs and their locations shall comply with all applicable provisions of this chapter; Sections 131 and 315 of Title 23, United States Code; Chapter 47.42 RCW; Chapter 468-66 WAC; and such regulations as may be adopted by the Washington State Department of Transportation, including but not limited to the Manual on Uniform Traffic Control Devices for Streets and Highways.

4. Motorist information follow through signs shall be located no more than five hundred (500) feet in advance of any required turn.

5. The location of other traffic control devices shall take precedence over the location of a motorist information follow through sign.

6. The logo sign panel on a motorist information follow through sign shall be a duplicate of the logo sign panel displayed on the authorized motorist information sign erected on the nearby state highway.

7. Motorist information follow through signs for multiple qualifying businesses may be combined into one (1) sign assembly; provided, that the assembly contain no more than four (4) logo sign panels.

8. Appropriate legends, such as directional arrows or messages indicating direction, shall be displayed with the logo sign panel to provide property guidance. The directional legend and border shall be white and shall be displayed on a blue background.

9. The letter height for the service category indicated on the motorist information follow through sign shall not exceed six (6) inches. The letter height used on the logo for the business name shall not exceed four (4) inches.
C.B. **Violations.** In addition or as an alternative to the remedies provided in this chapter, the director may remove or relocate signs which are placed on a public place in violation of the provisions of this section, or which the director determines, in his or her discretion, constitute a threat to the health, safety and welfare of the public or interfere with the use of the public place.

**SECTION 3.** - Amendment - Chapter 15.02 - New KCC 15.02.391. Chapter 15.02 of the Kent City Code is hereby amended to add a new section entitled “Sign, electronic messaging center,” as follows:

**Sec. 15.02.391. Sign, electronic messaging center.**
*Electronic messaging center sign* means a variable message sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDS’s, LCD’s or PDP’s.

**SECTION 4.** - Repealed - KCC 15.02.445. Section 15.02.445 of the Kent City Code, entitled “Sign, political,” is hereby repealed in its entirety.

**SECTION 5.** - Amendment - KCC 15.02.475. Section 15.02.475 of the Kent City Code, entitled “Sign, temporary,” is hereby amended as follows:

**Sec. 15.02.475. Sign, temporary.**
*Temporary sign* means a sign intended to be displayed for a limited period of time, advertise community or civic projects, construction projects, real estate for sale or lease, or other special events on a temporary basis.
SECTION 6. - Amendment – KCC 15.06.030. Section 15.06.030 of the Kent City Code, entitled “Prohibited signs,” is hereby amended as follows:

Sec. 15.06.030. Prohibited signs.
The following signs are prohibited in all districts within the municipal boundaries of the city, except as specifically allowed as temporary signs:

A. Banners, streamers, pennants, and balloons.

B. Any sign using the words “stop,” “look,” or “danger,” or any other word, symbol, or character which might confuse traffic or detract from any legal traffic control devices.

C. Stationary motor vehicles, trailers, and related devices used to circumvent the intent of this chapter.

D. Signs which are pasted or attached to utility poles, trees, fences, or other signs, or to rocks or natural features.

E. Signs within seventy-five (75) feet of the public right-of-way which are animated, revolving more than eight (8) revolutions per minute, blinking or flashing, except public service signs such as those which give the time, temperature, and humidity.

F. Roof signs.

G. All lighted signs which are adjacent to and directed toward a residential district and which detract from the welfare of the residential district.
H. Portable signs, except temporary signs as permitted under KCC 15.06.040(Q).

**SECTION 7.** - Amendment - KCC 15.06.040. Section 15.06.040 of the Kent City Code, entitled “General restrictions and limitations for all districts,” is hereby amended as follows:

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

A. *Sign Material.* All signs must be made of durable and weather resistant wood, stone, masonry, metal or plastic material.

B. *Electronic Messaging Center Sign.* Electronic messaging centers are allowed in any non-residential zone, except as provided by 15.06.050 (A)(4), subject to the allowed sign area for each property. Electronic message centers shall not contain video, animation, blinking or flashing messages or images, and shall not change message more than eight (8) times per minute.

C. *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.

D. *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:E. **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:F. **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:G. **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:H. **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) calendar days from the date of closure to remove all signs related to the business or activity.

G:I. **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 planning 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 public works department.

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M.N. 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.O. Business hours signs. Signs stating business hours shall be excluded from the provisions of this title, and may be erected upon private property if approved by 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.P. 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.Q. 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.

4. **Portable signs.** Portable signs are allowed for limited duration sales events such as open houses, on the premises for sale and in the right-of-way pursuant to KCC 15.06.060. Owners of the signs shall be responsible for their removal within seven (7) calendar days following the last date of the sales event.

Q:R. **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.

2.3. 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.

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

4. Portable signs. Portable signs may be placed on private property without a permit only as follows:

a. A portable sign shall be made of weather resistant wood, metal or plastic and shall be no greater than thirty-six (36) inches wide by thirty-six (36) inches tall. Canvas, fabric, cardboard and paper signs are prohibited.
b. Not more than two (2) portable signs may be utilized per business. No commercial uses are allowed offsite portable signs in residential zones, except as allowed by KCC 15.06.040(q)(4) and KCC 15.06.060.

c. Portable signs shall not be placed within 10 feet of a driveway, wheelchair ramp, crosswalk, or situated in such a way as to constitute a threat to the health, safety, and welfare of the public.

d. Owners of signs related to a limited durations event shall be responsible for their removal within seven (7) calendar days after the termination of the event.

e. Portable signs advertising a property actively for sale are governed by KCC 15.06.040(Q)(4).

R.S. 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 March 5, 2000, the date the ordinance originally establishing this code section became effective. The effective date of the ordinance codified in this subsection is 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.
   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 (RS) 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 (1) square foot for each ten (10) lineal feet of street frontage, up to a maximum sign area of two hundred (200) square feet per display face. However, each stadium is guaranteed a minimum sign area of twelve (12) 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 forty (40) percent of the total square footage for that display face. The maximum height of a freestanding sign shall be twenty (20) feet.

U. Motorist information follow through signs. Motorist information follow through signs may be located in the public right-of-way when permitted pursuant to KCC 6.07.050(B).

SECTION 8. - Amendment - KCC 15.06.050. Section 15.06.050 of the Kent City Code, entitled “Regulations for specific districts,” 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 identification sign shall be permitted for each occupancy. The sign shall not exceed an area of three square feet, shall not exceed a height of six 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 identification sign shall be permitted for each development, except that multifamily dwellings with more than one street frontage may be allowed an additional sign for each street frontage of such lot. Each sign shall not exceed an area of 25 square feet, may be a wall or freestanding sign, shall be unlighted or indirectly lighted, and shall not exceed a height of six 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.

4. Institutional signs. For institutional uses allowed in single family zones, 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 twenty-five (25) square feet per display face regardless of street frontage. The sign shall be unlighted or indirectly illuminated. The sign may be an electronic
messaging center subject to the restrictions of KCC 15.06.040 (B). Freestanding symbols of sculpture used as identification may be permitted with the approval of the planning and building divisions. Freestanding signs and symbols of sculpture shall not exceed the maximum height of the underlying zoning district. Wall signs, lettering, or symbols may also be approved by the planning department.

B. Signs permitted in community commercial, general commercial, and commercial manufacturing districts. The aggregate sign area for any lot shall not exceed one and one-half square 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 freestanding sign for each street frontage if not located in a shopping center, and three additional signs.
   a. Freestanding sign. The freestanding sign shall not exceed a height of 30 feet. The maximum sign area permitted is 200 square feet for the total of all faces. No one face shall exceed 100 square feet. The sign may be illuminated.
   b. Additional signs. Three additional signs shall be permitted subject to the following restrictions:
      i. The total area of all signs, graphics, or other advertising shall not be more than 10 percent of the building facade to which they are attached or on which they are displayed.
      ii. 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 15 square feet in outside dimension.

2. Identification signs for shopping centers. One 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 200 square feet for the total of all faces. No one face shall exceed 100 square feet. A freestanding sign shall not exceed a height of 30 feet, and may be illuminated.

3. **Automobile service station signs.** The aggregate sign area for any corner lot shall not exceed one square foot 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 freestanding lighted double-faced identification sign, not exceeding 200 square feet for the total of all faces, with no such face exceeding 100 square feet, is permitted. Such sign shall not exceed a height of 30 feet. If on a corner lot, two monument signs not exceeding 100 square feet per sign for the total of all faces are permitted. Such monument signs shall not exceed a height of 15 feet. Freestanding signs shall be lighted during business hours only.

   b. **Additional signs.** Three 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 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.

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 square feet for each foot of street frontage. The 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 multitenant buildings.
   a. Wall sign. Each multitenant building may have one identification wall sign for the building’s identification for each street frontage. The sign shall not exceed a total of five 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 (C)(1)(a) or the identification sign described in subsection (C)(1)(b) of this section.
   b. Freestanding sign. Each building may have one freestanding sign on each street frontage. The sign may not exceed 15 feet in height. The maximum sign area permitted for the freestanding sign is 100 square feet for the total of all faces. No one face shall exceed 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 wall signs. Such signs shall not exceed 10 percent of the facade of the individual business unit. Aggregate sign area shall not apply.

3. Identification signs for single-tenant buildings.
   a. Each building may have one freestanding sign for each street frontage. The sign may not exceed a height of 15 feet. The maximum sign area permitted for the freestanding sign is 100 square feet for the total of all faces. No one face shall exceed 50 square feet.
   b. Three 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 10 percent of the facade to which they are attached or on which they are displayed.
D. **Signs permitted in midway transit community-1 district.** The aggregate sign area for any lot shall not exceed one square foot for each linear foot of street frontage. Aggregate sign area for corner lots shall not exceed three-fourths of a square foot for each linear foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area and may be permitted subject to Midway Design Guidelines.

1. **Identification signs for occupancies.** Each single business property may have one freestanding monument sign per street frontage or one projecting sign per street frontage if located along or at the intersections of SR 99, SR 516, South 240th Street, South 246th Street, or South 272nd Street, if not located in a multitenant building, and one wall sign and one suspended sign per street frontage.

   a. **Freestanding monument signs.** Freestanding monument signs shall not exceed a height of 20 feet. The maximum sign area permitted is 100 square feet for the total of all faces. No one face shall exceed 50 square feet. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Freestanding monument signs shall not rotate, blink, flash, or be animated. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

   b. **Projecting or suspended signs.** Projecting or suspended signs shall not protrude less than eight feet above the surface of the sidewalk. The following are recognized projecting signs:

   i. **Blade signs.** Blade signs shall be double-faced, may be nonilluminated, internal or internal indirect illuminated, or neon
tube illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The maximum sign area permitted is 80 square feet. No one face shall exceed 40 square feet. The maximum sign height permitted is 20 feet. Blade signs shall not rotate, blink, flash, or be animated.

ii. **Hanging signs.** Hanging signs shall be double-faced and shall be nonilluminated.

c. **Wall signs.** Wall signs shall not exceed an area of 10 percent of the building first floor facade to which they are attached, or 24 square feet, whichever is greater. Wall signs shall be attached flat against the building, and placement shall not exceed 35 feet above median sidewalk grade measured from the top of the sign. Wall signs may be nonilluminated, internally or indirectly illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated.

2. **Identification signs for multitenant buildings.** Each multitenant property may have one freestanding monument sign per street frontage or one projecting sign per street frontage if located along or at the intersections of SR 99 and SR 516, South 240th Street, South 246th Street, or South 272nd Street and each occupancy may have one wall sign and one suspended sign per occupancy, except the anchor tenants with a business frontage of at least 100 linear feet shall be allowed two wall signs. The aggregate wall sign area shall not exceed 10 percent of the first floor building facade to which the signs are attached.

a. **Freestanding monument signs.** Each multitenant property may have one freestanding monument sign on each street frontage. The sign may not exceed a height of 20 feet. The maximum sign area permitted is 100 square feet for the total of all faces. No one face shall exceed 50 square feet. The sign may be internally illuminated;
provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Freestanding monument signs shall not rotate, blink, flash, or be animated. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

b. Wall signs. Each multitenant building may have one identification wall sign for the building’s identification for each street frontage. The sign shall not exceed a total of five percent of the first floor facade to which it is attached. The sign shall not name or advertise the individual tenants of the building. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Aggregate sign area shall apply. A multitenant building shall have the option of the sign described in this subsection (D)(2)(b) or the identification sign described in subsection (D)(2)(c) of this section.

c. Identification signs for occupancies. Each occupant of a multitenant building with street frontage shall be permitted two wall signs and one projecting or suspended sign. Each occupancy shall be allowed at least 24 square feet of sign area. The aggregate wall sign area shall not exceed 10 percent of the first floor facade to which the signs are attached. The wall sign may be internally illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The projecting or suspended sign shall be nonilluminated.

3. Freestanding signs, exceptions. The director may permit freestanding signs other than monument-type freestanding signs within
the MTC-1 zoning district along the SR-99 street frontage to a maximum sign area of 150 square feet for the total of all faces, and a maximum height of 20 feet, where the applicant demonstrates all of the following:

a. No single cabinet face is greater than 40 square feet;

b. Creativity in design that creates visual interest for motorists and pedestrians consistent with the goals of the Midway Subarea Plan and Design Guidelines. Examples include sculptural signs or multi-cabinet signs with variation in face shape, size, and height;

c. The sign’s support structure(s) is (i) ornamented for pedestrian-level visual interest, or (ii) screened from view at the pedestrian eye level using landscaping or other creative screening element;

d. The subject property has at least 200 linear feet of frontage on SR-99 where the sign is to be located;

e. The proposed signage will not adversely impact or detract from the welfare of nearby residences;

f. The proposed sign location will not obstruct or otherwise interfere with pedestrian movement, the location of pedestrian facilities within the public right-of-way, or on the private development site; and

g. A projecting or suspended sign would not achieve the intended purpose of such signage.

E. Signs permitted in midway transit community-2 district. The aggregate sign area for any lot shall not exceed one square foot for each linear foot of street frontage. Aggregate sign area for corner lots shall not exceed three-fourths of a square foot for each linear foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area and may be permitted subject to Midway Design Guidelines.
1. **Identification signs for occupancies.** Each single business property may have one freestanding monument sign per street frontage or one projecting sign per street frontage, if not located in a multitenant building, and two wall signs and one suspended sign per street frontage.

   a. **Freestanding monument signs.** Freestanding monument signs shall not exceed a height of five feet. The maximum sign area permitted is 30 square feet for the total of all faces. No one face shall exceed 15 square feet. The sign may be illuminated indirectly. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

   b. **Projecting or suspended signs.** Projecting or suspended signs shall not protrude less than eight feet above the surface of the sidewalk. The following are recognized projecting signs:

      i. **Blade signs.** Blade signs shall be double-faced, may be nonilluminated, indirectly illuminated, or neon tube illuminated. The maximum sign area permitted is 30 square feet. No one face shall exceed 15 square feet. The maximum sign height permitted is 15 feet. Blade signs shall not rotate, blink, flash, or be animated.

      ii. **Hanging signs.** Hanging signs shall be double-faced and shall be nonilluminated.

   c. **Wall signs.** Wall signs shall not exceed an area of five percent of the building first floor facade to which they are attached, or 24 square feet, whichever is greater. Wall signs shall be attached flat against the building, and placement shall not exceed 15 feet above median sidewalk grade measured from the top of the sign. If a single business building is greater than 65 feet in height, one building identification wall sign for each street frontage may be placed on the parapet. Wall signs

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*Amend KCC 6.07, 15.02, 15.06 - Re: Sign Regulations*
may be nonilluminated, internally or indirectly illuminated, or neon tube illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Wall signs shall not blink, flash, or be animated.

2. **Identification signs for multitenant buildings.** Each multitenant property may have one freestanding monument sign or one projecting sign and each occupancy with street frontage may have two wall signs and one suspended sign. The aggregate wall sign area shall not exceed five percent of the first floor building facade to which the signs are attached.

   a. **Freestanding monument signs.** Each multitenant property may have one freestanding monument sign on each street frontage. The sign may not exceed a height of five feet. The maximum sign area permitted is 30 square feet for the total of all faces. No one face shall exceed 15 square feet. The sign may be illuminated indirectly. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

   b. **Projecting or suspended signs.** Projecting or suspended signs shall not protrude less than eight feet above the surface of the sidewalk. The following are recognized projecting signs:

      i. **Blade signs.** Blade signs shall be double-faced, may be nonilluminated, internal indirect illuminated, or neon tube illuminated. The maximum sign area permitted is 30 square feet. No one face shall exceed 15 square feet. The maximum sign height permitted is 15 feet. Blade signs shall not rotate, blink, flash, or be animated.

      ii. **Hanging signs.** Hanging signs shall be double-faced and shall be nonilluminated.
c. **Wall signs.** Each multitenant building may have one identification wall sign for the building’s identification for each street frontage. The sign shall not exceed a total of five percent of the first floor facade to which it is attached, or 24 square feet, whichever is greater. Wall signs shall be attached flat against the building, and placement shall not exceed 15 feet above median sidewalk grade measured from the top of the sign. If the multitenant building is greater than 65 feet in height, one building identification wall sign for each street frontage may be placed on the parapet. The sign shall not name or advertise the individual tenants of the building. Wall signs may be nonilluminated, internally or indirectly illuminated, or neon tube illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Wall signs shall not blink, flash, or be animated. Aggregate sign area shall apply. A multitenant building shall have the option of the sign described in this subsection (E)(2)(c) or the identification sign described in subsection (E)(2)(d) of this section.

d. **Identification signs for occupancies.** Each occupant of a multitenant building with street frontage shall be permitted two wall signs and one projecting or suspended sign. Each occupancy with street frontage shall be allowed at least 24 square feet of sign area. The aggregate wall sign area shall not exceed five percent of the first floor facade to which the signs are attached. The wall sign may be internally illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The projecting or suspended sign shall be nonilluminated. Wall signs shall not blink, flash, or be animated.

F. **Signs permitted in midway commercial/residential district.** The aggregate sign area for any lot shall not exceed one square foot for each linear foot of street frontage. Aggregate sign area for corner lots shall not
exceed three-fourths of a square foot for each linear foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area and may be permitted subject to Midway Design Guidelines.

1. Identification signs for occupancies. Each single business property may have one freestanding monument sign per street frontage or one projecting sign per street frontage, if not located in a multitenant building, and two wall signs and one suspended sign per street frontage.

   a. Freestanding monument signs. Freestanding monument signs shall not exceed a height of 15 feet. The maximum sign area permitted is 80 square feet for the total of all faces. No one face shall exceed 40 square feet. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Freestanding monument signs shall not rotate, blink, flash, or be animated. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

   b. Projecting or suspended signs. Projecting or suspended signs shall not protrude less than eight feet above the surface of the sidewalk. The following are recognized projecting signs:

      i. Blade signs. Blade signs shall be double-faced, may be nonilluminated, internal or internal indirect illuminated, or neon tube illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The maximum sign area permitted is 80 square feet. No one face shall exceed 40 square
feet. The maximum sign height permitted is 20 feet. Blade signs shall not rotate, blink, flash, or be animated.

ii. **Hanging signs.** Hanging signs shall be double-faced and shall be nonilluminated.

c. **Wall signs.** Wall signs shall not exceed an area of 10 percent of the building first floor facade to which they are attached, or 24 square feet, whichever is greater. Wall signs shall be attached flat against the building, and placement shall not exceed 35 feet above median sidewalk grade measured from the top of the sign. Wall signs may be nonilluminated, internally or indirectly illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated.

2. **Identification signs for multitenant buildings.** Each multitenant property may have one freestanding monument sign or one projecting sign and each occupancy with street frontage may have two wall signs and one suspended sign per street frontage, except the anchor tenants with a business frontage of at least 100 linear feet shall be allowed three wall signs. The aggregate wall sign area shall not exceed 10 percent of the first floor building facade to which the signs are attached.

   a. **Freestanding monument signs.** Each multitenant property may have one freestanding monument sign on each street frontage. The sign may not exceed a height of 15 feet. The maximum sign area permitted is 80 square feet for the total of all faces. No one face shall exceed 40 square feet. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Freestanding monument signs shall not rotate, blink, flash, or be animated. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the
sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

b. **Wall signs.** Each multitenant building may have one identification wall sign for the building’s identification for each street frontage. The sign shall not exceed a total of five percent of the first floor facade to which it is attached. The sign shall not name or advertise the individual tenants of the building. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Aggregate sign area shall apply. A multitenant building will have the option of the sign described in this subsection (F)(2)(b) or the identification sign described in subsection (F)(2)(c) of this section.

c. **Identification signs for occupancies.** Each occupant of a multitenant building with street frontage shall be permitted two wall signs and one projecting or suspended sign. Each occupancy shall be allowed at least 24 square feet of sign area. The aggregate wall sign area shall not exceed 10 percent of the first floor facade to which the signs are attached. The wall sign may be internally illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The projecting or suspended sign shall be nonilluminated.

G. **Signs permitted in neighborhood convenience commercial districts.**

1. **Generally.** One freestanding double-faced identification sign shall be permitted for each lot. The sign shall not exceed a maximum area of 50 square feet for the total of all faces. No one face shall exceed 25 square feet. A freestanding sign shall not exceed a height of 15 feet and shall be unlighted or provided with indirect illumination.
2. **Identification signs for buildings.** One identification sign shall be permitted for each principal building. The sign shall not exceed an area of five 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 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.

H. **Signs permitted in industrial districts.**

1. **Aggregate sign area.** The aggregate sign area for lots in the M1 and AG districts shall not exceed one-half square foot for each foot of street frontage. The aggregate sign area for lots in the M2 district shall not exceed three-fourths of a square foot for each foot of street frontage. The aggregate sign area for lots in the M3 district shall not exceed one 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 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 200 square feet for the total of all faces. No one face shall exceed 100 square feet. If the sign is a wall sign, its size shall not exceed 20 percent of the building facade. A freestanding sign shall not exceed a height of 20 feet. The sign may be illuminated.

   b. **Identification signs for occupancies.** One 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 10 percent of the building facade. This sign may be illuminated. If the identification sign permitted under subsection (H)(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.

I.  *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.

J.  *Signs permitted in shopping centers.* The aggregate sign area for each occupant of a shopping center shall not exceed 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 30 square feet shall be permitted for any occupancy. No combination of signs shall exceed 10 percent of the facade to which they are attached. If there is an attached canopy or overhang, a 10-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 feet above any pedestrian walkway.

**SECTION 9.**  -  *Amendment - Chapter 15.06 KCC - New KCC 15.06.060.* Chapter 15.06 of the Kent City Code, entitled “Sign Regulations,” is hereby amended to add a new section 15.06.060 establishing regulations for sign placement within public places and city rights-of-way.
Sec. 15.06.060. Regulations for Public Places and City Right-of-Way. Signs may be placed on a public place without a permit only as follows:

A. Portable signs. Portable signs as defined herein may be placed on a public place without a permit upon the following conditions:

1. The location of the sign shall not reduce or obstruct pedestrian passage on the sidewalk to less than four (4) feet to the nearest street trees, utility poles, traffic control signs and devices, parking meters, fire hydrants, buildings and other similar devices and structures. Furthermore, such placement shall be consistent with any applicable standards established by the Americans with Disabilities Act and shall not obstruct vehicular traffic or parking or the use of any crosswalk, wheelchair ramp, bus, or taxi zone.

2. No portable signs shall be installed or placed upon power poles, telephone poles, street light standards, sign posts, trees, traffic controllers, markers, on any railing, fence, bridge, overpass, street, crosswalk, public building, or lawn or open area surrounding any public building.

3. No portable sign shall be placed within ten (10) feet of a driveway, wheelchair ramp, crosswalk, or intersection or placed or situated on a public place in such a way as to constitute a threat to the health, safety and welfare of the public or interfere with the use of the public place. Such signs shall not obstruct site distance per 15.06.040 (D).

4. Portable signs shall be installed so that the top of the sign does not exceed an elevation of thirty-six (36) inches higher than the height of the sidewalk, bike path or walkway. Where these improvements do not exist, the thirty-six (36) inch height limitation shall be measured from the highest edge of the street, alley or driveway. Signs may also not
exceed a width of thirty-six (36) inches and shall not be installed in locations where the width of the sign would impede safe travel.

5. Portable signs shall be constructed of weather-resistant wood, metal or plastic. Canvas, cardboard and paper signs are prohibited.

6. Attachment of paper, plastic, balloons, or cardboard to a sign is not permitted if such attachment extends the approved height or width of the sign.

7. Portable signs shall not be weighted down, or otherwise attached to public property in such a way as to resist impact by a traveling vehicle, bicycle or pedestrian.

B. Banners. Banners may be placed on a public place only by permit pursuant to the provisions of this chapter.

C. Other. All other signs are prohibited on public places for private purposes and on any equipment, facilities and structures located upon public places, including, but not limited to, power poles, telephone poles, street light standards, sign posts, trees, traffic controllers, markers, railings, bridges, overpasses, and public buildings.

D. Removal. Owners of signs and banners displayed for temporary events shall be responsible for their removal within seven (7) calendar days following the last date of the event or the activity for which the signs were displayed. Signs that are faded, torn, broken or otherwise in a state of disrepair shall be removed by the owner immediately.

SECTION 10. - Amendment – KCC 15.06.070. Section 15.06.070 of the Kent City Code, entitled “Structural safety and maintenance of signs,” is hereby amended as follows:
Sec. 15.06.070. Structural safety and maintenance of signs. All parts, portions, units, and materials composing a sign, together with the frame, background, supports, or anchorage thereto, shall be maintained in a proper state of safety and repair and a proper state of preservation. The surface of all signs shall be kept neatly painted. Signs that are faded, torn, broken or otherwise in a state of disrepair shall be removed by the owner immediately or repaired within 14 calendar days of notification by the City.

SECTION 11. - Amendment – KCC 15.06.080. Section 15.06.080 of the Kent City Code, entitled “Administrative procedures”, is hereby amended as follows:

Sec. 15.06.080. Administrative procedures. A. Permits. 1. To ensure compliance with the regulations of this chapter, a permit shall be required for all signs hereafter installed or altered within the corporate boundaries of the city, except as otherwise provided those signs enumerated in subsection (A)(2) of this chapter. No sign shall be erected, installed, applied, affixed, altered, or relocated without a permit from the building department and the planning department. The sign permit shall certify that the sign, as represented by plans, drawings, or statements, is in conformance with the regulations of this chapter.

1. The following signs must conform with the regulations of this chapter but may be erected, installed, affixed, altered, or relocated without a sign permit:
   a. For sale, lease, or rent signs.
   b. Farm signs.
   c. Residential signs for single family dwellings.

2. The following information must be provided as part of the application for a sign permit:
a. Name, address, and phone number of the applicant.
b. Name and address of the activity for which the sign is intended and parcel number of land on which it is to be placed.
e. Three (3) copies of a dimensional drawing showing the type of sign as designated in this chapter, and, if lighted, the method of illumination, and the height of the sign.
d. Four (4) copies of a dimensional plot plan, accurate as to scale, showing all structures, the abutting right-of-way line of each street, and location of proposed sign and each existing sign on the property.
e. If the sign is a wall sign, four (4) copies of an elevation of the building facade. This elevation shall be fully dimensional and accurate as to scale. It shall show the proposed sign and each existing sign.
f. One (1) or more photographs (snapshots are adequate) showing the location of the proposed sign and its relationship to the remainder of the property.
g. A minimum of two (2) copies of a plot plan showing the location of the proposed sign with computations, diagrams, and other data sufficient to show proper structural stability of the installation.

B. Fees and deposits. Fees shall be governed by the fee schedule contained in the building code fee resolution adopted by the city.

C. The planning director shall make the final decision on a sign permit application submitted pursuant to this chapter. Any appeal from the final decision of the planning director shall be to the hearing examiner pursuant to the requirements of Chapter 2.32 KCC and the appeal provisions of Chapter 12.01 KCC.
D. **Abatement of illegal signs.** Any sign that violates the provisions of this chapter shall be deemed a public nuisance and shall be in lien against the property on which the sign was maintained and a personal obligation against the property owner. The property owner shall first be served with a notice to abate the nuisance, except in the case of portable signs. Illegal portable signs may be immediately removed by the city, and the owner shall be given notice that the sign will be destroyed if not claimed within ten (10) calendar days. Appeal of the abatement notice may be made to the hearing examiner. If, after such a hearing, the hearing examiner orders agents of the city to remove the nuisance, they shall have authority to enter upon private property to remove the nuisance.

E. **Variances.**

1. A sign variance is categorized as a Process III application and shall be subject to the requirements of Chapter 12.01 KCC. Variances from the terms of this chapter may be granted by the hearing examiner upon proper application. Variances may be granted when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict interpretation of the regulations of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.

2. The variance shall not constitute a grant of special privilege inconsistent with a limitation upon uses of other properties in the vicinity and zone in which such property is situated.

**SECTION 12. - Severability.** If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

**SECTION 13. - Corrections by City Clerk or Code Reviser.** Upon approval of the city attorney, the city clerk and the code reviser are
authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

**SECTION 14.** - **Effective Date.** This ordinance shall take effect and be in force thirty days from and after its passage, as provided by law.

DANA RALPH, MAYOR

November 19, 2019

Date Approved

KIMBERLEY A. KOMOTO, CITY CLERK

November 19, 2019

Date Adopted

November 22, 2019

Date Published

ARThur “Pat” FitzPatrick, city Attorney

Amend KCC 6.07, 15.02, 15.06 - Re: Sign Regulations