

ORDINANCE No. 1/8888

PC

COUNCIL BILL No. 112006

The City

AN ORDINANCE relating to land use and zoning, amending Section 23.55.040 of the Seattle Municipal Code to modify the special exception criteria for signs; and deleting the heading (which has no text) of 23.55.038.

Honorable President:

Your Committee on _____

to which was referred the within Council report that we have considered the same

COMPTROLLER FILE No. _____

Introduced: DEC - 1 1997	By: DRAGO
Referred: DEC - 1 1997	To: Business, Economic & Community Development
Referred:	To: Licenses
Referred:	To:
Reported: 1-12-98	Second Reading:
Third Reading: 1-12-98	Signed: 1-12-98
Presented to Mayor: 1-12-98	Approved: JAN 21 1998
Returned to City Clerk: JAN 21 1998	Published: Full 3pg.
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

12/15/97 Held

1-5-98 Full Cou

1-12-98 Full Cou

Present: Pageler, Drago

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

able President:

committee on

h was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

to pass 2-0 as amended

12/15/97 Held until Jan 5, 1998 motion by Pageler

3-98 Full Council Action: ~~Pass~~ Hold 1 week 9-0

2-98 Full Council Action: Passed As Amended 8-0

(excused: McIven)

Committee Chair

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7 ORDINANCE 118888
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11 AN ORDINANCE relating to land use and zoning, amending Section 23.55.040 of the
12 Seattle Municipal Code to modify the special exception criteria for signs; and deleting the
13 heading (which has no text) of 23.55.038.
14

15
16 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:
17

18
19 **Section 1.** Delete the heading of Section 23.55.038, Seattle Municipal Code, which
20 reads as follows:
21

22 **23.55.038 Signs in open space zones. (Reserved)**
23
24
25

26 **Section 2.** Section 23.55.040 of the Seattle Municipal Code, which Section was
27 adopted by Ordinance 112830, is amended as follows:
28

29 **23.55.040 Special exception for signs in commercial and downtown zones.**

30 The Director may authorize exceptions to the regulations for the size, number, type,
31 ~~((and))~~ height and depth of projection of on-premises signs in ~~((commercial))~~ Neighborhood
32 Commercial, Commercial, Downtown Office Core, Downtown Retail Core, Downtown
33 Mixed Commercial, and Downtown Harborfront zones as a special exception pursuant to
34 Chapter 23.76, Procedures for Master Use Permit and Council Land Use Decisions~~((when~~
35 ~~the following standards and criteria are met)).~~ When one or more of the conditions in
36 subsection A have been met, the characteristics described in subsection B shall be used to
37 evaluate the merits of the proposal. Proposals must also meet the intent of the Sign Code as
38 specified in Section 23.55.001 Intent. An exception shall not be granted for roof signs or
39 signs prohibited in Section 23.55.003. In Downtown zones, the Director shall consult with
40 the Seattle Design Commission before issuance of the special exception decision.

41 A. ~~((Review Criteria))~~ Conditions. ~~((The Director may approve a special sign~~
42 ~~exception for e))~~ One (1) or more of the following ~~((reasons))~~ conditions shall be met:

43 1. The proposed sign plan shows an exceptional effort toward creating visual
44 harmony ~~((between))~~ among signs, desirable streetscape features, building facade and other

1 ~~((structures, and other features of the property))~~ architectural elements of the building
2 structure through the use of a consistent design theme;

3 2. The proposed sign plan will preserve a desirable existing design or siting
4 pattern for signs in an area;

5 3. The proposed sign plan will ~~((minimize view obstruction or))~~ reduce views
6 of ~~((preserve views of historically or architecturally significant structures.))~~ historic
7 landmarks designated by the Landmarks Preservation Board no more than would be
8 permitted by a sign permitted outright without a special exception.

9 B. Desired Characteristics. All the following desired characteristics shall be used
10 to evaluate applications for a special exception, and at least one must be met. The proposed
11 sign(s):

12 1. unifies the project as a whole or contributes positively to a comprehensive
13 building and tenant signage plan;

14 2. is compatible with the building facade and scale of building in terms of size,
15 height and location;

16 3. adds interest to the street level environment, while also identifying upper
17 level businesses;

18 4. helps orient pedestrians and motorists at street-level in the vicinity of the
19 subject building;

20 5. integrates support fixtures, conduits, wiring, switches and other mounting
21 apparatus into the building architecture to the extent feasible.

22 ~~((B.))~~ C. Submittal Requirements. As part of any application for a special sign
23 exception, the following information shall be submitted:

24 1. A narrative describing how the proposal is consistent with the
25 conditions and desired characteristics ~~((criteria))~~ listed in subsection A~~((2))~~ and B, and why
26 the desired results cannot be achieved without a special exception;

27 2. A colored rendering showing the proposed signs and how they
28 relate to development in the area and on the subject property.

30
31 **Section 3.** In the event that this ordinance is determined by a court of competent
32 jurisdiction to be unconstitutional or to contribute to the unconstitutionality of the Sign
33 Code, Chapter 23.55, SMC, this ordinance shall be modified to be within the limits of
34 validity; however, if this ordinance cannot be so modified, it shall be null and void, and the
35 Sign Code shall be interpreted and applied as though this ordinance had not been enacted.

36
37 **Section 4.** This ordinance shall take effect and be in force thirty (30) days from and
38 after its approval by the Mayor, but if not approved and returned by the Mayor within ten
39 (10) days after presentation, it shall take effect as provided by the Municipal Code Section
40 1.04.020.

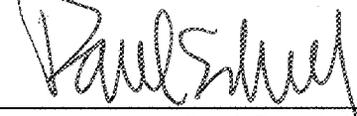
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Passed by the City Council the 12th day of January, 1998, and signed by me in
open session in authentication of its passage this 12th day of January 1998.



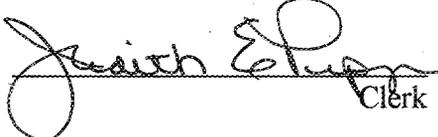
President of City Council

Approved by me this 20th day of January, 1998.



Paul Schell, Mayor

Filed by me this 21st day of January, 1998



Clerk

(SEAL)

**NOTICE OF PROPOSED TEXT AMENDMENT,
AVAILABILITY OF SEPA DETERMINATION
and
CITY COUNCIL PUBLIC HEARING**

TEXT AMENDMENT

The amendments would: modify the geographic area of applicability and the criteria for special exceptions for signs, in Section 23.55.040, Seattle Municipal Code.

Currently the special exception provision for signs applies only in commercial zones (Neighborhood Commercial and Commercial zones); this proposal would allow special exceptions, which are appealable, Type II Master Use Permits, to be requested in downtown zones, as well.

There are currently three criteria for sign special exceptions, one or more of which must be met before the special exception may be granted. The amendment proposes an additional criterion, which would require that for historic structures any exception to sign development standards would result in a sign which would enhance the historic attributes of the structure.

INFORMATION AVAILABLE

Copies of the draft amendment may be obtained as of November 20, 1997 from the Master Use Information Counter, Second Floor, Dexter Horton Building, 710 Second Avenue and from the Council reception office, 1st floor, Municipal Building, 600 - 4th Avenue. Questions about the proposal and the public hearing should be directed to Dan McGrady of Councilmember Jan Drago's office, 684-8801.

WRITTEN COMMENTS

Written comments on the proposal will be accepted until December 10, 1997 and should be sent to Councilmember Jan Drago 600 - 4th Avenue, Seattle, Washington 98104.

PUBLIC HEARING

The hearing on the proposed amendment will be held on December 10, 1997, at 5:30 pm in the Council Chamber, 11th floor of the Municipal Building, 600 Fourth Avenue. A signup sheet for those who wish to testify will be available outside the Chamber one-half hour before the Committee session. Sign language interpreters and other communication access provided upon request. Call or write at least two weeks in advance to arrange for accommodations. Call 684-8888 or TDD/TTY at 233-0025; or write to the address above under "Written Comments."

ENVIRONMENTAL REVIEW

Copies of the SEPA checklist and environmental determination will be available for review as of November 20, 1997 at the DCLU Master Use Permit Counter, 2nd floor, Dexter Horton Building.

K. G. M. R. Sign



ORDINANCE _____

AN ORDINANCE relating to land use and zoning, amending Section 23.55.040 of the Seattle Municipal Code to modify the special exception criteria for signs; and deleting the heading (which has no text) of 23.55.038.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Delete the heading of Section 23.55.038, Seattle Municipal Code, which reads as follows:

23.55.038 Signs in open space zones. (Reserved)

Section 2. Subsection A of Section 23.55.040 of the Seattle Municipal Code, which Section was adopted by Ordinance 112830, is amended as follows:

23.55.040 Special exception for signs in commercial and downtown zones.

The Director may authorize exceptions to the regulations for the size, number, type, ~~((and))~~ height and depth of projection of on-premises signs in commercial and downtown zones, except those described in Section 23.55.034A, as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permit and Council Land Use Decisions, when the following standards and criteria are met. An exception shall not be granted for roof signs or signs prohibited in Section 23.55.003.

A. Review Criteria. The Director may approve a special sign exception for one (1) or more of the following reasons, provided that the application also meets the intent of the Sign Code as specified in Section 23.55.001 Intent:

1. The proposed sign plan shows an exceptional effort toward creating visual harmony between signs, structures, and other features of the property through the use of a consistent design theme;

2. The proposed sign plan will preserve a desirable existing design or siting pattern for signs in an area;

3. The proposed sign plan will minimize view obstruction or preserve views of ~~((historically or architecturally significant structures;))~~ historic landmarks designated by the Landmarks Preservation Board.

* * *

dla
11/25/97 2:26 PM
V1

ORDINANCE _____

AN ORDINANCE relating to land use and zoning, amending Section 23.55.040 of the Seattle Municipal Code to modify the special exception criteria for signs; and deleting the heading (which has no text) of 23.55.038.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Delete the heading of Section 23.55.038, Seattle Municipal Code, which reads as follows:

23.55.038 Signs in open space zones. (Reserved)

Section 2. Subsection A of Section 23.55.040 of the Seattle Municipal Code, which Section was adopted by Ordinance 112830, is amended as follows:

23.55.040 Special exception for signs in commercial and downtown zones.

The Director may authorize exceptions to the regulations for the size, number, type ((and)) height and location of on-premises signs in commercial and downtown zones as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permit and Council Land Use Decisions, when the following standards and criteria are met.

A. Review Criteria. The Director may approve a special sign exception for one (1) or more of the following reasons, provided that the application also meets the intent of Section 23.55.001:

1. The proposed sign plan shows an exceptional effort toward creating visual harmony between signs, structures, and other features of the property through the use of a consistent design theme;
2. The proposed sign plan will preserve a desirable existing design or siting pattern for signs in an area;
3. The proposed sign plan will minimize view obstruction or preserve views of historically or architecturally significant structures.
4. The proposed sign plan recognizes and enhances an historically or architecturally significant structure.

* * *

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by the Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 1997, and signed by me in open session in authentication of its passage this _____ day of _____ 1997.

President of City Council

Approved by me this _____ day of _____, 1997.

Norman B. Rice, Mayor

Filed by me this _____ day of _____, 1997

Clerk

(SEAL)

Living
Bellevue
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C, 20
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Seattle,
Red Rd
112th
004,
West
ce, Box
6th SE,
944 NE
15th Ave
Hotel
19167,
ES
Dry
18 104th

Risan Athletics Inc, 13649 NE
Pl #104, Kirkland, 98034.
Knights & White Satin, Adair
24214 SE 196th St, Maple
98038.
Meteor Productions, Fairchild
11 3rd St NW # 1412, Auburn,
Creative Marketing Co
Conroy Edward T, 1402 Aubu
N Ste 203, Auburn, 98002.
Emerald City Legal Copies, E
City Legal Copies Llc, 403 Jct
Seattle, 98104.
Last, Litigation Support Servic
13790 56th Ave S #203,
98168.
Anne L. Vaade Creek, Vande
Anne L, 202 W Olympic Pl
Seattle, 98119.
Philip W Newton, Newton Ph
951 Federal Ave E, Seattle, 981
Hirsch Designs, Hirsch Melib
3836 134th Ave NE, Bellevue,
Tara Welcker Design, Welcke
Janet, 4257 148th Av NE
Bellevue, 98007.
Freed Designs, Freed Robert M,
104th Ave NE, Bothell, 98011.
Graphics Design Group Inc
23337, Federal Way, 98093.
By Design, Rumpelsberger Elis
12644 NE 144th St B-304, Ki
98034.
Hansen Robert W, 2948 Eastla
E, Seattle, 98102.
Nuvo Designs, Kelley Peggy A,
35th Ave S, Seattle, 98198.

SECTION 2. A colored rendering showing the pro-
posed signs and how they relate to develop-
ment in the area and on the subject proper-
ty.
SECTION 3. In the event that the or-
dinance is determined to be unconstitutional or
prejudicial to the public interest, the City
shall contribute to the unconditional or
the Sign Code, Chapter 23.05, SMC, the
ordinance shall be modified to be within
the limits of validity; however, if this or-
dinance cannot be so modified, it shall be
null and void, and the Sign Code shall be
interpreted and applied as though this or-
dinance had not been enacted.
SECTION 4. This ordinance shall take
effect and be in force thirty (30) days from
and after the approval by the Mayor, but it
shall take effect as provided by the Mayor
within ten (10) days after presentation, if
the Mayor so directs.
Passed by the City Council the 23rd day
of January, 1998, and signed by me in open
session in authentication of its passage this
12th day of January, 1998.
SUE DONALDSON,
President of the City Council
Approved by me this 23rd day of Janu-
ary, 1998.
PAUL SCHELL,
Mayor
Filed by me this 21st day of January,
1998.
(Seal) JUDITH E. PIPPIN,
City Clerk
Publication ordered by JUDITH PIPPIN,
City Clerk
(Goldfish denotes deletion.)
Date of official publication in Daily Jour-
nal of Commerce, Seattle, January 28,
1998.
1/28/98 (0068)