

**Ordinance No. 91201**

AN ORDINANCE providing for the termination of certain nonconforming advertising sign uses and amending Section 5.3 of the Zoning Ordinance (86300) accordingly.

*8/2/62 - pass*

**Council Bill No. 82385**

INTRODUCED: MAY 21 1962	BY: <i>Public Safety</i>
REFERRED: MAY 21 1962	TO: <i>Public Safety</i>
REFERRED:	
REPORTED: MAY 28 1962	SECOND READING: MAY 28 1962
THIRD READING: MAY 28 1962	SIGNED: MAY 28 1962
PRESENTED TO MAYOR: MAY 28 1962	APPROVED: MAY 29 1962
RETD. TO CITY CLERK: MAY 28 1962	PUBLISHED: JUN 13 1962
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL..... PAGE.....	

ORDINANCE 91201

AN ORDINANCE providing for the termination of certain nonconforming advertising sign uses and amending Section 5.3 of the Zoning Ordinance (86300) accordingly.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 5.3 of the Zoning Ordinance (86300), as last amended by Ordinance 87225, is hereby further amended to read as follows:

Section 5.3 Nonconforming Uses and Buildings

5.31 Continuing Existing Use

Any nonconforming building or use may be continued, subject, however, to provisions of Section 5.3.

5.32 Buildings nonconforming as to Bulk

Any building conforming as to use but which is a building nonconforming as to bulk as of the effective date of this Ordinance may be altered, repaired or extended; provided, that such alteration, repair or extension does not cause such building to further exceed the bulk provisions of this Ordinance.

5.33 Termination of certain Nonconforming Uses

(a) Any nonconforming use not involving a structure or one involving a structure having assessed value of less than one hundred dollars (\$100) on the effective date of this Ordinance may be continued for no longer than one year after said date, and any nonconforming use involving a structure having an assessed value of more than one hundred dollars (\$100) but less than three hundred dollars (\$300) on the effective date of this Ordinance may be continued no longer than two years after said date; provided, however, the above provisions shall not apply to any nonconforming advertising sign.

(b) All advertising signs in R and BN zones which have been

nonconforming uses for a period of three or more years prior to July 1, 1962 shall be discontinued by July 1, 1963, and all other nonconforming advertising sign uses in R and BN zones shall be discontinued within three years of the date such sign became or becomes a nonconforming use; provided, that such time limitations may be extended for periods of not to exceed two years at a time by the Superintendent of Buildings, upon application by the owner of such sign and payment of a Twenty Five Dollar (\$25.00) filing fee, if said Superintendent finds that such nonconforming use is on a lot with or adjacent to and fronting on the same street with uses (other than another advertising sign) which are first permitted in BC or more intensive zones or that such nonconforming use is on a lot separated from the nearest portion of an existing R or BN use by a grade equal to the height of the sign above the ground, and further finds that continuance of such nonconforming sign will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the sign is located, and is not otherwise inconsistent with the spirit and purpose of the Zoning Ordinance and that such advertising sign has been and will be properly maintained. Decisions of said Superintendent hereunder shall be final, subject to review by the City Council upon application.

#### 5.34 Limitations on Nonconforming Uses

- (a) Subject to Section 5.33, any nonconforming building or part may be maintained with ordinary repair provided, however, no such building or part shall be extended, expanded, or structurally altered, except as otherwise required by law, nor shall a nonconforming use be extended or expanded, provided further, that nothing in this

Ordinance shall prevent the restoration of a nonconforming building destroyed by fire or other act of God.

- (b) Any change of a nonconforming use in a conforming building shall be to a conforming use.
- (c) Except as provided in Section 5.34 (d) or (e), a nonconforming use in a nonconforming building or part may be changed only to a use permitted in a less intensive zone than said nonconforming use.
- (d) A nonconforming building or part which has been unoccupied continuously for one (1) year or more shall not be reoccupied except by a conforming use.
- (e) In any R zone, a nonconforming B or C use in a nonconforming building may be changed to a use permitted in a less intensive zone than the zone in which the nonconforming use would be conforming, or to another B or C use which is listed and grouped in the same zone classification as an outright permitted use, provided such new use would be no more detrimental or injurious than the previous nonconforming use to other property in the same zone or vicinity.

(To be used for all Ordinances except Emergency.)

Section <sup>2</sup>..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 28 day of May, 1962,  
and signed by me in open session in authentication of its passage this 28 day of May, 1962.

*Wm. D. Linn*  
President..... of the City Council.

Approved by me this 29 day of May, 1962,  
*James B. Clanton*  
Mayor.

Filed by me this 29 day of May, 1962.

Attest: *John B. Fellman*  
Acting City Comptroller and City Clerk.

(SEAL)

Published JUN 13 1962

By *M. A. Perrine*  
Deputy Clerk.



ORDINANCE NO. 91201

AN ORDINANCE providing for the termination of certain non-conforming advertising signs and amending Section 5.3 of the Zoning Ordinance (86300) accordingly.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 5.3 of the Zoning Ordinance (86300), as last amended by Ordinance 87225, is hereby further amended to read as follows:

Section 5.3 NONCONFORMING USES AND BUILDINGS

5.31 Continuing EXISTING USE

Any NONCONFORMING BUILDING OR USE may be continued, subject, however, to provisions of Section 5.3.

5.32 BUILDINGS NONCONFORMING AS TO BULK

Any BUILDING conforming as to USE but which is a BUILDING NONCONFORMING AS TO BULK as of the effective date of this Ordinance may be altered, repaired or extended; provided that such alteration, repair or extension does not cause such BUILDING to further exceed the bulk provisions of this Ordinance.

5.33 Termination of certain NONCONFORMING USES

(a) Any NONCONFORMING USE not involving a STRUCTURE or one involving a STRUCTURE

having assessed value of less than one hundred dollars (\$100) on the effective date of this Ordinance may be continued for no longer than one year after said date, and any NONCONFORMING USE involving a STRUCTURE having an assessed value of more than one hundred dollars (\$100) but less than three hundred dollars (\$300) on the effective date of this Ordinance may be continued no longer than two years after said date; provided however, the above provisions shall not apply to any NONCONFORMING ADVERTISING SIGN.

(b) All advertising signs in R and BN zones which have been nonconforming uses for a period of three or more years prior to July 1, 1962 shall be discontinued by July 1, 1963, and all other nonconforming advertising sign uses in R and BN zones shall be discontinued within three years of the date such sign became or becomes a nonconforming use; provided that such time limitations may be extended for periods of not to exceed two years at a time by the Superintendent of Buildings upon application by the owner of such sign and payment of a Twenty Five Dollar (\$25.00) filing fee if said Superintendent finds that such nonconforming use is on a lot with or adjacent to and fronting on the same street with uses (other than another advertising sign) which are first permitted in BC or more intensive zones or that such nonconforming use is on a lot separated from the nearest portion of an existing R or BN use by a grade equal to the height of the sign above the ground, and further finds that continuance of such nonconforming sign will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the sign is located, and is not otherwise inconsistent with the spirit and purpose of the Zoning Ordinance and that such advertising sign has been and will be properly maintained. Decisions of said Superintendent hereunder shall be final, subject to review by the City Council upon application.

5.34 Limitations on NONCONFORMING USES

(a) Subject to Section 5.33, any NONCONFORMING BUILDING or

Affidavit of Publication

STATE OF WASHINGTON, } ss.  
COUNTY OF KING

L. J. Brown, being first duly sworn, on oath deposes and says that he is the business manager and one of the publishers of The Daily Journal of Commerce, a daily newspaper. That said newspaper is a legal newspaper and it is now and has been for more than six months prior to the date of the publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the said Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of said King County.

That the annexed is a true copy of .....  
ORDINANCE NO 91201

....., as it was published in the regular issue  
(and not in supplement form) of said newspaper on the  
13th day of June 1962, and that said  
newspaper was regularly distributed to its subscribers during  
all of said period.

*L. J. Brown*

Subscribed and sworn to before me this

13th day of June 1962

*[Signature]*

Notary Public in and for the State of Washington, residing at Seattle.  
(This form officially sanctioned by Washington State Press Association.)  
affidavit Form D.