TITLE 19

SIGN AND VISUAL COMMUNICATION CODE

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CHAPTER 19.04
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19.04.010 Title

This title shall be hereinafter known as the "Tukwila Sign and Visual Communication Code." It may be cited as such and will be hereinafter referred to as the "Sign Code."

(Ord. 2303 §1, 2010)

19.04.020 Intent

The purpose of this code is to enhance the City's aesthetic character; to protect the public health, safety and welfare; and to increase the effectiveness of visual communication in the City by providing opportunities for Tukwila businesses, residents and property owners to display signage. The regulations for signs have the following specific objectives:

1. To have signs that attract and invite rather than demand the public's attention along the City's streetscapes.
2. To have streets that appear orderly and safe, because clutter is minimized.
3. To have signs that enhance the visual environment of the City, because they are in harmony with building architecture and landscape design.
4. To allow business identification that is not unduly hindered by regulatory standards.
5. To ensure typical communication and civic discussion is fostered in the City's residential neighborhoods.
6. To allow signs that utilize high quality construction materials, fine architectural detailing, harmonious proportionality, and that serve a multi-modal environment.

(Ord. 2303 §1, 2010)

19.04.030 Liability for Damages

Nothing in this code shall relieve any person, corporation, firm or entity from responsibility for damages to any other person suffering physical injury or damage to property as a result of the installation, display, maintenance or removal of any sign authorized under this code. The City and its employees, agents and officials shall assume no liability for such injury or damage resulting from the authorization of any permit or inspection implementing the provisions of this code.

(Ord. 2303 §1, 2010)

19.04.040 Severability Clause

If any section, subsection, paragraph, sentence, clause or phrase of this code or its application to any person or situation should be held invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this code or its application to any other person or situation.

(Ord. 2303 §1, 2010)

19.04.050 Third Party Review and Inspections

A. In the event an application to install a sign requires a level of expert review the City cannot complete in house, the City shall have the right to have a third party assist in the review. In such cases where a third party review is required, the applicant shall reimburse the City for the full cost of the third party review.

B. If the installation of a sign requires inspection services that due to complexity or specialty cannot be completed by City staff, the applicant shall be responsible for coordinating and paying a private firm to complete such inspections. Copies of any inspection reports shall be submitted to the City in order to demonstrate the inspections have been completed.

(Ord. 2303 §1, 2010)

19.04.060 Substitution

Notwithstanding anything herein to the contrary, noncommercial copy may be substituted for commercial copy on any lawful sign structure.

(Ord. 2303 §1, 2010)

19.04.070 Conflict with Other Adopted Environmental Regulations

Nothing in this title shall be interpreted to allow a violation of the City's Sensitive Area Regulations or Shoreline Regulations. In cases of conflict between the Sign Code and the City's adopted Sensitive Area Regulations and/or Shoreline Regulations, the requirements of the Sensitive Area Regulations and/or Shoreline Regulations shall prevail.

(Ord. 2303 §1, 2010)

CHAPTER 19.08

DEFINITIONS

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19.08.010 Generally

As used in this chapter, the following terms shall have the meanings set forth in this section, unless a different meaning is clearly indicated by the context in which the term is used. Terms not defined herein shall be interpreted using the meaning they have in common usage and to give this chapter its most reasonable application.

(Ord. 2303 §1, 2010)

19.08.020 "Abandoned Sign"

Abandoned Sign means any sign that advertises a business, lessor, owner, product, service or activity that has not been located on the premises where the sign is displayed for 60 days or more or a sign cabinet where the face has been broken or missing for 30 days or more.

(Ord. 2303 §2, 2010)

19.08.030 "Awning"

Awning means a fabric-covered structure mounted on the face of a building above a window, entrance or storefront opening, providing weather protection.

(Ord. 2303 §2, 2010)

19.08.040 "Awning/Canopy Side Sign"

Awning/Canopy Side Sign means a sign applied to or mounted on the side of an awning or canopy, contained completely within the end area and oriented perpendicular to the building wall surface.

(Ord. 2303 §2, 2010)

19.08.050 "Awning/Canopy Sign, Under"

Awning/Canopy Sign, Under means a sign suspended from an awning, canopy or arcade, but does not extend beyond the horizontal limits of the awning, canopy or arcade structure.

(Ord. 2303 §2, 2010)

19.08.055 "Awning Face Sign"

Awning Face Sign means a sign applied to the main face of an awning, including sloped and vertical surfaces.

(Ord. 2303 §2, 2010)

19.08.060 "Billboard"

Billboard means an off-premise, freestanding sign or visual communication device that has a sign area of at least 150 square feet in message area per face. Freeway interchange signs are not included in this definition.

(Ord. 2303 §2, 2010)

19.08.065 "Building-Mounted Sign"

Building-Mounted Sign means a sign permanently attached to a building and includes flush-mounted signs, awning signs, projecting signs, etc.

(Ord. 2303 §2, 2010)

19.08.067 "Billboard Receiving Areas"

Billboard Receiving Areas are those areas of the City along South 180th Street zoned as Commercial/Light Industrial; those properties south of South 180th Street along West Valley Highway zoned as Commercial/Light Industrial; all properties located along Boeing Access Road; those properties along East Marginal Way, north of Boeing Access Road; and all properties located along Airport Way, north of Boeing Access Road, for which permits for new billboards may be issued if the criteria of this title are satisfied. Attachments A and B, codified in Title 19 as *Figures 19-1* and *19-2*, are hereby amended. These maps show the billboard receiving areas listed with this definition and are for illustrative purposes only.

(Ord. 2375 §1, 2012; Ord. 2303 §2, 2010)

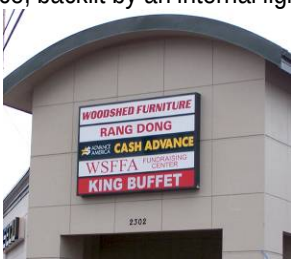
19.08.069 "Billboard Sending Areas"

Billboard Sending Areas are those areas of the City that are not designated as billboard receiving areas from which billboards existing as of the time of the enactment of these regulations, must be removed before a permit for a new billboard may be issued by the City.

(Ord. 2303 §2, 2010)

19.08.070 "Cabinet Sign"

Cabinet Sign means a geometrically-shaped sign with a translucent face, backlit by an internal light source.



(Ord. 2303 §2, 2010)

19.08.072 "Canopy"

Canopy means a rigid structure projecting from the face of a building above a window, entrance or storefront opening, providing weather protection.

(Ord. 2303 §2, 2010)

19.08.074 "Canopy Edge Sign"

Canopy Edge Sign means a sign mounted along or above the edge of a canopy and oriented parallel to the building wall.

(Ord. 2303 §2, 2010)

19.08.076 "Channel Letters"

Channel Letters mean three-dimensional, individually-cut letters or figures affixed to a structure.

(Ord. 2303 §2, 2010)

19.08.080 "Commercial Real Estate Signs"

Commercial Real Estate Signs are signs located in commercial and industrial zones are used to denote a property, building or tenant space available for sale, lease or rental.

(Ord. 2303 §2, 2010)

19.08.082 "Commercial Zones"

Commercial Zones means any area of the City zoned O, MUO, RCC, NCC, RC, RCM, TUC, C/LI, TVS or TSO.

(Ord. 2303 §2, 2010)

19.08.084 "Corner Projecting Sign"

Corner Projecting Sign means a tall, vertically-oriented sign that projects from a building corner and is structurally integrated into the building.

(Ord. 2303 §2, 2010)

19.08.090 "Department"

Department means the Department of Community Development or subsequent organizational successor.

(Ord. 2303 §2, 2010)

19.08.091 "Digital Billboard"

Digital Billboard means an off-premise sign using digital technology that produces static images which are changed remotely. Digital billboards may not scroll, flash or feature motion pictures. A digital billboard may be internally or externally illuminated. Digital billboards shall contain static messages only and shall not meet the definition of a dynamic sign except that the static image may change every ten seconds. Each static message shall not include flashing, scintillating lighting or the varying of light color or intensity.

(Ord. 2303 §2, 2010)

19.08.092 "Director"

Director means the Director of Community Development or his/her designee.

(Ord. 2303 §2, 2010)

19.08.094 "Dynamic Sign"

Dynamic Sign is any sign or part of a sign that appears to move or change due to any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or in any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components, including a display that includes any rotating panels, LED lights manipulated through digital input, "digital ink" or displays in which the display or sign appears to move more frequently than once every 24 hours.

(Ord. 2303 §2, 2010)

19.08.100 "Electronic Sign"

Electronic Sign means a sign containing a display that can be changed by electrical, electronic or computerized process.

(Ord. 2303 §2, 2010)

19.08.110 "Exposed Building Face"

Exposed Building Face means that portion of the building exterior wall fronting a tenant space as seen in elevation together with one-half the vertical distance between eaves and ridge of a pitched roof above it, used for sign area calculation purposes.

(Ord. 2303 §2, 2010)

19.08.120 "Flush Mounted Building Sign"

Flush Mounted Building Sign means a sign located on and parallel to a building wall.

(Ord. 2303 §2, 2010)

19.08.130 "Freestanding Sign"

Freestanding Sign means a sign supported by one or more uprights, poles or braces installed on a permanent foundation, not attached to a building or other structure.

(Ord. 2303 §2, 2010)

19.08.140 "Freeway Interchange Sign"

Freeway Interchange Sign means a freestanding sign at least 100 feet in height, for a business located within a radius of 1,000 feet from a freeway entry/exit point or industrial zone, but not separated by a physical barrier from the entry/exit intersection. The freeway interchange sign is primarily oriented to the passing motorists on the adjacent freeway.

(Ord. 2303 §2, 2010)

19.08.142 "Fuel Canopy"

Fuel Canopy is a structure designed to provide weather protection to motorists in order for them to fill vehicles with gasoline, diesel, compressed natural gas, propane, electricity or other similar compounds that allow for the powering of vehicles. The following components must be in place beneath the structure in order for this definition to apply to a structure: 1) There must be at least two fuel dispensing devices; and 2) Customers must have the ability to pay electronically.

(Ord. 2375 §3, 2012)

19.08.144 "GBCI"

GBCI means the Green Building Certification Institute or successor entity.

(Ord. 2375 §2, 2012)

19.08.145 "Height, Freestanding Sign"

Height, Freestanding Sign means the distance measured vertically from the lowest point of elevation of the ground within five feet from said sign to the top of the sign. *See Figure 19-3.*

(Ord. 2303 §2, 2010)

19.08.150 "Industrial Zone"

Industrial Zone means any area of the City zoned LI, HI, MIC/L or MIC/H.

(Ord. 2303 §2, 2010)

19.08.155 "Institutional Use"

Institutional Use means any non-residential use located within a residential zone that provides services to the surrounding neighborhood or residential community. Common institutional uses include, but are not limited to, fire stations, public or private schools, religious institutions, public parks, libraries and other similar type uses.

(Ord. 2303 §2, 2010)

19.08.160 "Landmark Business"

Landmark Business is an entity that occupies at least 60,000 square feet of building space on a premise that contains at least five separate businesses or uses.

(Ord. 2303 §2, 2010)

19.08.162 "LEED"

LEED means the Leadership in Energy and Environmental Design or successor program, as administered by the United States Green Building Council or successor agency.

(Ord. 2375 §4, 2012)

19.08.165 "Master Sign Program"

Master Sign Program means a coordinated signage scheme for all signs on a premise that may include deviations from the standard sign requirements.

(Ord. 2303 §2, 2010)

19.08.170 "Monument Sign"

Monument Sign means a sign supported by at least two posts or columns or with a base that extends at least 75 percent of the sign panel length. Monument signs may also consist of painted text or channel letters mounted on a freestanding seating wall or retaining wall where the total height of the structure meets the limitations of this code.

(Ord. 2303 §2, 2010)

19.08.180 "Multi-Family Complex"

Multi-Family Complex means any structure or group of structures within a residential zone that contains at least five dwelling units.

(Ord. 2303 §2, 2010)

19.08.185 "Off-Premise Signage"

Off-Premise Signage means a permanent sign not located on the premises of the use or activity to which the sign pertains.

(Ord. 2303 §2, 2010)

19.08.190 "Parking Structure Incentive Sign"

Parking Structure Incentive Sign means a flush-mounted building sign permitted on parking structures and intended for periodic changes in copy.

(Ord. 2303 §2, 2010)

19.08.195 "Permanent Sign"

Permanent Sign means any sign erected without a restriction on the time period allowed for its display as specified in this code.

(Ord. 2303 §2, 2010)

19.08.200 "Pole Banner"

Pole Banner means a fabric banner sign attached to a street or parking lot light pole.

(Ord. 2303 §2, 2010)

19.08.210 "Portable Sign"

Portable Sign means a sign not permanently affixed to a structure and is designed for or capable of being relocated, except those signs explicitly designed for people to carry on their persons or those permanently affixed to motor vehicles operating in their normal course of business.

(Ord. 2303 §2, 2010)

19.08.215 "Projecting Sign"

Projecting Sign means a permanent sign perpendicular to the building façade and suspended from a bracket or armature or cantilevered to the building.

(Ord. 2303 §2, 2010)

19.08.220 "Premises"

Premises means one or more contiguous lots of record not separated by right-of-way and owned or managed by the same individual or entity.

(Ord. 2303 §2, 2010)

19.08.225 "Residential Zone"

Residential Zone means any area of the City zoned LDR, MDR or HDR.

(Ord. 2303 §2, 2010)

19.08.230 "Sight Distance Triangle"

Sight Distance Triangle. *See Figure 19-4*

(Ord. 2303 §2, 2010)

19.08.235 "Sign"

Sign means materials placed or constructed, or light projected, that (a) convey a message or image and (b) are used to inform or attract the attention of the public, but not including any lawful display of merchandise. Some examples of "signs" are materials or lights meeting the definition of the preceding sentence and which are commonly referred to as signs, placards, A-boards, posters, murals, diagrams, banners, flags, or projected slides, images or holograms. The scope of the term "sign" does not depend on the content of the message or image conveyed.

(Ord. 2303 §2, 2010)

19.08.240 "Sign Area"

Sign Area means the entire area within a continuous perimeter, composed of straight lines or arcs, enclosing all elements of the sign copy, including text, logo and designs, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. The area of a three-dimensional sign shall be the surface area of a geometric figure such as sphere, rectangle or cylinder that completely contains the sign element.

(Ord. 2303 §2, 2010)

19.08.245 "Standard Billboard"

Standard Billboard means a billboard of at least 150 square feet in which copy is physically changed and is not considered a digital sign under Section 19.08.091.

(Ord. 2303 §2, 2010)

19.08.247 "Tukwila Urban Center"

Tukwila Urban Center is defined as all current and future real properties that are zoned Tukwila Urban Center (TUC) by the City's official Zoning Map kept on file with the Department of Community Development.

(Ord. 2303 §2, 2010)

19.08.250 "Temporary Sign"

Temporary Sign is a sign that is only permitted to be displayed for a limited period of time specified by this code after which it must be removed.

(Ord. 2303 §2, 2010)

19.08.260 "Tukwila International Boulevard Corridor"

Tukwila International Boulevard Corridor means that area of the City subject to the City's Tukwila International Boulevard Plan and depicted in Zoning Code *Figure 18-9*.

(Ord. 2303 §2, 2010)

19.08.265 "Window Sign"

Window Sign is a sign applied to a window or mounted or suspended directly behind a window.

(Ord. 2303 §2, 2010)

19.08.270 "Window Sign, Temporary"

Window Sign, Temporary is a sign applied directly to a window or mounted or suspended directly behind a window and is designed, constructed, and intended for display on real property for not more than 30 days per calendar quarter for any particular sign.

(Ord. 2303 §2, 2010)

19.08.280 "Wireless Communications Facility"

Wireless Communications Facility means any tower, antennas, ancillary structure or facility, or related equipment or component thereof, used for the transmission of radio frequency signals through electromagnetic energy for the purpose of providing phone, internet, video, information services, specialized mobile radio, paging, wireless digital data transmission, broadband, unlicensed spectrum service utilizing part 15 devices and other similar services that currently exist or that may in the future be developed.

(Ord. 2303 §2, 2010)

CHAPTER 19.12

PERMITS

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19.12.020 Sign Permits Required
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19.12.040 Prohibited Signs and Devices
19.12.050 Party of Record
19.12.060 Notice of Complete Application
19.12.070 Notice of Application
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19.12.010 Administration

The Director of Community Development (hereinafter "Director") or his or her designee shall have the authority to administer this code. The Director may, if needed, develop administrative rules to resolve any conflicts arising out of the administration of the Sign Code. Any rules shall not be in conflict with this code and shall be consistent with Section 19.04.020, "Intent," and the legislative record used to create this code. Sign permits are issued by the Director unless otherwise noted in this code. The Director may require the assistance of other departments in administering this code.

(Ord. 2303 §3, 2010)

19.12.020 Sign Permits Required

A. A sign discernible from any public right-of-way, adjacent premise or an adjacent off-site business shall not be erected, re-erected, constructed or altered, including changes to the sign panel, face or copy, without a sign permit, except as provided by this code.

B. The installation of some signage within the City may require a permit from the Washington State Department of Transportation. It is an applicant's responsibility to obtain all required permits from the appropriate government agency.

C. The issuance of a sign permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the City. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Director from requiring the correction of errors in the construction documents and other data.

(Ord. 2303 §3, 2010)

19.12.030 Exceptions –Sign Permits Not Required

The following shall not require issuance of permits by the City. The exception is only from the need to obtain a permit and shall not be construed as relief from compliance with other requirements of this title. The provisions of this section shall be narrowly construed so as to effectuate the purposes of this title, as enumerated in TMC Section 19.04.020.

1. Repainting of an existing sign when there is no other alteration. This exception shall not be interpreted to allow the changing of copy or face changes on an existing sign.

2. Refacing, panel change or copy change on existing conforming, monument signs that have valid Tukwila sign permits as permitted by TMC Sections 19.20.030 (B)(7), 19.20.040 (6), or 19.32.075.

3. Temporary signs and decorations customary for holidays, such as Independence Day and Thanksgiving, erected on private property. Signs may only contain non-commercial speech.

4. Temporary window signs, subject to the limitations of TMC Section 19.24.080.

5. Traffic signs and/or markings installed by the City of Tukwila, King County or Washington State Department of Transportation for the purpose of regulating, warning or directing traffic. Signs may be installed within the right-of-way or on private property, with the permission of the property owner. All signs installed under this exception shall meet the requirements of the Manual on Uniform Traffic Control Devices for Streets and Highways, current edition, published by the U.S. Department of Transportation.

6. Signs typically installed on utilities and wireless communication facilities denoting danger or other safety information, including emergency contact information.

7. Political campaign signs, subject to the limitations of TMC Section 19.24.090.

8. Temporary signs installed at City parks. All signs shall be approved by the Tukwila Director of Parks and Recreation and shall meet the requirements of this code.

9. Land use notice boards per TMC Section 18.104.110.

10. Text or graphics on umbrellas located in outdoor seating or plaza areas.

11. Up to four directional signs per premises where there is a need to direct vehicular traffic. Freestanding signs may be up to three feet in height and two square feet per face or a total of four square feet for all faces. Flush-mounted building signs may be up to three square feet in size.

12. The following exceptions are specific to properties developed with residential uses in residential zones:

a. Each residential property shall be permitted one 1.5-square-foot, building- mounted plaque; and

b. Each residential property shall be permitted one 6-square-foot banner or rigid sign that is temporary in nature; and

c. Temporary incidental signs may be displayed with no restrictions from sunset on a Friday (or the day preceding a designated holiday) until sunset on the following Sunday (or the Monday following a Sunday if the Monday is a designated holiday). No individual sign may exceed six square feet in size. It is intended that this subsection shall apply to garage sale and real estate "open house" signs, however content of the sign is not restricted.

13. Display of up to three flags, each on individual flag poles, per premise. Content of the flags is not regulated.

(Ord. 2375 §5, 2012; Ord. 2303 §3, 2010)

19.12.040 Prohibited Signs and Devices

A sign, sign style or device is prohibited by this code and subject to removal if it is not specifically permitted by this code. This includes, but is not limited to, the following examples:

1. Signs adjacent to State roads that do not comply with Washington State Department of Transportation regulations.

2. Any sign using the word "stop," "look" or "danger" or any other word, symbol, character or color, that might be confusing to traffic or detract from any legal traffic control device.

3. Any sign, symbol, object or device located within City or State rights-of-way or City easement without City and/or State approval.

4. Any sign, symbol, object or device located on a traffic control device, City light pole or other City-owned facility, even if such facility is located on private property, with the exception of Section 19.12.030.4.

5. Any sign, symbol, object or device that is placed or hung from a tree, bush, shrub or other vegetation.

6. Strings of pennants, banners or streamers, searchlights, clusters of flags, wind-animated objects, balloons and similar devices except as provided under Section 19.24.060.

7. The use of portable signs or other similar devices, unless permitted under Section 19.24.070.

8. Dynamic signs, except those types specifically permitted under this code.

9. Abandoned signs.

(Ord. 2303 §3, 2010)

19.12.050 Party-of-Record

Any person who submits comments in writing on an application during the public comment period, requests in writing copies of notice of any public hearing on an application, requests in writing copies of any decision on the application, testifies on an application at a public hearing, or who otherwise indicates in writing a desire to be informed of the status of the application, shall be a party-of-record. The applicant shall always be considered a party-of-record.

(Ord. 2303 §3, 2010)

19.12.060 Notice of Complete Application

A. Within 28 days following receipt of a permit application, the Department shall mail, email or provide in person written notice to the applicant that the application is either complete or incomplete. If the application is incomplete, the notice shall state with specificity what is necessary to make the application complete.

B. An application shall be deemed complete under this section if the Department does not provide written or electronic (email) notice to the applicant that the application is incomplete within the 28-day period, as provided herein.

C. If the application is incomplete and the applicant submits the additional information requested by the Department, the Department shall mail, email or provide in person written notice to the applicant, within 14 days following the receipt of the additional information, whether the application is now complete or what further information is necessary to make the application complete. An application shall be deemed complete if the Department does not provide written or electronic (email) notice to the applicant within the 14-day period that the application is incomplete.

D. The Department may cancel an incomplete application if the applicant fails to submit the additional information listed in the notice of incompleteness within 90 days of the date of the notice.

E. The Department may extend this cancellation date up to 120 additional days if the applicant submits a written or electronic (email) request for an extension prior to cancellation. The request must clearly demonstrate the delay is due to circumstances beyond the applicant's control or unusual circumstances not typically faced by other applicants and that a good faith effort has been made to provide the requested materials.

F. The fact that an application is deemed complete pursuant to this section shall not under any circumstances prevent the City from subsequently requesting additional information or studies regarding any aspect of a proposed project that are deemed necessary to a complete review of the proposed project.

(Ord. 2303 §3, 2010)

19.12.070 Notice of Application

A. For sign permit variances and Board of Architectural Review (BAR) reviewed Master Sign Program applications a Notice of Application shall be provided to property owners and tenants within 500 feet of the subject site, departments and agencies with jurisdiction and any parties-of-record.

B. A Notice of Application shall be issued by the Department within 14 days following the Department's determination that the application is complete.

C. All required Notices of Application shall contain:

1. the file number;

2. the name of the applicant and the owner of the property, if different than the applicant;

3. a description of the sign(s), the location, a list of the permits included in the application and the location where the application and any environmental documents or studies can be reviewed;

4. a site plan;

5. a statement establishing a public comment period, which shall be 14 days following the date of the Notice of Application. Comment period for projects requiring a Shoreline Substantial Development Permit shall be either 20 or 30 days, as specified in RCW 90.58.140;

6. the procedures and deadline for filing comments, requesting notice of any required hearings and any appeal rights. Any person may comment in writing or via email on the application during the public comment period and may participate by submitting either written or oral testimony, or both, at any hearings and may request a copy of the decision once made. The Notice shall specify any appeal procedures that apply to the permit application;

7. the date, time, place and type of hearing, if applicable and scheduled at the time of notice; and

8. the identification of other permits not included in the application, to the extent known by the Department.

D. Additional information is required by RCW 90.58 for Notices of Application for projects that require a Shoreline Substantial Development Permit.

E. Except for a Determination of Significance, the Department shall not issue a threshold determination pursuant to RCW 43.21C and the Department shall not issue a decision or a recommendation on the application until the expiration of the public comment period on the Notice of Application.

F. Email notification may substitute for mailings when the relevant party agrees to this form of communication. A party-of-record may request and the City shall honor any request to only receive notification via U.S. mail.

G. Notice required per this code may be combined with land use notifications for concurrent actions required under Title 18.

H. Mailed notice shall be deemed satisfactory despite the failure of one or more persons to receive mailed notice.

(Ord. 2303 §3, 2010)

19.12.080 Notice of Hearing

A. At least 14 days prior to any public hearings on sign permit variances, BAR reviewed Master Sign Program applications or appeal of a sign decision, the Department shall issue a Notice of Hearing by mail to property owners and tenants within 500 feet of the subject site, departments and agencies with jurisdiction and any parties-of-record.

B. A Notice of Hearing shall include:

1. the file number;

2. the name of the applicant;

3. a description of the sign(s), the location, a list of the permits included in the application and the location where the application, the staff report and any environmental documents or studies can be reviewed;

4. a site plan;

5. the date, time, place and type of hearing;

6. the phone number of the Department and the name of the staff person who can provide additional information on the application and the hearing;

7. the Director shall have the discretion to include additional information in the Notice of Hearing if the Director determines such information would increase public awareness or understanding of the proposed project; and

8. email notification may substitute for mailings when the relevant party agrees to this form of communication. A party-of-record may request and the City shall honor any request to only receive notification via U.S. mail.

(Ord. 2303 §3, 2010)

19.12.090 Notice of Decision

The Department shall provide written notice in a timely manner of the final decision on permit applications. Such notice shall identify the procedures for administrative appeals, if any. Notice shall be delivered by either first class mail, email or in person to the applicant, agencies with jurisdiction and all parties-of-record.

(Ord. 2303 §3, 2010)

19.12.100 Time Periods for Permit Issuance

A. The City strives to make final decisions on all sign permit applications within 120 days from the date the applicant is notified by the Department that the application is complete. The following periods shall be excluded from this 120-day period:

1. Any period of time during which the applicant has been requested by any City department, agency or hearing body with jurisdiction over some aspect of the application to correct plans, perform required studies or provide additional information. The period shall be calculated from the date the applicant is notified of the need for additional information until the earlier of:

a. the date the department, agency or hearing body determines whether the additional information satisfies the request; or

b. 14 days after the date the information has been provided to the department, agency or hearing body. If the department, agency or hearing body determines the action by the applicant is insufficient, it shall notify the applicant of the deficiencies and the procedures of this section shall apply as if a new request for information had been made. If the applicant fails to provide a requested correction or additional information within 90 days of the request, the Department may cancel the application due to inactivity.

2. Any additional time period for administrative review agreed upon by the Department and the applicant.

3. Any additional time period agreed upon by the Department, the applicant and any parties to an appeal.

B. The time limits established in this section shall not apply if a project permit application requires an amendment to the Comprehensive Plan or a development regulation.

C. If a final decision cannot be issued within the time limits established by this section, the Department shall provide written notice of this fact to the project applicant. The notice shall include a statement of explanation as to why the time limits have not been met and an estimated date for issuance of the notice of final decision.

D. A modification to project plans occurring before issuance of the permit shall be deemed a new application for the purpose of the 120-day permit clock when such modification would result in a substantial change in a project's review requirements, as determined by the Department.

(Ord. 2303 §3, 2010)

19.12.110 Date of Decision

All notices issued pursuant to this title shall be deemed to have been issued on the date on which they are deposited in the U.S. mail or transmitted via electronic mail by the Department.

(Ord. 2303 §3, 2010)

19.12.120 Appeals

All appeals of decisions issued under this code must be filed with the Department within 14 days of the date of decision. At the time an appeal is filed, the appealing party shall pay an appeal fee pursuant to the current fee schedule. Appeals will be heard by the Hearing Examiner who shall conduct a closed-record appeal and consider only the information originally presented to the Director. No administrative appeal is permitted for sign variances which shall go directly to King County Superior Court.

(Ord. 2303 §3, 2010)

19.12.130 Notice of Appeals

A. Every Notice of Appeal shall contain:

1. the name of the appealing party;

2. the address and phone number of the appealing party, and if the appealing party is a corporation, association or other group, the address and phone number of a contact person authorized to receive notices on the appealing party's behalf; and

3. a statement identifying the decision being appealed and the alleged errors in that decision. The Notice of Appeal shall state specific errors of fact or errors in application of the law in the decision being appealed, the harm suffered or anticipated by the appellant, and the relief sought. The scope of the appeal shall be limited to matters or issues raised in the Notice of Appeal.

B. The Notice of Appeal shall be distributed by the Department to the office of the Hearing Examiner.

(Ord. 2303 §3, 2010)

19.12.140 Dismissal of Untimely Appeals

On its own motion or on the motion of a party, the Hearing Examiner shall dismiss an appeal for failure to file the appeal with the Department prior to the end of the appeal period.

(Ord. 2303 §3, 2010)

19.12.150 Sign Permit Expiration for Permanent Signs

Sign permits are valid for 180 days from the date of issuance. The applicant must request a final inspection or submit a request for extension to the City prior to the permit expiration date or the permit will expire. The Director may grant one extension of not more than 30 days if the request is submitted prior to permit expiration.

(Ord. 2303 §3, 2010)

19.12.160 Sign Code Interpretation

A. The Director shall, upon written request, issue a Sign Code Interpretation to resolve an issue arising out of the administration of this code to a specific sign proposal. Any Sign Code Interpretation issued by the Director shall be in keeping with the intent of this code as specified in Section 19.04.020, the legislative documents utilized to write this code, the Zoning Code, the Comprehensive Plan, and any other City regulation or policy such as, but not limited to, the Walk and Roll Plan and the Shoreline Master Plan.

B. Any aggrieved party may file an appeal of the Director's code interpretation following the process specified in Sections 19.12.120 and 19.12.130.

(Ord. 2303 §3, 2010)

19.12.170 Sign Code Violations

A. It is the responsibility of a property owner and/or business owner to ensure the provisions of this code are met on any real property they own or control. The City shall issue a warning to any property owner where illegal permanent or temporary signs have been installed or where permanent or temporary signs have been installed without first obtaining a permit. Each day that an unlawful sign remains will be deemed a separate violation and shall be subject to the issuance of fines of not more than $500 per day per violation.

B. If the City undertakes legal proceedings to enforce the terms of this code under the authority of Chapter 8.45, the City shall have the right to recover its costs and expenses (including attorney fees, expert witness fees and costs) and/or a monetary penalty, pursuant to this code.

C. The City shall have the right to remove any signs illegally placed within the City's right-of-way, easements under City control or property owned and/or controlled by the City. No duty is created to require the City to remove such signs. The City shall retain all signs removed from the City's right-of-way for ten days. The owner of the signs may retrieve the signs from the City and pay a $50-per-sign fee to the City to recover a portion of the City's cost in removing the illegal signs. Once the ten-day period has expired, the City shall have the right to dispose of the signs.

D. Any violation of this code shall be considered a public nuisance.

(Ord. 2303 §3, 2010)

19.12.180 Business License and Affidavit Requirement

A. Any sign contractor who does business within the City must first obtain a business license from the City. As part of the business license registration, the contractor shall sign an affidavit acknowledging they have read the City's Sign Code, specifically:

1. Section 19.12.020, "Sign Permits Required."
2. Chapter 19.36, "Non-Conforming Provisions."

B. Any sign contractor who possesses a City business license and violates the requirements of this code shall be subject to fines and penalties under Chapter 8.45. The City shall also revoke the business license of the sign contractor and the City shall not permit a new business license to be issued for at least one year, per Section 5.04.110.

C. Any sign contractor found operating in the City without a Tukwila business license shall be subject to a fine not less than $1,000. Additionally, the City shall report the violation to the State for further enforcement action. Any contractor who has a business license revoked or has fines issued shall have the right to appeal such actions to the Hearing Examiner, pursuant to Section 5.04.112.

(Ord. 2303 §3, 2010)

CHAPTER 19.16

CONSTRUCTION, MAINTENANCE AND REMOVAL OF SIGNS

Sections:

19.16.010 Construction
19.16.020 Structural Review
19.16.030 Required Inspections for Permanent Signs
19.16.040 Maintenance
19.16.050 Removal of Abandoned Signs
19.16.060 Immediate Removal, Public Safety

19.16.010 Construction

A. All signs within the City shall comply with the structural requirements of the Washington State Building Code.

B. All signs within the City shall comply with the electrical requirements of the City's adopted Electrical Code.

(Ord. 2303 §4, 2010)

19.16.020 Structural Review

The City's Building Official may require that proposed building-mounted signs that weigh 400 pounds or more, monument signs 50 square feet or more in face area and freestanding signs 15 feet or more in height undergo structural review in order to preserve the public health, safety or welfare. When structural review is required, the applicant shall pay the full amount of the City's cost to conduct such review. Construction details that describe either the proposed foundation (for freestanding signs) or wall brackets (for building-mounted signs) must be submitted with the sign permit application. Structural calculations for the sign shall be prepared by a licensed Washington State structural engineer.

(Ord. 2303 §4, 2010)

19.16.030 Required Inspections for Permanent Signs

A. When a sign triggers structural review, per Section 19.16.020, the applicant or installer shall contact the City to request a footing inspection before the concrete has been poured or bracket inspection before a building-mounted sign is installed.

B. It is the responsibility of the installer to obtain an electrical permit and associated inspections from the City if the sign uses electrical power.

C. It is the responsibility of the installer to contact the City for a final inspection for all signs when installation is complete

(Ord. 2303 §4, 2010)

19.16.040 Maintenance

All signs, including their support structures, shall be kept in good repair, specifically:

1. Signs shall be regularly painted or appropriately maintained.

2. Damaged signs or support structures shall be replaced in accordance with the original permit unless the sign is non-conforming, per Chapter 19.36.

3. All lighting shall be maintained in good working order with no broken or burned- out lamps. Signs do not have to be illuminated at all times; however, if they are illuminated, the entire sign shall be illuminated and there shall be no dark portions of the sign.

4. Electrical and power cords shall not be visible.

5. Cabinet signs with missing sign faces are strictly prohibited within the City.

6. If a building-mounted sign is removed, the building wall shall be restored to a condition to match the remaining wall area. There shall be no evidence that a sign was located on the building.

(Ord. 2303 §4, 2010)

19.16.050 Removal of Abandoned Signs

A. The Director shall order the removal of any sign that is abandoned as defined by TMC Section 19.08.020. The particular mitigation measures shall be based on the circumstances outlined below:

1. *Non-conforming Freestanding Sign.* In the event that a non-conforming freestanding sign has been abandoned and the sign is not covered under a grace period found in Chapter 19.36, the Director shall order the property owner to remove the sign and sign structure within 45 days of issuance of a Notice and Order from the City.

2. *Non-conforming Building-Mounted Sign.* In the event that a non-conforming building-mounted sign has been abandoned, the Director shall order the property owner to remove the sign within 45 days of issuance of a Notice and Order from the City. The building wall shall be completely restored, as ordered by the Director.

3. *Conforming Freestanding Sign.* In the event that a conforming freestanding sign is abandoned, the Director shall order the property owner to install a blank face on the sign within 30 days of issuance of a Notice and Order, until such time as a new tenant obtains a sign permit from the City.

4. *Conforming Building-Mounted Sign.* In the event that a conforming building-mounted sign is abandoned, the Director shall order the property owner to install a blank face on the sign within 30 days of issuance of a Notice and Order until such time as a new tenant obtains a sign permit from the City. Building-mounted signs utilizing channel letters shall be completely removed and the wall restored within 30 days of issuance of a Notice and Order.

B. It shall be the responsibility of the property owner to provide sufficient evidence that a sign is conforming to the regulations of the City's current Sign Code.

(Ord. 2303 §4, 2010)

19.16.060 Immediate Removal, Public Safety

The Director shall order the immediate removal of any sign or sign support structure that in his/her opinion poses an imminent threat to public safety or damage to adjacent structures.

(Ord. 2303 §4, 2010)

CHAPTER 19.20
PERMANENT SIGNS

Sections:

19.20.010 Intent
19.20.020 Permanent Sign Application Materials
19.20.030 Permanent Signs in Residential Zones
19.20.040 Permanent Free-Standing Signage in Commercial/Industrial Zones
19.20.050 Permanent Building-Mounted Signs in Commercial/Industrial Zones
19.20.060 Pole Banners
19.20.070 Dynamic Displays in Commercial/Industrial Zones

19.20.010 Intent

The number of signs permitted on individual properties varies based on several factors. These factors include, but are not limited to, zoning, type of use and site design. It is the goal of the City to allow a wide range of sign types, while also protecting the aesthetic character of the City's various zoning districts. Signs permitted under this chapter may only list on-premise businesses, products and uses.

(Ord. 2303 §5, 2010)

19.20.020 Permanent Sign Application Materials

All applications to install a permanent sign or other visual communication device shall include the following:

1. Three copies of a completed and signed application form provided by the City.

2. Three copies of a dimensioned and scaled site plan showing property lines, streets, buildings and parking areas; the location of all existing freestanding signs on the premises; and the location of all existing building-mounted signs on the same building as the proposed signs. Generally, the City will not require site plans to be prepared by a licensed surveyor; however, the City shall have the authority to require a site plan prepared by a Washington State Licensed Surveyor if such site plan will assist in the City's review of the proposed application.

3. Three copies of scaled and dimensioned drawings of the proposed sign or signs with area calculations.

4. If building-mounted signs are proposed, three copies of a scaled elevation of the building walls where the signs will be located indicating the location and extent of the exposed building face used to calculate the sign area.

5. Three copies of a scaled and dimensioned building profile, if projecting signs are proposed.

6. Method of illumination, if proposed.

7. Details for any dynamic portions of the proposed signs.

8. Method of support and attachment for building-mounted signs.

9. If freestanding signs are proposed, the scaled and dimensioned footing designs and height calculations.

10. Structural calculations, if required per Section 19.16.020.

11. Fee as established in the most current fee schedule.

12. One copy of a valid Washington State contractor's license or owner's affidavit.

13. Valid Tukwila business license number for the sign contractor, if applicable.

(Ord. 2303 §5, 2010)

19.20.030 Permanent Signs in Residential Zones

A. Institutional uses and multi-family complexes are allowed one flush-mounted wall sign per building and one freestanding monument-style sign for each public street that provides access to the premise.

B. Monument Sign Design Standards.

1. The area of a monument sign is limited to 30 square feet per sign face and a total of 60 square feet for all sides. Monument signs located on a premise with at least one building that is certified as LEED by the GBCI shall be permitted to be 35 square feet per face and a total of 70 square feet for all sides.

2. The sign shall be no taller than five feet.

3. Maximum width of the sign shall not exceed 15 feet.

4. The sign must meet sight distance triangle restrictions.

5. The sign shall be located in a landscaped area.

6. The sign may only use indirect down lighting methods except for dynamic signs as allowed under TMC 19.20.030 (D). The lighting shall have no spillover impact on adjacent properties.

7. A monument sign permitted under this section is permitted to complete refaces, panel changes and copy changes without the need to obtain a new permit, provided ALL of the following criteria are met:

a. The monument sign was authorized by the City under a permit issued on or after August 24, 2010.

b. The property owner, or authorized agent of the property owner, was the applicant to secure the permit as required under this section.

c. The reface or copy change does not include any structural changes to the sign that result in a change of sign or message area, modification in sign height, inclusion of a dynamic sign component, or change in the monument sign's location.

d. Within 30 days of completion of the copy change or reface, the property owner or authorized agent shall transmit to the City a Notice of Copy Change Form with a photo of the revised sign face.

C. *Flush-Mounted Building Signs (Wall Signs) - Design Standards.*

1. The maximum area of any flush-mounted building sign is limited to the calculation from Table 2 in Section 19.20.050; however, in no case shall the area of a flush-mounted building sign be greater than 50 square feet.

2. Lighting for flush-mounted building signs shall be limited to indirect, concealed and backlit devices. The lighting shall produce no spillover or glare onto adjacent properties.

D. *Dynamic Signs in Residential Zones.*

1. One monument sign per premise, as permitted under Section 19.20.030.B, may contain a dynamic feature. The following design standards apply to all dynamic signs installed under this section:

a. The image of the sign may not change more frequently than once every ten seconds.

b. The image must appear and disappear as one image. The image may not appear to flash, undulate, pulse or portray explosions, fireworks, flashes of light, or blinking or chasing lights, or appear to move toward or away from the viewer, to expand, contract, bounce, rotate, spin, twist, scroll, travel or otherwise portray movement.

c. Illumination of the dynamic sign is limited to the hours of 7AM to 10PM.

d. All signs shall have installed ambient light monitors, and shall at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions. Maximum brightness levels for electronic signs shall not exceed 3-foot candle above ambient light conditions, measured 100 feet from the face.

2. *Notice of Understanding.* The owner of any dynamic sign installed per this subsection must submit a letter to the Director stating that he/she understands and agrees to abide by the above requirements.

(Ord. 2375 §6, 2012; Ord. 2303 §5, 2010)

19.20.040 Permanent Free-Standing Signage in Commercial/Industrial Zones

Monument signs are permitted within all commercial and industrial zones, subject to the following standards:

1. Design Standards. Each premise is permitted to have one free-standing monument-style sign. Additional monument signs are permitted if the premise contains over 800 feet of linear frontage on City or quasi-public streets, per Table 1 below.

Table 1 – Design Standards for Permanent Monument Signs in Commercial and Industrial Zones

Total ROW of Premise	Allowable Sign Message Area	Total Allowable Sign Size	Maximum Height	Number of Signs
Less than 400 feet	36 square feet per side/72 square feet total	54 square feet per side/108 square feet total	6 feet	One
400-599 feet	50 square feet per side/100 square feet total	70 square feet per side/140 square feet total	7 feet	One
600-799 feet	60 square feet per side/120 square feet total	80 square feet per side/160 square feet total	7 feet	One
800-999 feet	66 square feet per side/132 square feet total	88 square feet per side/176 square feet total	8 feet	Two
1,000 feet and over	72 square feet per side/144 square feet total	96 square feet per side/192 square feet total	8 feet	One for every 400 feet of linear street frontage.

a. Allowable sign message area is either the face panel of the sign or, for channel letters or signs painted on seating or retaining walls, that portion of the sign devoted to the actual message, logo or business name.

b. Total size is the entire area of the sign, including the support structure.

c. Monument signs located on a premise with at least one building that is certified as LEED by the GBCI shall be permitted to have a sign message area increase and total size area increase of one percent.

2. *Special Corner Properties or Properties with Multiple Street Frontages.* A property that borders on more than one public street, but has less than 800 total feet of linear frontage, is permitted to have one monument sign per street frontage if the following criteria are met:

a. The property has at least 200 feet of frontage on each public street where a sign will be placed;

b. Each public street provides direct access to the property; and

c. For each separate street frontage Table 1 shall be used to determine the design standards for any proposed monument sign.

3. *Setback*. All monument signs shall be placed at a minimum of five feet from all property lines. No sign taller than three feet shall be placed within the sight distance triangle of an access point, unless it can be demonstrated the sign will not pose a safety issue by reducing visibility.

4. *Maximum Width*. The maximum permitted width of a monument sign is 15 feet.

5. *Address*. In order to facilitate emergency response, all new freestanding signs shall have the address number or address number range of the premise listed on the structure. The address shall not be counted toward the allowable sign message area limit. Address numbers must be plainly legible and visible from the street fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches high with a minimum stroke width of 1.5 inches.

6. A monument sign permitted under this section is permitted to complete refaces and copy changes without having to obtain a new permit, provided ALL of the following criteria are met:

a. The monument sign was authorized by the City under a permit issued on or after August 24, 2010.

b. The property owner, or authorized agent of the property owner, was the applicant to secure the permit as required by TMC Section 19.20.040 (6)(a).

c. The reface or copy change does not include any structural changes to the sign that result in a change of sign or message area, modification in sign height, inclusion of a dynamic sign component, or change in the monument sign's location.

d. Within 30 days of completion of the copy change or reface, the property owner or authorized agent shall transmit to the City a Notice of Copy Change Form with a photo of the revised sign face.

(Ord. 2375 §7, 2012; Ord. 2303 §5, 2010)

19.20.050 Permanent Building-Mounted Signs in Commercial/Industrial Zones

A. *Flush-Mounted Building Signs (Wall Signs).*

1. Each separate tenant suite with an exterior public entrance is permitted to have one flush-mounted building sign per exterior public entrance. In the MIC/H zone no more than one flush mounted wall sign shall be permitted per cardinal direction; regardless of the location of public entrances.

2. Buildings where multiple tenants share a common entrance may have one flush-mounted building sign per exterior public entrance.

3. Wall signs may only be placed within the section of exposed building face that qualifies for the placement of the building-mounted sign.

4. The area of the wall sign shall be a percentage of the area of exposed building face where the sign is proposed to be displayed, as calculated per Table 2.

5. Wall signs may not extend above the top of the parapet or eave of the roof of the wall on which they are located.

Table 2 – Allowable Message Area for Permanent Wall Signs in Commercial and Industrial Zones

Area (LxH) of Exposed Building Face (EBF) in Square Feet	Permitted Sign Area
0 - 500	EBF x .05 or 20 square feet
501 - 1,500	(EBF-500) x .04 + 25 square feet
1,501 - 3,000	(EBF-1,500) x .03 + 65 square feet
3,001 - 5,000	(EBF-3,000) x .02 + 110 square feet
Over 5,000 (except for buildings within the MIC/H District	150 square feet maximum size permitted
The additional sign allowances below shall only apply to buildings located on properties within the MIC/H District.	
5,001 - 20,000	(EBF-5,000) x .015 + 150 square feet
20,001 - 50,000	(EBF-20,000) x .015 + 375 square feet
50,001 - 80,000	(EBF-50,000) x .015 + 825 square feet
80,001 - 100,000	(EBF-80,000) x .01 + 1,275 square feet
Over 100,000	1,500 square feet maximum size permitted

(1) Any flush-mounted (wall) sign affixed to a building certified as LEED by the GBCI shall be permitted an area increase of .5 percent of the permitted sign area from Table 2.

(2) A fuel canopy, as defined in this title, is permitted to install one flush-mounted building sign (wall sign) on each separate elevation of the fuel canopy structure. The area of the sign shall not exceed five square feet; illumination of the sign is permitted.

B. *Awning Face Sign*. An awning face sign may be substituted for a flush-mounted building sign, allowed under Section 19.20.050.A, when the following standards are met:

1. The size of the awning face sign may be no larger than the flush-mounted sign that would otherwise be allowed per Table 2.

2. Awning face signs are only permitted on awnings located over a public entrance to a building. The sign area may be distributed among multiple awnings on an exposed building face.

3. The awning face sign may not exceed 30 percent of the total area of the awning on which the sign is located.

4. Only indirect lighting shall be used for awning face signs.

5. The sign may only consist of vinyl or paint applied directly to the awning.

6. In commercial zones awnings may only be constructed of canvas or nylon fabric.

C. *Projecting Signs.* One projecting sign per separate business is permitted in addition to any other type of building-mounted sign when the following standards are met:

1. Projecting signs shall only be permitted for tenant spaces that have a direct ground-floor public entrance.

2. No portion of a projecting sign may extend above the lower sill of any second story window on the same exposed building face.

3. No projecting sign may exceed 20 square feet per face or a total of 40 square feet for all faces.

4. Projecting signs may project no more than four feet out from the façade of the building. In no case shall the sign extend beyond the sidewalk which it overhangs.

5. No portion of the projecting sign shall be lower than eight feet above the level of sidewalk or other public right-of-way over which it projects.

6. Projecting signs may utilize rotating mechanical displays.

D. *Corner Projecting Sign*. In order to foster an urban-style environment, a corner projecting sign may be substituted for a projecting sign allowed under Section 19.20.050.C, when the following standards are met:

1. Signs shall only be permitted in the TUC and NCC zones.

2. Signs are only permitted on the corners of buildings that are built to the minimum zoning setbacks of two public streets or a private street developed to public standards including sidewalks and landscaping. One corner projecting sign is permitted for each corner of a building that meets the above standards.

3. Public entrances must be provided directly from the adjacent public right-of-way into the tenant space in order to qualify for a corner projecting sign.

4. Signs shall be no taller than 25 feet from the bottom-most part of the sign to the tallest part of the sign and may not extend above the wall on which it is mounted.

5. Sign area is limited to 75 square feet per face or a total of 150 square feet for all faces.

6. Signs shall project no more than six feet from the façade of the building. In no case shall the sign extend out beyond the street edge of the sidewalk under the sign.

7. No portion of a sign shall be lower than 12 feet above the level of the sidewalk.

8. Signs may utilize the following dynamic features: neon, chasing lights, flashing lights or rotating mechanical displays. The use of strobe lights, video displays and rotating lights is prohibited.

E. *Canopy-Edge Sign.* A canopy-edge sign may be substituted for a projecting sign, allowed under Section 19.20.050.C, when the following standards are met:

1. Canopy-edge signs may only be permitted for canopies located above a public entrance to a business.

2. The sign is limited to a single row of individual letters not to exceed 12 inches in height.

3. The letters may not project beyond the edge of the canopy.

4. The length of the sign may not exceed two-thirds of the canopy length.

5. The letters may be illuminated.

F. *Pedestrian-Oriented Building-Mounted Signs*. The signs listed under this section are allowed in addition to the building-mounted signs permitted under Section 19.20.050.A through E.

1. Under-Awning/Canopy Sign.

a. Under-awning/canopy signs must be located adjacent to a public entrance from a public or private sidewalk into a business.

b. No more than one sign shall be permitted per business, per façade.

c. No sign may exceed three square feet in size.

d. No sign may project farther from the building than its associated awning or canopy.

e. No part of the sign may be less than eight feet above the level of the sidewalk or right-of-way over which it projects.

2. Awning/Canopy Side Sign.

a. Only awnings/canopies that are over exterior public entrances are permitted signs.

b. Only one awning/canopy per façade may have a sign.

c. Awning text and graphics may not exceed 12 inches in height with total sign area not to exceed 40 percent of the awning side area.

d. Canopy signs are permitted one line of lettering, not to exceed two-thirds the thickness of the canopy or 12 inches, whichever is less.

e. Signs shall not project beyond the edge of the associated awning or canopy.

f. No portion of the sign may be less than eight feet above the sidewalk or other public right-of-way over which it projects.

g. Awning signs may only consist of vinyl or paint applied directly to the awning.

3. Permanent Window Signs.

a. Permanent window signs are permitted to be placed within ground-floor windows that provide a direct line of sight in and out of an area open to the public. Permanent window signs are not permitted to be placed in windows located along private offices, storage space, display windows, residential units or other areas of the building that are not open to the public.

b. Only windows along the same façade as a public entrance to the business are eligible for permanent window signs.

c. No more than ten percent of the total ground-floor transparent-window area along the exposed building face of a business may be occupied by permanent window signs. Spandrel, opaque and mirrored glass do not qualify for window signage.

d. No individual sign may be larger than six square feet.

e. In no case shall the total sign area in the window, both of permanent window signs and temporary window signs, exceed 25 percent of the window area.

f. The letter height for window signs shall not exceed eight inches.

g. The signs may be made of gold or silver leaf, vinyl or paint, applied directly to the glass; etched into the glass; neon mounted or suspended behind the glass; or framed and mounted paper signs. Posters that are not framed are not considered permanent window signs and may only be permitted under Section 19.24.080, "Temporary Window Signs."

h. If the signs are illuminated, only exposed neon tubing is permitted.

4. *Incentive Signage.* Businesses may be permitted additional flush-mounted building signage on walls fronting their tenant spaces that do not qualify for the signage described in Section 19.20.050.A, under the following circumstances:

a. The business or use may not have any other building-mounted signage oriented in the same direction as the incentive sign.

b. Architectural interest must be provided through at least one of the following methods:

1) At least 50 percent of the wall area between the height of two and seven feet must be transparent with either an unobstructed view into the business or use, or a display window with a depth of at least three feet.

2) Architectural detailing consistent with the building design using changes in color, materials, texture and variations in the wall plane.

3) Artwork such as mosaic, mural or sculptural relief over at least 50 percent of the wall surface.

4) One or more trellises covering at least 50 percent of the wall area between the height of two and seven feet, planted with climbing vines and other plant materials in a planting bed at least two feet in width and provided with permanent irrigation.

5) The allowable area of the sign is 50 percent of that calculated in "Table 2 – Allowable Message Area for Permanent Wall Signs in Commercial and Industrial Zones."

G. *Parking Garage Incentives*. The City desires to encourage the construction of parking garages and will permit special incentive signs for parking garage structures under the following conditions:

1. Signs may only be flush mounted to the walls of parking structures have two or more above-ground parking levels.

2. The sign must be designed to allow periodic replacement of the copy. Electronic signs are permitted as long as they are operated in a way that does not meet the definition of dynamic sign.

3. The sign face must be contained within a frame that is architecturally compatible with the building design.

4. Internally-illuminated cabinet signs are not permitted.

5. Each sign may be a maximum of 288 square feet in area.

6. One wall of the parking structure may have signage, including incentive signage and permanent channel letter signs, that does not exceed eight percent of the exposed parking structure face. All other exposed parking structure walls are permitted signage, including incentive signage and permanent channel letter signs, that does not exceed six and one-half percent of the exposed face area. Ventilation openings may be included in the parking structure face area calculation.

7. A maximum of two parking structure incentive signs are allowed per parking structure wall.

(Ord. 2409 §1, 2013; Ord. 2375 §8, 2012; Ord. 2303 §5, 2010)

19.20.060 Pole Banners

A. Pole banners are permitted in the Tukwila Urban Center zone and on properties that contain a Public Recreation Overlay as defined by Title 18 of the Tukwila Municipal Code.

B. Pole banners may only be attached to parking lot light poles on private property.

C. Banners may have periodic changes in copy without submittal for a new sign permit.

D. The maximum area per banner is 10 square feet, with a limit of 2 banners per pole.

E. The lower edge of the banner must be at least 12 feet above grade.

F. Annual renewal of the banner permit is required.

(Ord. 2375 §9, 2012; Ord. 2303 §5, 2010)

19.20.070 Dynamic Displays in Commercial/Industrial Zones

Dynamic signs are strictly prohibited within commercial and industrial zones, except where specifically allowed for designated sign types.

(Ord. 2303 §5, 2010)

CHAPTER 19.22

TUKWILA URBAN CENTER OPT-OUT PROVISIONS

Sections:

19.22.010 Purpose
19.22.020 Opt-out Permitted
19.22.025 Other Chapters Remain in Force
19.22.027 Permanent Sign Application Materials
19.22.030 Allowable Signage
19.22.035 Dynamic Signs
19.22.040 Right to Opt-Back In

19.22.010 Purpose

The Tukwila Urban Center defined in TMC Section 19.08.247 is an area of existing development that due to its high traffic counts and auto-oriented property configuration is well served by the historical sign regulations. This chapter establishes an "opt-out" provision for properties that currently do not have the development pattern that would benefit from the sign regulations found in TMC Chapter 19.20.

(Ord. 2303 §6, 2010)

19.22.020 Opt-out Permitted

A. A property owner within the Tukwila Urban Center (TUC) may choose to "opt out" of the requirements found in Chapter 19.20 of this Title if the following criteria are met:

1. The property owner of record must submit a letter to the Director of DCD notifying the City of the property owner's intent to "opt-out" of Chapter 19.20 within one year of the effective date of this Title, with copies of the opt out letter provided to all tenants on the premise.

2. The letter must include a map identifying all parcels included in the "opt-out" request and verifying that the premise is located within the TUC.

3. An "opt-out" request will apply to all buildings, tenants and signs on a premise.

4. The letter must be accompanied by the fee established in the most current fee schedule.

B. Upon receipt of the letter, the Director of Community Development shall confirm receipt and issue a determination regarding whether the property meets the opt-out criteria listed above.

(Ord. 2303 §6, 2010)

19.22.025 Other Chapters Remain in Force

A decision to opt out as permitted by TMC Section 19.22.020 is only from Chapter 19.20 and all other chapters of this Title shall remain in full force. Properties that have opted out of the requirements of Chapter 19.20 are ineligible to participate in the Master Sign Program found in Chapter 19.32 unless the property owner chooses to opt back in pursuant to TMC Section 19.22.040.

(Ord. 2303 §6, 2010)

19.22.027 Permanent Sign Application Materials

All applications to install a permanent sign or other visual communication device under this chapter shall include the following:

1. Three copies of a completed and signed application form provided by the City noting that the sign is proposed on an "opt-out" premise.

2. Three copies of a dimensioned and scaled site plan showing property lines, streets, buildings and parking areas; the location of all existing freestanding signs on the premises; and the location of all existing building-mounted signs on the same building as the proposed signs. Generally, the City will not require site plans to be prepared by a licensed surveyor; however, the City shall have the authority to require a site plan prepared by a Washington State Licensed Surveyor if such site plan will assist in the City's review of the proposed application.

3. Three copies of scaled and dimensioned drawings of the proposed sign or signs with area calculations.

4. If wall signs are proposed, three copies of a scaled elevation of the building walls where the signs will be located indicating the location and extent of the exposed building face used to calculate the sign area.

5. Method of illumination, if proposed.

6. Method of support and attachment for wall signs.

7. If freestanding signs are proposed, the scaled and dimensioned footing designs and height calculations.

8. Structural calculations, if required per Section 19.16.020.

9. Fee as established in the most current fee schedule.

10. One copy of a valid Washington State contractor's license or owner's affidavit.

11. Valid Tukwila business license number for the sign contractor, if applicable.

(Ord. 2303 §6, 2010)

19.22.030 Allowable Signage

A premise that has opted out will only be allowed permanent signs under the provisions of this section.

1. *Permanent Wall Signs*. Each tenant space shall be permitted one permanent wall sign. An additional permanent wall sign is permitted if the tenant is not listed on a freestanding sign on the premises. The following criteria shall be met for all permanent wall signs:

a. The area of the wall sign shall be a percentage of the area of exposed building face of the tenant space, as calculated per *Table 1*.

Table 1 – Allowable Message Area for Permanent Wall Signs in the Southcenter Parkway Corridor

Area (LxH) of Exposed Building Face (EBF) in Square Feet	Permitted Sign Area
0-500	EBF x .05 or 20 square feet
501-1,500	(EBF-500) x .04 + 25 square feet
1,501-3,000	(EBF-1,500) x .03 + 65 square feet
3,001-5,000	(EBF-3,000) x .02 + 110 square feet
Over 5,000	150 square feet maximum size permitted

b. The permanent wall sign must be located on the exposed building face of the tenant space that qualifies for the sign.

c. Only one permanent wall sign is permitted per tenant space per exposed building face.

2. *Freestanding Signs.* One freestanding sign shall be permitted for each premise. One additional freestanding sign may be permitted for premises that meet the following conditions:

a. The site has at least 400 linear feet of frontage on a public street;

b. The site has at least two detached commercial occupied buildings, neither of which is accessory to the other;

c. The site is occupied by at least two tenants.

3. *Development Standards for Freestanding Signs.* The following development standards shall apply to freestanding signs permitted under TMC Section 19.22.030 (B):

a. Area of Sign.

Street Frontage	Sign Area/Sign
Up to 200 feet	50 sq ft. with a total of 100 sq ft. for all sides.
200 to 400 feet.	75 sq. ft. with a total of 150 sq. ft. for all sides.
Over 400 feet.	100 sq. ft. with a total of 200 sq ft. for all sides.

b. *Height*. Any permitted freestanding sign shall be not taller than the building it identifies up to a maximum height of 35 feet.

c. *Setback*. All freestanding signs shall be set back from all property lines a distance equal to the height of the sign.

d. *Address.* In order to facilitate emergency response, all new freestanding signs shall have the address number or address number range of the premise listed on the structure. The address shall not be counted toward the allowable sign message area limit. Address numbers must be plainly legible and visible from the street fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches high with a minimum stroke width of 1.5 inches.

(Ord. 2303 §6, 2010)

19.22.035 Dynamic Signs

Properties that choose to opt out of the provisions of TMC Chapter 19.20 are prohibited from having any sign which may be considered a dynamic sign.

(Ord. 2303 §6, 2010)

19.22.040 Right to Opt-Back In

A property owner that previously chose to opt out under TMC Section 19.22.020 may choose to opt back in to the signs permitted under TMC Chapter 19.20. A decision to opt back in is permanent and may be made at any time provided the following conditions are met:

1. The property owner provides the Director of Community Development a letter indicating their intent to opt back in to TMC Chapter 19.20 with copies to all affected tenants.

2. The letter must identify all signs that do not conform to the requirements of TMC Chapter 19.20 and either modify or remove them within 30 days of the date of the letter.

3. If existing signs are to be modified to meet the standards in TMC Chapter 19.20, the letter must be accompanied by sign permit applications identifying how they will achieve conformance.

(Ord. 2303 §6, 2010)

CHAPTER 19.24
TEMPORARY SIGNS

Sections:

19.24.010 Purpose
19.24.020 Application Materials for Temporary and Special Event Sign Permits
19.24.030 Temporary Signs in Residential Zones
19.24.040 Temporary Signs in Commercial and Industrial Zones
19.24.050 General Provisions for all Temporary Signs
19.24.060 Special Event Signage
19.24.070 Portable Signs
19.24.080 Temporary Window Signs
19.24.090 Political Campaign Signs

19.24.010 Purpose

Temporary signs serve an important economic function and contribute to the success of the City's businesses. However, the City also desires to limit the number of temporary signs and control the placement and size of such signage in order to minimize visual clutter.

(Ord. 2303 §7, 2010)

19.24.020 Application Materials for Temporary and Special Event Sign Permits

All applications to install a temporary sign or other visual communication device shall include:

1. Two copies of a completed and signed application form provided by the City;
2. Two copies of a site plan showing proposed sign location(s). If applicable, the site plan shall show the location of adjacent streets, buildings, sidewalks and parking areas;
3. Two copies of scaled and dimensioned drawings of the proposed sign or signs with area calculations and text;
4. Two copies of an elevation of the building wall showing placement of the sign if a building-mounted sign is proposed;
5. Length of proposed display; and
6. Fee, as established in the most current fee schedule.

(Ord. 2303 §7, 2010)

19.24.030 Temporary Signs in Residential Zones

In addition to the signage permitted under Section 19.12.030, institutional and multi-family uses are permitted the following temporary signage:

1. Each institutional use and multi-family complex is permitted up to two temporary signs per temporary sign permit.
2. The total area of all temporary signs displayed under a permit may not exceed 64 square feet in sign face area.
3. Temporary signs may be either flat cloth or vinyl banners, or rigid plastic or cardboard signs.
4. Temporary signs may remain in place for not more than 30 days per calendar quarter. A temporary sign permit from the City is required for each separate display of temporary signage within the calendar quarter.
5. In addition to the temporary signage allowed above, each institutional use and multi-family complex may have up to 12 special event signage permits per year to display signs and devices that would be prohibited under Section 19.12.040.6. The duration of the permit shall not exceed 72 hours.

(Ord. 2303 §7, 2010)

19.24.040 Temporary Signs in Commercial and Industrial Zones

A. Each business is permitted up to two temporary signs per temporary sign permit.

B. The total area of all temporary signs displayed under a permit may not exceed 64 square feet in sign face area.

C. Temporary signs may be either flat cloth or vinyl banners, or flat plastic or cardboard rigid signs.

D. Temporary signs may remain in place for not more than 30 days per calendar quarter. A temporary sign permit from the City is required for each separate display of signage within the calendar quarter.

(Ord. 2303 §7, 2010)

19.24.050 General Provisions for all Temporary Signs

A. *Placement*. Temporary signs may only be placed on the wall fronting the tenant space of the applicant that has been issued the temporary sign permit or on the associated premises. The sign must be securely attached, either to the wall if located on the building, or securely tied to stakes located in a landscaped area. Display of temporary signs in any other manner, except as outlined by this code, is strictly forbidden.

B. *Setbacks.* All temporary signs not attached to buildings shall be placed a minimum of five feet from all property lines. No temporary sign more than three feet in height shall be placed within the sight distance triangle of a vehicular access point, unless it can be demonstrated the sign will not pose a safety issue by reducing visibility.

(Ord. 2303 §7, 2010)

19.24.060 Special Event Signage

Each business operating within the City shall be permitted one special event permit every 24 months. That permit allows:

1. The type and size of temporary signs permitted under Section 19.24.050.
2. Any of the sign types otherwise prohibited under Section 19.12.040.6, "Prohibited Signs and Devices."
3. These signs may remain in place for up to 30 days.

(Ord. 2303 §7, 2010)

19.24.070 Portable Signs

A. In order to facilitate the orderly movement of automobile traffic and pedestrians, portable signs may be used for limited duration with special permission from the City. The use of portable signs is limited to special events such as the holiday shopping season at the Westfield Southcenter Mall, events by the City's Parks and Recreation Department and/or events at Fort Dent Park.

B. The City may approve the use of portable signs for special events if all of the following conditions are met:

1. The portable signs are being used strictly to assist motorists and/or pedestrians in navigating City streets and/or commercial properties. The portable signs are not intended to be used for advertising or as a means to circumvent the intent of this code.

2. The placement of the portable signs will not impact public safety.

3. The use of the portable signs is part of a larger motorist and/or pedestrian management plan.

4. The anticipated traffic for the event represents a 50 percent increase above the ordinary traffic for the site that will be hosting the event.

5. The special permit shall be valid for up to 30 days. Portable signs shall be removed within 24 hours following the conclusion of the event.

6. The signs can be safely displayed and placed.

C. Real estate directional signs do not qualify for a special portable sign permit.

(Ord. 2303 §7, 2010)

19.24.080 Temporary Window Signs

A. Temporary window signs do not require sign permits.

B. No sign may be displayed for longer than 30 days.

C. Signs are permitted to be placed within ground-floor windows that provide a direct line of sight in and out of an area open to the public. Temporary window signs are not permitted to be placed in windows located along private offices, storage space, residential units or other areas of the building that are not open to the public.

D. Only windows along the same façade as a public entrance to the business are eligible for temporary window signs.

E. No more than 15 percent of the total ground-floor transparent-window area of a business along an exposed building face may be occupied by temporary window signs. Spandrel, opaque and mirrored glass do not qualify for window signage.

F. No individual sign may be larger than six square feet.

G. In no case may the total sign area in the window, both of permanent window signs and temporary window signs, exceed 25 percent of the eligible window area.

(Ord. 2303 §7, 2010)

19.24.090 Political Campaign Signs

A. Political campaign signs do not require sign permits.

B. Candidate signs may only be installed for candidates who either have publicly declared their intent to run for office or have filed with King County to seek office.

C. Initiative signage may be displayed for any initiative in which there is an ongoing drive to collect signatures to place the initiative on a ballot or if the initiative has been filed with the Washington Secretary of State's Office or County Auditor's Office. All signs must be removed within 14 days following the election.

D. All political campaign signage shall be removed within 14 days following the general election. If a run-off election for a candidate or initiative is required, the signs may remain until 14 days following the run-off election.

E. Campaign signs may be placed in the landscaped area or parking strip of a property in which the adjacent property owner controls and maintains the area. No political campaign sign shall be erected on private property without the permission of the property owner or his/her agent.

F. Campaign signs are in addition to any sign permitted under TMC Section 19.24.030, "Temporary Signs in Residential Areas."

G. Campaign signs may not be located on real property owned and/or controlled by the City of Tukwila.

H. Campaign signs may not be located within street medians or in right-of-way areas not maintained by an adjacent property owner.

(Ord. 2303 §7, 2010)

CHAPTER 19.28

VARIANCES

Sections:

19.28.010 Variance Process
19.28.020 Sign Variance Application
19.28.030 Variance Criteria
19.28.040 Variance Not Permitted

19.28.010 Variance Process

Variance decisions shall be made by the Hearing Examiner at an open record public hearing and any appeals shall be made to King County Superior Court.

(Ord. 2303 §8, 2010)

19.28.020 Sign Variance Application

Applications for sign variances must be accompanied by the following materials:

1. Three copies of a completed and signed application form provided by the City.

2. Three copies of a dimensioned and scaled site plan showing property lines, streets, buildings, parking areas and the location of all existing and proposed signs on the premises, including both building-mounted and freestanding signs. Highlight the change requested through the variance. Generally, the City will not require site plans to be prepared by a licensed surveyor; however, the City shall have the authority to require a site plan prepared by a Washington State Licensed Surveyor if such site plan will assist in the City's review of the proposed application.

3. Three copies of scaled and dimensioned drawings of the proposed sign or signs with area calculations.

4. If building-mounted signs are proposed, three copies of a scaled elevation of the building walls where the signs will be located indicating the location and extent of the exposed building face used to calculate the sign area.

5. If freestanding signs are proposed, scaled and dimensioned drawing with height calculations.

6. Three copies of a scaled and dimensioned building profile, if projecting signs are proposed.

7. Method of illumination, if proposed.

8. Details for any dynamic portions of the proposed signs.

9. Written narrative responding to the seven variance criteria found in Section 19.28.030.

10. Mailing labels for all property owners, tenants and businesses within 500 feet of the subject property requesting the variance, or the Public Notice Mailing Fee per the City's current fee schedule, if the City is to generate the labels.

11. Payment of fee as established in the City's current fee schedule.

(Ord. 2303 §8, 2010)

19.28.030 Variance Criteria

The Hearing Examiner may grant a variance to the requirements of this code only when the applicant demonstrates compliance with the following:

1. The variance as approved shall not constitute a grant of special privilege, which is inconsistent with the intent of this Sign Code.

2. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.

3. Granting of the variance will not be materially detrimental to the public welfare or injurious to property, improvements or environment in the vicinity and in the zone in which the subject property is located.

4. The special conditions and circumstances prompting the variance request do not result from the actions of the applicant.

5. The variance as granted represents the least amount of deviation from the prescribed regulations necessary to accomplish the purpose for which the variance is sought and which is consistent with the stated intent of this code.

6. The variance request is not inconsistent with any other adopted City plan or policy, including the Zoning Code, Walk and Roll Plan and/or Shoreline Master Program.

7. Granting of the variance shall result in greater convenience to the public in identifying the business location for which a Sign Code variance is sought.

(Ord. 2303 §8, 2010)

19.28.040 Variance Not Permitted

In no case shall the Hearing Examiner permit a variance to be issued for a sign type that is prohibited under this code.

(Ord. 2303 §8, 2010)

CHAPTER 19.32

MASTER SIGN PROGRAM

Sections:

19.32.010 Intent of Master Sign Program
19.32.020 Eligibility
19.32.030 Process
19.32.040 Criteria
19.32.050 Master Sign Program Application Materials
19.32.060 Allowable Modifications Under a Master Sign Program
19.32.070 Existing Signs Not Conforming to a Master Sign Program
19.32.075 Copy and Refaces of Monument and Grand Monument Signs
19.32.080 Regional Gateway Sign
19.32.090 Binding Effect

19.32.010 Intent of Master Sign Program

The Master Sign Program is intended to provide a voluntary process to allow for adaptation of the standard provisions of the Sign Code to the specific needs of larger sites. The signs approved through this process must be integrated into a cohesive design and communication approach for the site, while continuing to meet the overall intent of the Sign Code listed in Section 19.04.020. Signs permitted under this chapter may only list on-premise businesses, products and uses.

(Ord. 2303 §9, 2010)

19.32.020 Eligibility

Property owners of premises that meet one of the following conditions may apply for approval of a Master Sign Program to customize the standard Sign Code requirements to their specific site conditions:

1. Sites of 15 acres or more, developed with one or more buildings, totaling at least 200,000 square feet.
2. Essential Public Facilities within commercial or industrial zones.

(Ord. 2303 §9, 2010)

19.32.030 Process

Master Sign Programs that propose to vary the size, number or location of otherwise permissible signs under Section 19.32.060.A will be reviewed administratively by the Director. Programs that propose to allow unique sign types or signs not otherwise permissible under this code, per Section 19.32.060.B, will be reviewed by the Board of Architectural Review. Amendments to previously-approved Master Sign Programs will be reviewed administratively by the Director. No appeals of Master Sign Program decisions are permitted. Approval of a Master Sign Program does not waive the permit requirements for individual signs.

(Ord. 2303 §9, 2010)

19.32.040 Criteria

A Master Sign Program may be approved if all of the following criteria are met:

1. The Master Sign Program meets the intent of the Sign Code as well or better than the signage allowed under the standard code provisions.
2. The requested deviations from the code respond to the specific characteristics or use of the premises.
3. The program complies with the applicable standards in this chapter.
4. The existing and proposed signage is integrated with an overall lighting scheme for the project site to create a safe, lively and inviting night-time environment if the site is in a commercial zone.
5. No sign-related code enforcement violations on the premises for at least one year prior to submitting the Master Sign Program application.
6. The program must contain a schedule for the removal of all non-conforming signs on the premise within three years from the date of Master Sign Program approval.

(Ord. 2303 §9, 2010)

19.32.050 Master Sign Program Application Materials

Applications for Master Sign Programs must be accompanied by the following materials:

1. Three copies of a completed and signed application form provided by the City.
2. Three copies of a dimensioned and scaled site plan showing property lines, streets, buildings, parking areas and the location of all existing and proposed signs on the premises, including both building-mounted and freestanding signs. Highlight the changes requested through the program. Generally, the City will not require site plans to be prepared by a licensed surveyor; however, the City shall have the authority to require a site plan prepared by a Washington State Licensed Surveyor if such site plan will assist in the City's review of the proposed application.
3. Three copies of scaled and dimensioned drawings of the proposed sign or signs with area and height calculations.
4. If building-mounted signs are proposed, three copies of a scaled elevation of the building walls where the signs will be located indicating the location and extent of the exposed building face used to calculate the sign area.
5. Three copies of a scaled and dimensioned building profile, if projecting signs are proposed.
6. Method of illumination, if proposed.
7. Details for any dynamic portions of the proposed signs.
8. Written narrative justifying the requested deviations from the Sign Code and demonstrating compliance with the standards in this chapter.
9. Analysis of sight distance safety if increases in size to monument signs or installation of a grand-monument sign is proposed.

10. Mailing labels for all property owners, tenants and businesses within 500 feet of the subject property for programs reviewed by the BAR, or the Public Notice Mailing Fee, per the City's current fee schedule, if the City is to generate the labels.

11. Payment of fee as listed in the City's current fee schedule.

(Ord. 2303 §9, 2010)

19.32.060 Allowable Modifications Under a Master Sign Program

A. Modifications to the following standards may be allowed under an administratively approved Master Sign Program:

1. Increase in monument sign total area of up to 25 percent. No increase in height permitted.

2. Increase in the area of a flush-mounted building sign, allowed per Section 19.20.050.A shall be allowed as follows:

a. For premises up to 85 acres in size, the flush-mounted building sign can be increased to six percent of the exposed building face, up to a maximum of 250 square feet.

b. For premises 85 acres and over in size, the flush-mounted building sign can be increased up to six percent of the exposed building face, up to a maximum of 500 square feet, provided that no flush-mounted building sign with an area greater than 250 square feet is located within 250 feet of a public street.

3. Aggregation of the building-mounted or freestanding sign area allowed per Table 1 or Table 2 into fewer, larger signs of the same type.

4. Up to four additional directional signs. The directional signs must utilize materials, colors and details consistent with the design of the other site signage.

B. In addition to the above-listed modifications, the following additional sign types may be allowed with Board of Architectural Review approval:

1. Roof signs, subject to the following standards:

a. Roof signs may be allowed only within the TUC zone.

b. Roof signs may only be permitted on sloping roofs.

c. Roof signs may not exceed a maximum height of four feet above the eave of the roof, but in no case may any part of the sign be higher than the peak of the roof.

d. Roof signs may not exceed 40 square feet in total size.

e. Roof signs may only be individual channel letters supported by an architecturally-integrated structure.

f. Roof signs may not project beyond the face of the building.

g. One roof sign may be allowed per structure. One additional roof-top sign may be permitted if the roof-top signs are approved as part of the design review approval of the structure.

2. Grand monument signs, subject to the following standards:

a. Grand monument signs may be allowed only within the TUC and TVS zones.

b. Each grand monument sign would substitute for one of the monument signs the premises is eligible to install under Section 19.20.040.

c. Any poles or columns supporting the sign must have an architectural treatment such as brick, stone or wood cladding that is consistent with the design of the buildings on site.

d. Sign message area may be increased up to 100 square feet per side, 200 square feet total and the limitation on structure size is removed. For sites over 85 acres, the sign message area may be increased up to 500 square feet per side, 1000 square feet total.

e. The sign structure must be set back from the side and rear property lines of the premise a distance equal to the height increase requested or five feet, whichever is greater. The minimum front setback is the smaller of the front yard required in the zoning district or the height increase requested.

f. Total height of the sign structure may not exceed the height of the tallest building on the premises, except for sites over 85 acres, the height may exceed the tallest building but shall not exceed 115 feet.

g. No more than two grand monument signs are allowed per premises.

3. Landmark business wall signs, subject to the following standards:

a. Landmark businesses are allowed up to four flush-mounted building signs, one for each wall that faces a cardinal direction.

b. The allowed sign area is six percent of the total exterior wall of the tenant space, up to a maximum of 500 square feet.

c. Landmark businesses that have a portion of their exterior wall obscured by a structure may place their signage on the structure wall parallel to their obscured wall.

(Ord. 2303 §9, 2010)

19.32.070 Existing Signs Not Conforming to a Master Sign Program

Any new or amended Master Sign Program shall include the removal of any existing, non-conforming signs on the premises. The applicant may propose a phased schedule for bringing into conformance all signs not conforming to the proposed or amended program, or Chapter 19.36 of this code, within three years. If phasing is proposed, a financial guarantee acceptable to the Director shall be held by the City until the premises is brought into compliance with the Sign Code and approved Master Sign Program.

(Ord. 2303 §9, 2010)

19.32.075 Copy and Refaces of Monument and Grand Monument Signs Approved under this Chapter

A monument sign or grand monument sign permitted under this section is permitted to complete refaces and copy changes without having to obtain a new permit, provided ALL of the following criteria are met:

1. The monument sign or grand monument sign was authorized by the City under a permit issued on or after August 24, 2010.

2. The property owner, or authorized agent of the property owner, was the applicant to secure the permit as required by TMC Section 19.32.075 (1).

3. The reface or copy change does not include any structural changes to the sign that result in a change of sign or message area, modification in sign height, inclusion of a dynamic sign component, or change in the monument or grand monument sign's location.

4. Within 30 days of completion of the copy change or reface, the property owner or authorized agent shall transmit to the City a Notice of Copy Change Form with a photo of the revised sign face.

(Ord. 2375 §10, 2012)

19.32.080 Regional Gateway Sign

In addition to the signs otherwise allowed under the Master Sign Program, the City may allow by development agreement on property adjacent to two interstate highways, installation of one sign intended to attract and welcome visitors to the Tukwila Urban Center area of the City. The standards for such a sign shall be set forth in the development agreement.

(Ord. 2303 §9, 2010)

19.32.090 Binding Effect

After approval of a Master Sign Program, no permanent signs shall be erected, placed, painted or maintained, except in conformance with such plan, and such plan shall be enforced in the same way as any provision in this code. The Master Sign Program shall be referenced to the lease agreements for all leasable space within the project and recorded on the property title. In case of any conflict between the provisions of such a plan and any other provisions in this code, this section shall control.

(Ord. 2303 §9, 2010)

CHAPTER 19.36

NON-CONFORMING PROVISIONS

Sections:

19.36.010 Purpose
19.36.020 Definition and Removal of Legally Non-Conforming Permanent Signs
19.36.030 Permanent Signs that Did Not Comply with the Previous Sign Code
19.36.040 Non-Conforming Sign Permits
19.36.050 Existing Freeway Interchange Signs
19.36.060 Non-Conforming Temporary Signs
19.36.070 Additional Signage Prohibited
19.32.080 Financial Incentives – Tukwila International Boulevard Corridor

19.36.010 Purpose

The purpose of this chapter is to establish limits on the use of and requirements for the removal of non-conforming signs. Subject to the remaining restrictions of this chapter, non-conforming signs that were otherwise lawful on the effective date of this code, or lawful at the time of their installation, may be continued until their removal is triggered. The provisions of this chapter do not apply to billboards.

(Ord. 2303 §10, 2010)

19.36.020 Definition and Removal of Legally Non-Conforming Permanent Signs

A. All permanent signs that do not conform to the specific standards of this code may be considered legally non-conforming if the sign was erected in conformance with a valid permit, if a permit was required, and complied with all applicable laws at the time of the sign's installation. Non-conforming rights are not granted to temporary signs or signs that were in violation of previous versions of the Sign Code.

B. Any monument sign that was installed in the City prior to the effective date of this code and that exceeds Sign Code standards as to sign area, height or setback by 15 percent or less shall be deemed a conforming sign.

C. Grace Period for Permanent Signs that Complied with the Previous Sign Code. Signs that were installed under the City's previous Sign Code, which was adopted by Ordinance No. 1274 and amended by Ordinance Nos. 1617, 1649, 1773, 1792, 1857, 1892, 1913, 1964, 1982, 2004, 2019, 2096 and 2126, and became non-conforming upon adoption of this code, may be issued a non-conforming sign permit that will allow them to remain for 10 years from the effective date of this ordinance. This shall be known as "the grace period." This section does not apply to signs that were classified as "freeway interchange" under the previous Sign Code.

D. *Sign Modifications During the Grace Period.* During the grace period, the sign may be refaced and the panel or copy changed, provided the area, height and location of the sign remain unchanged. A non-conforming sign permit will be issued for work covered under this section. Permanent signs and sign structures that are moved, replaced or structurally altered must be brought into conformance with the current Sign Code regulations.

E. *Sign Modifications After the Grace Period*. After the grace period, the sign is permitted to remain as-is indefinitely. However, relocation, re-erection, alteration, replacement or change in any way to a legal, non-conforming sign, including the structure or sign panel/face/copy, will require the sign be brought into compliance with this code.

(Ord. 2303 §10, 2010)

19.36.030 Permanent Signs that Did Not Comply with the Previous Sign Code

Permanent signs that did not comply with the City's Sign Code as of August 2010, as adopted by Ordinance No. 1274 and amended by Ordinance Nos. 1617, 1649, 1773, 1792, 1857, 1892, 1913, 1964, 1982, 2004, 2019, 2096 and 2126, are permitted to remain as-is indefinitely, provided the property owner or tenant applies for a non-conforming sign permit and is able to demonstrate the signs were legally conforming at the time of installation and that any modifications made to the sign complied with the City's Sign Code regulations at the time of the modification. Any change to the structure or sign panel/face/copy or any relocation, re-erection, alteration, replacement or change in any way to a sign covered under this section will require the sign be brought into compliance with this Code

(Ord. 2303 §10, 2010)

19.36.040 Non-Conforming Sign Permits

A. *Non-conforming Sign Inventory*. The Director shall, as soon as practicable, survey the City for signs that do not conform to the requirements of this code. Upon determination that a sign is non-conforming or illegal, the Director shall use reasonable efforts to so notify in writing the sign owner, and where practicable, the owner of the property on which the sign is located. Notification shall include:

1. Whether the sign is non-conforming or illegal.

2. Whether the sign may be eligible for a non-conforming sign permit. If the identity of the sign owner cannot be determined after reasonable inquiry, the notice may be affixed in a conspicuous place on the sign or on the business premises with which the sign is associated. However, the failure of the City to identify the sign owner shall not relieve the property owner from the requirements of this section.

B. *Non-conforming Sign Permits*.

1. *Eligibility.* A non-conforming sign permit may be issued only in accordance with the standards listed in this chapter.

2. *Permit Required.* A non-conforming sign permit is required for all eligible non-conforming signs within the City. The sign owner shall obtain the permit within 180 days of notification by the City and for any panel or copy changes allowed during the grace period.

3. *Applications*. Applications for a non-conforming sign permit shall contain the name and address of the sign user, the sign owner and the owner of the property upon which the sign is located, and such other pertinent information as the Director may require to ensure compliance with this chapter. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

4. *Permit Issuance.* Any person submitting an application for a non-conforming sign permit shall use the forms provided by the Department. The Director shall issue nonconforming sign permits upon a determination of eligibility. The Director may require the filing of plans or other pertinent information where such information is necessary to determine compliance with this chapter. Appeals shall be filed in accordance with Section 19.12.120.

C. *Loss of Legal Non-conforming Status.* Non-conforming signs shall either be removed or immediately brought into compliance with this chapter upon the occurrence of one or more of the following events:

1. When a non-conforming sign permit is required but not obtained within 180 days of notice of non-conformance.

2. When an application is submitted to the City for a project that is subject to design review, on any non-conforming building-mounted signs on the premise affected by the construction and all non-conforming free-standing signs lose their non-conforming status.

3. When any panel or copy changes are proposed after the expiration of the grace period.

4. When the sign meets the definition of abandoned.

5. Damage of 25 percent or more in the value of either the non-conforming sign or the structure to which it is affixed.

D. *Maintenance.* Ordinary maintenance and repair of a sign shall be permitted without loss of nonconforming status if the cost of all maintenance and repair over a two-year period is less than 25 percent of the cost of replacing the sign.

(Ord. 2303 §10, 2010)

19.36.050 Existing Freeway Interchange Signs

Existing signs classified as freeway interchange signs under the previous Sign Code are permitted a five year grace period starting from the effective date of Ordinance No. 2303 (August 24, 2010). During the grace period, freeway interchange signs may be enlarged to a maximum of 125 square feet per side, 250 square feet total, be refaced and have copy changes provided the height and location of the sign remain unchanged. Relocation or re-erection of the sign is not permitted. Application for a sign permit is required for all sign face, area or copy changes to a freeway interchange sign. After the grace period has terminated the sign is permitted to remain as-is indefinitely; however, compliance with the Sign Code is triggered by any relocation, re-erection, alteration, replacement or change in any way to the structure or sign panel/face/copy. Ordinary maintenance and repair of a sign shall be permitted without loss of non-conforming status if the cost of all maintenance and repair over a two-year period is less than 25 percent of the cost of replacing the sign.

(Ord. 2444 §1, 2014; Ord. 2303 §10, 2010)

19.36.060 Non-Conforming Temporary Signs

A. Non-conforming temporary signs must be removed within 30 days of the adoption of this code or the expiration of their sign permit, whichever comes first.

B. Commercial real estate signs in existence in the City prior to the adoption of this code are permitted to remain for up to three months, after which time the signs must be removed and any future signage must comply with the terms of this code.

(Ord. 2303 §10, 2010)

19.36.070 Additional Signage Prohibited

No additional permanent building-mounted signage is permitted on a tenant space that contains a non-conforming building-mounted sign. No additional permanent free-standing signs are permitted on a premises that contains a non-conforming freestanding sign other than a sign that was classified as "freeway interchange" under the previous Sign Code.

(Ord. 2444 §2, 2014; Ord. 2303 §10, 2010)

19.36.080 Financial Incentives – Tukwila International Boulevard Corridor

In order to assist with the removal of non-conforming signs within the Tukwila International Boulevard Corridor, the City Council may develop a grant program to provide financial incentives to property owners and businesses.

1. Applications to the grant program shall be reviewed quarterly and approved by the Director, subject to the availability of allocated funds.

2. In order to be eligible for grant funding the project must comply with the following requirements:

a. Sites must be located within the Tukwila International Boulevard Redevelopment Area, Zoning Code *Figure 18-9.*

b. Removal of non-conforming signs listed in Section 19.36.030 shall have a higher priority than removal of non-conforming signs listed in Section 19.36.020.

c. Payment of the grant award shall not occur until after the sign has been removed and properly disposed of.

d. No applicant or business shall receive more than $2,000 from the grant.

e. The Director is hereby authorized to develop written procedures for award and administration of the grant funds.

(Ord. 2303 §10, 2010)

CHAPTER 19.37

NON-CONFORMING SIGNS IN ANNEXATION AREAS

Sections:

19.37.010 Purpose
19.37.020 Definition and Removal of Legally Non-Conforming Permanent Signs
19.37.030 Non-Conforming Sign Permits
19.37.040 Non-Conforming Temporary Signs
19.37.050 Additional Signage Prohibited

19.37.010 Purpose

The purpose of this chapter is to establish limits on the use of and requirements for the removal of non-conforming signs within areas of the City that were annexed after May 1, 2012. Subject to the remaining restrictions of this chapter, non-conforming signs that were otherwise lawful on the effective date of the annexation may remain subject to the limitations under this chapter. The provisions of this chapter do not apply to billboards within annexation areas.

(Ord. 2375 §11, 2012)

19.37.020 Definition and Removal of Legally Non-Conforming Permanent Signs

A. All permanent signs within annexation areas are considered legally non-conforming if the sign was erected in conformance with a valid permit, if a permit was required, and complied with all applicable laws at the time of the sign's installation. Non-conforming rights are not granted to temporary signs or signs that were in violation of King County ordinances or regulations of the State of Washington. The burden of establishing that a sign is non-conforming lies solely with the individual asserting the claim that a sign is non-conforming.

B. Any monument sign installed within an annexation area that exceeds Sign Code standards as to sign area, height or setback by 15 percent or less shall be deemed a conforming sign.

C. *Grace Period for Permanent Signs in Annexation Areas.* Signs that were installed within the annexation area prior to the effective date of the City's annexation and became non-conforming upon annexation in the City, may be issued a non-conforming sign permit that will allow the signs to remain for 10 years from the effective date of the annexation. This 10-year period shall be known as the "annexation grace period."

D. *Sign Modifications During the Annexation Grace Period*. During the annexation grace period, signs with non-conforming sign permits may be refaced and the panel or copy changed, provided the area, height and location of the sign remain unchanged. A non-conforming sign permit will be issued for work covered under this section. Permanent signs and sign structures that are moved, replaced or structurally altered must be brought into conformance with the current Sign Code regulations.

E. *Sign Modifications After the Annexation Grace Period*. After the annexation grace period, the sign is permitted to remain as-is indefinitely. However, relocation, re-erection, alteration, replacement or change in any way to a legal, non-conforming sign, including the structure or sign panel/face/copy, will require the sign be brought into compliance with the sign code in effect at the time of submittal of a complete sign permit application.

(Ord. 2375 §11, 2012)

19.37.030 Non-Conforming Sign Permits

A. *Non-Conforming Sign Inventory*. The Director shall, as soon as practicable after the effective date of the annexation, survey the annexation area for signs that do not conform to the requirements of Title 19. Upon determination that a sign is non-conforming or illegal, the Director shall use reasonable efforts to notify the sign owner, in writing and, where practicable, the owner of the property on which the sign is located. Notification shall include:

1. Whether the sign is non-conforming or illegal.
2. Whether the sign may be eligible for a non-conforming sign permit. If the identity of the sign owner cannot be determined after reasonable inquiry, the notice may be affixed in a conspicuous place on the sign or on the business premises with which the sign is associated. The failure of the City to identify the sign owner shall not relieve the property owner from the requirements of this section.

B. *Non-Conforming Sign Permits.*

1. *Eligibility.* A non-conforming sign permit may be issued only in accordance with the standards listed in this chapter.
2. *Permit Required.* A non-conforming sign permit is required for all eligible non-conforming signs within the annexation areas. The sign owner shall obtain the permit within 180 days of notification by the City. Sign permits shall be obtained for any panel or copy change allowed during the annexation grace period. There is no permit fee for the issuance of the non-conforming sign permit.
3. *Applications*. Applications for a non-conforming sign permit shall contain the name and address of the sign user, the sign owner and the owner of the property upon which the sign is located, and such other pertinent information as the Director may require to ensure compliance with this chapter. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.
4. *Failure to Respond.* It is the sign owner and/or property owner's responsibility to return the non-conforming sign permit to the City within the 180 days of notice as outlined in this section. Failure to respond will constitute a waiver of any grace period provided to the sign under this chapter and modifications to the sign will be controlled by TMC Section 19.36.030.

5. *Permit Issuance.* Any person submitting an application for a non-conforming sign permit shall use the forms provided by the Department. The Director shall issue non-conforming sign permits upon a determination of eligibility. The Director may require the filing of plans or other pertinent information where such information is necessary to determine compliance with this chapter. Appeals shall be filed in accordance with TMC Section 19.12.120.

C. *Loss of Legal Non-conforming Status.* Non-conforming signs shall be brought into compliance with this chapter upon the occurrence of one or more of the following events:

1. When an application is submitted to the City for a project that is subject to design review, any non-conforming building-mounted signs on the premise affected by the construction and all non-conforming free-standing signs lose their non-conforming status.

2. When any panel or copy changes are proposed after the expiration of the annexation grace period.

3. When the sign meets the definition of abandoned.

4. Damage of 25 percent or more in the value of either the non-conforming sign or the structure to which it is affixed.

D. *Maintenance.* Ordinary maintenance and repair of a sign shall be permitted without loss of non-conforming status if the cost of all maintenance and repair over a two-year period is less than 25 percent of the cost of replacing the sign.

(Ord. 2375 §11, 2012)

19.37.040 Non-Conforming Temporary Signs

A. Non-conforming temporary signs in annexation areas must be removed within 120 days of the effective date of the annexation.

B. Commercial real estate signs in existence in the annexation area prior to the adoption of this code are permitted to remain for up to three months, after which time the signs must be removed and any future signage must comply with the terms of this code.

(Ord. 2375 §11, 2012)

19.37.050 Additional Signage Prohibited

No additional permanent building-mounted signage is permitted on a tenant space that contains a non-conforming sign. No additional permanent freestanding signs are permitted on a premises that contains a non-conforming freestanding sign.

(Ord. 2375 §11, 2012)

CHAPTER 19.38
BILLBOARDS

Sections:

19.38.010 Purpose
19.38.020 Billboard Receiving Areas Established
19.38.030 Billboard Sending Areas Established
19.38.040 New Billboards
19.38.050 Refurbishing Existing Billboards
19.38.060 Application Materials for Billboards within the City

19.38.010 Purpose

The purpose of this chapter is to establish regulations for the use of billboards within the City. The City desires to establish a process that will allow some use of billboards within certain areas of the City while at the same time working to remove billboards in areas of the City where the use of such signs is no longer appropriate or desired.

(Ord. 2303 §11, 2010)

19.38.020 Billboard Receiving Areas Established

New billboards shall only be permitted in designated receiving areas.

(Ord. 2303 §11, 2010)

19.38.030 Billboard Sending Areas Established

All areas of the City that are not designated as receiving areas in TMC 19.38.020 are hereby designated as billboard sending areas, from which billboards must be removed before construction of the billboard in the receiving area can commence.

(Ord. 2303 §11, 2010)

19.38.040 New Billboards

No new billboards, neither digital nor standard, will be permitted within the City unless the applicant reduces the total number of existing billboards within the City sending areas.

1. Installing new billboards within designated receiving areas requires securing the removal of existing billboards within designated sending areas.

2. Table 1 shows the ratio that will be used to determine the number of billboards that must be removed (cut to or below grade, including removal of the pole structure) within designated sending area. The ratio outlined in Table 1 shall only be valid for five years following the effective date of this title. Removal of all billboards included in an application for a new billboard must be removed before construction can commence on the proposed billboard.

Table 1

Type of Billboard Proposed in Designated Receiving Area	Number of Billboard Faces That Must Be Removed Within Designated Sending Areas
One Static Billboard Face	Three billboard faces
One Digital Billboard Face	Five billboard faces

3. Five years after the effective date of this code, the ratio outlined in Table 1 shall expire and the ratio in Table 2 shall be used to determine the number of billboards that must be removed with designated sending areas in order to install a billboard within designated receiving areas. Removal of all billboards included in an application for a new billboard must be completed before construction can commence on the proposed billboard in the application.

Table 2

Type of Sign Proposed in Designated Receiving Area	Number of Billboards That Must Be Removed Within Designated Sending Areas
One Static Billboard Face	Five billboard faces
One Digital Billboard Face	Seven billboard faces

4. The following requirements shall apply to new billboards within designated receiving areas:

a. No more than two faces are permitted for each billboard structure.

b. Area of an individual face shall not exceed 500 square feet. The area of a face can be increased to up to 672 square feet if the billboard operator agrees to make the billboard available for public service announcements and emergency alerts. Public service announcements shall include, but not be limited to, advertising for civic events such as Tukwila Days and the Backyard Wildlife Fair To qualify for the billboard area increase a billboard provider must provide a total of 28 days of message time for civic events. Emergency alerts shall include those messages necessitating the immediate release of information pertaining to the protection and preservation of public safety. Emergency alerts include, but are not limited, Amber Alerts and emergency evacuation orders. The Director of Community Development, working with the Director of Public Works, Director of Parks and Recreation, Police Chief, and Fire Chief, shall develop administrative rules that shall be used for public service and emergency alerts. The rules shall specify requires message duration and length of display for both public service announcements and emergency alerts.

c. Billboards shall be spaced at least 500 feet away from any existing or proposed billboard.

d. Billboards shall not exceed a height of 35 feet.

e. No portion of the billboard shall be within ten feet of any adjacent right of way.

f. No portion of the billboard's foundation shall be within 15 feet of the adjacent right of way. The billboard shall meet any required side or rear setback in the zone in which it is located.

g. Lighting of billboards:

1) The billboard may be illuminated; non-digital billboards shall utilize lights which shine directly on the sign structure. Digital billboards shall not operate at a brightness level of more than 3-foot candles above ambient light as measured using a foot candle meter at a pre-set distance as outlined in Table 3.

Table 3

Billboard Style	Dimensions	Measurement Distance
Posters	12 x 24 feet	150 feet
Bulletins	14 x 48 feet	250 feet

2) Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.

3) The technology currently being deployed for digital billboards is LED (light emitting diode), but there may be alternate, preferred and superior technology available in the future. Any other technology that operates under the maximum brightness stated in Table 3 above shall be permitted.

4) If a digital display is proposed, the rate of change for the sign shall not exceed a frequency of more than once every 8 seconds.

5) One sign, 8.5 square feet in size shall be permitted to be attached to the billboard. The sign can only be used to identify the operator of the billboard. Address or billboard identification numbers are permitted and shall not exceed an area of three square feet.

5. Billboard Placement, Street Tree Pruning. Upon application to place a billboard within a designed receiving area, the City and the applicant shall work to determine a billboard location that will not be visually obscured either now or in the future by surrounding street trees. If placement of the billboard cannot be accomplished in such a way that will avoid conflicts between the billboard and current or future street trees pruning of the street trees, is permitted, provided:

1. The applicant obtains a street use permit from the City's Public Works Department. The purpose of the permit is to regulate the manner by which the trees will be pruned, such as lane closures, sidewalk closures, etc.

2. All pruning is done by the applicant and all cost is borne entirely by the applicant.

3. All pruning activities are supervised by a certified arborist and all pruning complies with ANSI A300 as currently written or as may be amended.

4. Only those street trees on or adjacent to the property where the billboard is located are eligible for pruning.

5. In the event of death of the tree(s) as a result of the pruning activities, the applicant shall be responsible for paying the landscape value of the tree(s) as determined by a certified arborist or landscape architect.

(Ord. 2303 §11, 2010)

19.38.050 Refurbishing Existing Billboards

Existing billboards within designated sending areas may be refurbished and upgraded, subject to the following standards:

1. The refurbished billboard must remain on the same premise.

2. The applicant shall demonstrate that the billboard that is being refurbished was legally installed.

3. The number of faces for the billboard remains the same or is reduced from the existing billboard.

4. The height of the billboard may not be increased.

5. Setbacks for the billboard remain unchanged. If the setbacks do not comply with setbacks for the underlying zoning, the billboards can be relocated provided they come closer to complying with the required setbacks. In no case shall the billboard be moved closer to a property zoned LDR, MDR or HDR.

6. Non-digital billboards cannot be refurbished or upgraded to either tri-vision or digital displays.

7. Improvement of lighting is permitted. Foot candles produced by the billboard may not extend offsite.

8. Additional signage may be attached to sign provided it complies with TMC Section 19.38.040.H.

9. Area of an individual face shall not exceed 500 square feet. The area of a face can be increased to up to 672 square feet if the billboard operator agrees to make the billboard available for public service announcements and emergency alerts. Public service announcements shall include, but not be limited to, advertising for civic events such as Tukwila Days and the Backyard Wildlife Fair. Emergency alerts shall include those messages necessitating the immediate release of information pertaining to the protection and preservation of public safety. Emergency alerts include, but are not limited, Amber Alerts and emergency evacuation orders. The Director of Community Development, working with the Director of Public Works, Director of Parks and Recreation, Police Chief, and Fire Chief, shall develop administrative rules that shall be used for public service and emergency alerts. The rules shall specify required message duration and length of display for both public service announcements and emergency alerts.

(Ord. 2303 §11, 2010)

19.38.060 Application Materials for Billboards within the City

All applications to install a billboard shall include the following:

1. Three copies of completed and signed application form provided by the City.

2. Three copies of a dimensioned and scaled site plan showing property lines, streets, buildings, parking areas and proposed location of the billboard. The site map shall clearly show the location of the billboard footings and the edge of the billboard structure. Generally, the City will not require site plans to be prepared by a licensed surveyor; however, the City shall have the authority to require a site plan prepared by a Washington State Licensed Surveyor, if such site plan will assist in the City's review of the proposed application.

3. Three copies of a vicinity map showing the location and distance in feet of any other billboards located within 600 feet.

4. Three copies of scaled and dimensioned drawings of the proposed billboard. The drawing shall also indicate if the billboard will be a static or digital billboard.

5. Three sets of scaled and dimensioned footing design and height calculations.

6. Specific location of billboards proposed to be removed in compliance with Section 19.38.040 three sets of structure calculations.

7. If a digital billboard is proposed, a site plan shall be provided showing proposed foot-candle distribution pattern.

8. If the rate of change on a digital billboard is proposed to exceed the permitted rate of change found in Section 19.38.040.G, the applicant shall provide three sets of a traffic safety study specific to the proposed location of the digital billboard. The study shall examine specific traffic impacts of the proposed digital billboard, including potential distraction to motorists and impact to traffic flows. The City Engineer may request that additional factors be examined based on specific site issues.

9. Fee as established in the most current fee schedule.

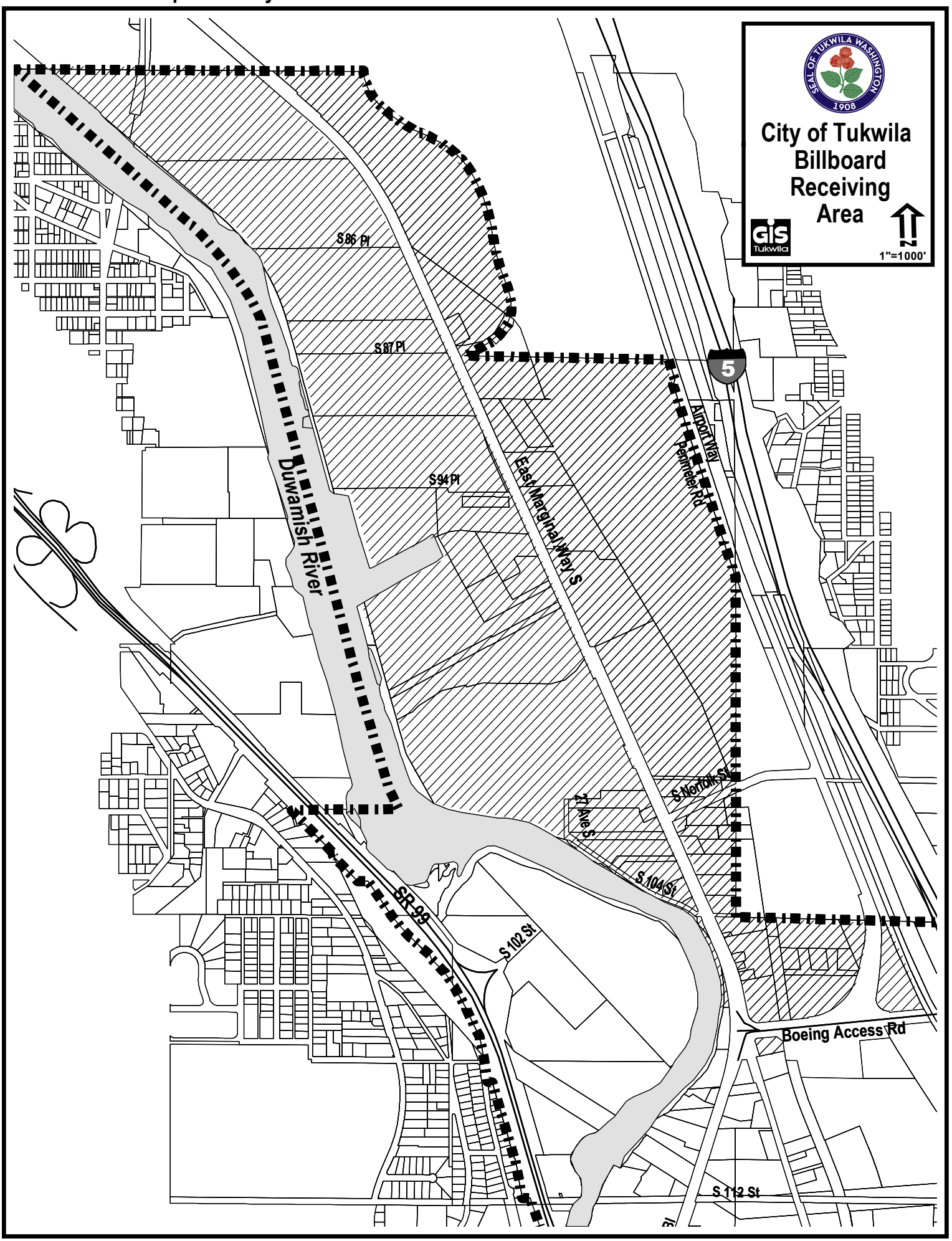
10. One copy of a valid Washington State contractor's license or owner's affidavit.

11. Tukwila business license number for the sign contractor, if applicable.

(Ord. 2303 §11, 2010)

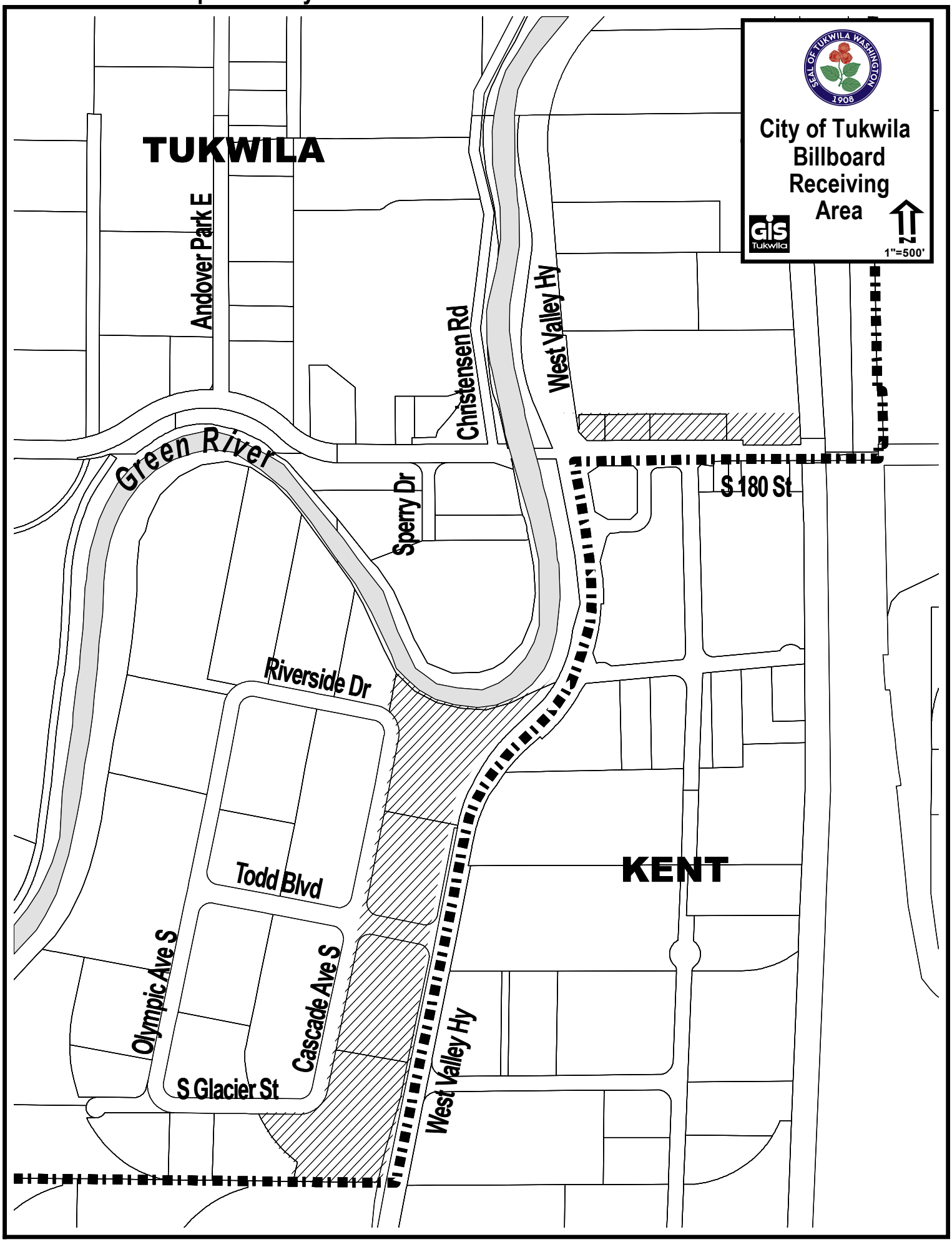
For Illustrative Purposes Only

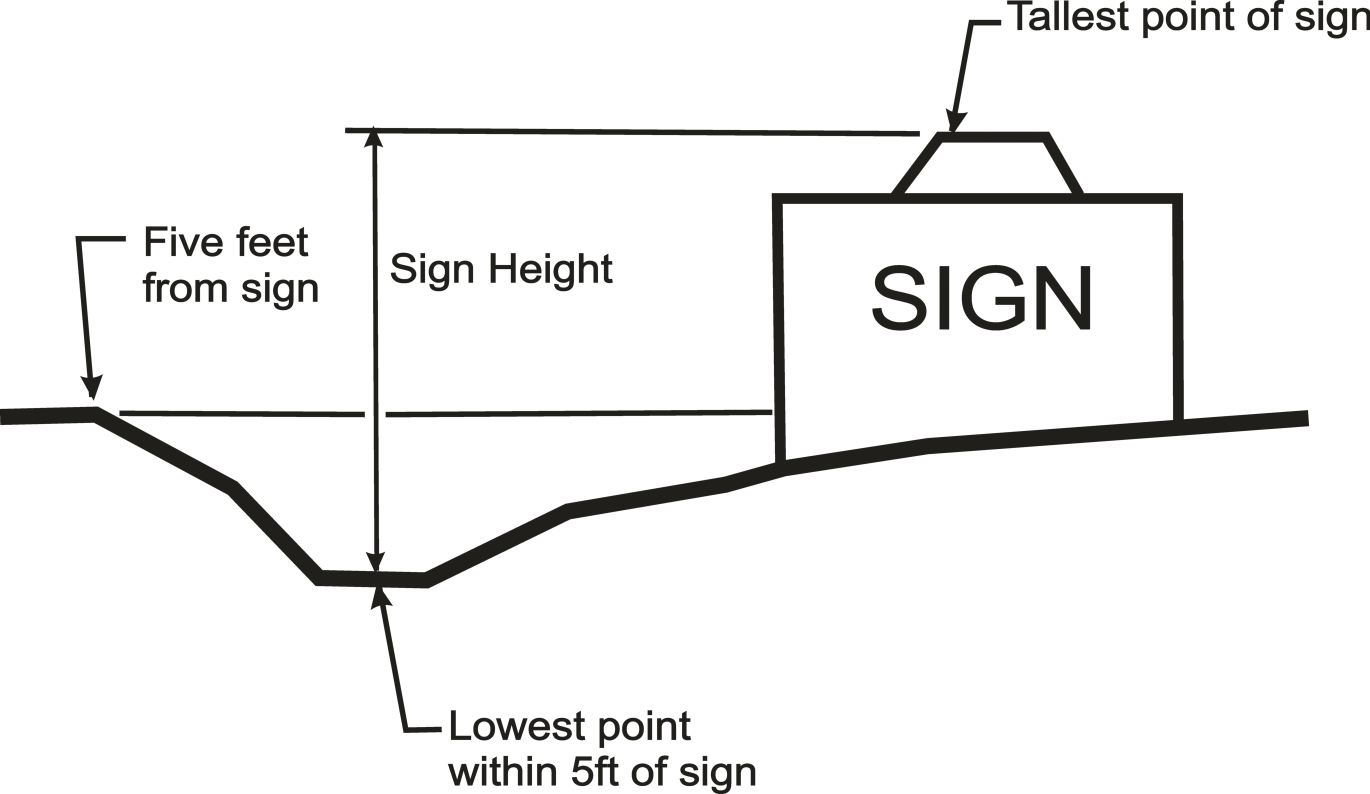
FIGURE 19-1

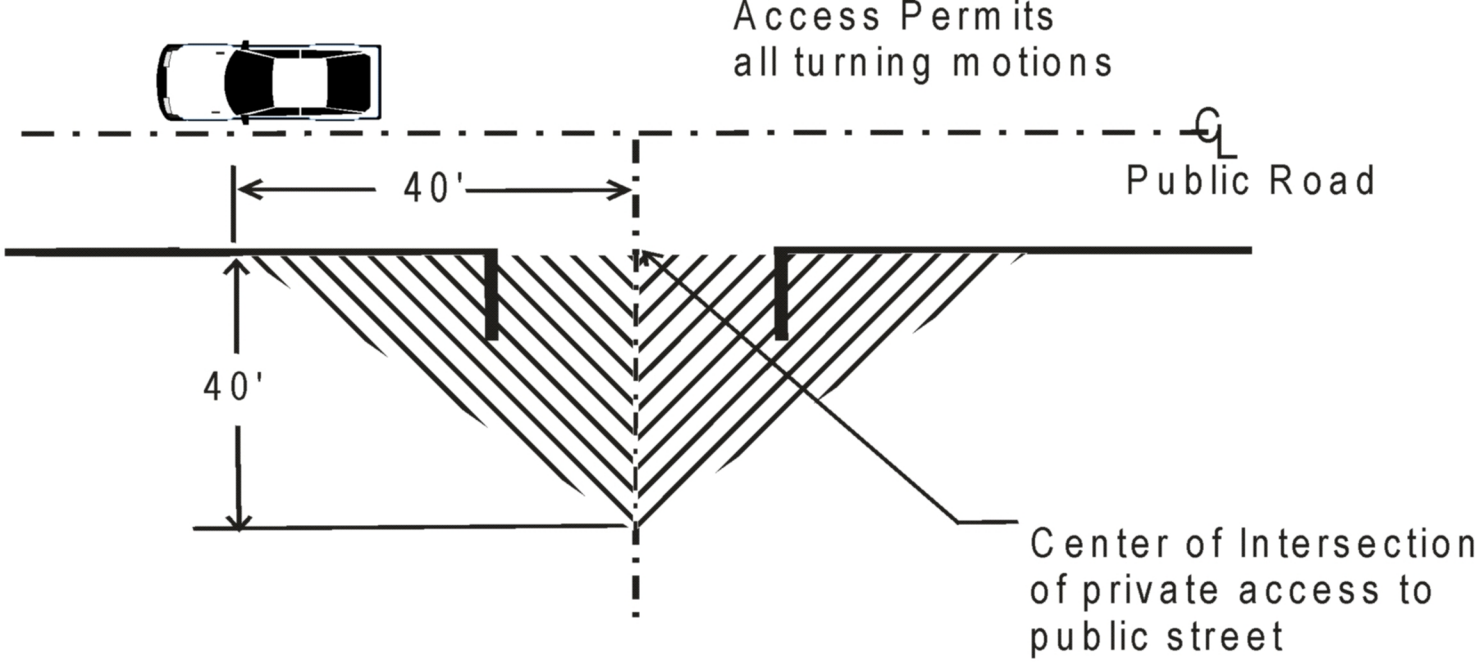


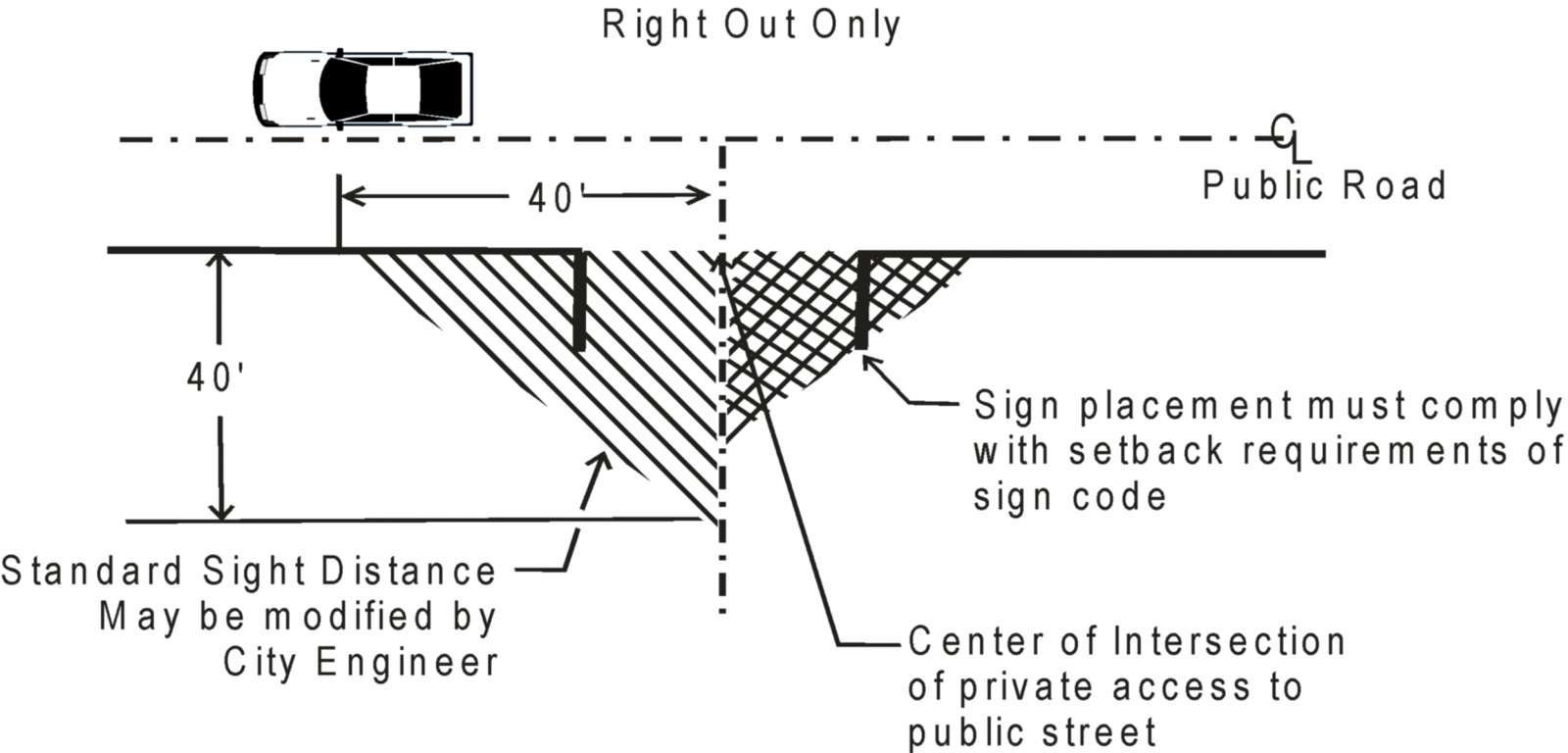
For Illustrative Purposes Only

FIGURE 19-2




Tallest point of sign
Five feet
from sign
Sign Height
SIGN
Lowest point
within 5ft of sign


Access Permits
all turning motions
CL
Public Road
40'
40'
Center of Intersection
of private access to
public street


Right Out Only
CL
Public Road
40'
40'
Sign placement must comply
with setback requirements of
sign code
Standard Sight Distance
May be modified by
City Engineer
Center of Intersection
of private access to
public street