

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, AMENDING CHAPTER 18.52 OF THE LAKE FOREST PARK MUNICIPAL CODE, SIGNAGE, TO BRING THE SIGN CODE INTO COMPLIANCE WITH RECENT LEGAL DECISIONS; PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Forest Park ("City") has enacted sign regulations in order to promote and protect the public health, welfare and safety; to protect and promote property values; to protect and promote an aesthetically pleasing physical appearance of the City; to provide for more open space; to protect and promote an attractive business climate in the City; to provide uniformity of appearance in signage where appropriate; to reduce sign and advertising obstructions and distractions that may contribute to traffic accidents; to reduce visual clutter; and to curb the deterioration of natural beauty and community environment; and

WHEREAS, the U.S. Supreme Court in the 2015 decision *Reed v. Gilbert* held that a local government's sign code that treats various categories of signs differently based on the information they convey violates the First Amendment of the U.S. Constitution; and

WHEREAS, the Court's decision in *Reed* as well as subsequent lower courts' interpretations of the decision have prompted most local governments to review their sign codes and amend content-based regulations in their sign codes; and

WHEREAS, staff and the Planning Commission reviewed the City's existing sign regulations in Chapter 18.52 of the Lake Forest Park Municipal Code (LFPMC) to identify how best to respond to *Reed* and lower court decisions; and

WHEREAS, the Planning Commission received input from the community and held public meetings to consider possible amendments to Chapter 18.52 LFPMC on _____ and _____ of 2022; and

WHEREAS, an Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act, Chapter 43.21C RCW, pursuant to Chapter 197-11 WAC, and a Determination of Non-Significance ("DNS") was issued on _____, 2023; and

WHEREAS, in accordance with the requirements set forth in RCW 36.70A.106, the City provided the Washington State Department of Commerce notice of the City's intent to adopt the proposed amendments on _____, and received notice that the Department had granted expedited review on _____; and

WHEREAS, the City Council held public meetings to review amendments to Chapter 18.52 LFPMC on _____, 2023, and _____; and

WHEREAS, the City Council held a public hearing on _____, 2023, regarding the proposed ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. AMENDMENT. The City Council of the City of Lake Forest Park hereby amends section 18.52.020 LFPMC, Definitions, as follows:

18.52.020 Definitions

~~A. "Celebration displays" are temporary signs, banners, posters, fluttering devices, balloons, and pennants used solely for the purpose of announcing the opening of a new business, celebration of business anniversaries or announcing major sales. No balloon may exceed three cubic feet. No celebration shall commence prior to the start of the celebration. The notice shall specify the first and last days of the celebration.~~

~~B. "Awning or canopy sign" means a nonelectric sign that is printed on, painted on, or attached to the vertical surface or flap of an awning or canopy.~~

~~C. "Banner" means a sign composed of flexible material, such as fabric, pliable plastic, or other similar nonrigid material, with no enclosing framework or electrical components and that is supported or anchored on two or more edges or at all four corners, or along either one edge or two corners with weights installed that reduce the reaction of the sign to wind.~~

~~D. "Changing message signs" are signs in which a change of message is made by means of moving or digitally changing monochromatic letters, or numbers, or a combinations thereof. Moving or digitally changing the letters or numbers does not make the sign an "animated sign," such as clocks and electronic signs indicating time, date and temperature. No messages other than date, time and/or temperature are permitted on changing message signs.~~

~~E. "Copy" means the graphic content of a sign surface, including, but not limited to, graphics, letters, numbers, figures, symbols, and trademarks.~~

F. "Exterior signs" means a wall sign, an awning sign or marquee sign, all of which have copy showing on only one side of the sign.

G. Electronic video signs. Signs that contain electronic video displays similar to or otherwise depicting a television screen.

~~C. "Construction signs" are nonilluminated signs which identify the architects, engineers, planners, contractors or other professional individuals or firms involved with a construction or remodel project or which announce the character or purpose of a project but which do not advertise any product.~~

I. "Illuminated sign" means a sign with an artificial light source incorporated internally or externally for illuminating the sign.

J. "Lawn sign" means a freestanding sign made of lightweight materials such as cardboard or vinyl that is supported by a frame, pole, or other support structure placed directly in the ground without foundation or other anchors.

~~E. "Incidental signs" are signs of a noncommercial nature, without advertising, intended primarily for the convenience of the public, that do not exceed a maximum area of two square feet. Incidental signs include:~~

~~F. "Land use notice action signs" are signs notifying the public of proposed site alterations and which are required to be posted.~~

L. "Monument sign" means a freestanding sign having the appearance of a solid base that is 100 percent or greater of the sign face width, made of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete, which are harmonious with the materials of the primary structure on the subject property.

MH. "Off-premises signs" are any permanent sign, such as a billboard, pedestal, pole, monument, or marquee sign which displays a message which is not incidental to the current use of the property on which it is located.

N. "Pedestal sign" means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases shall be of a width equal to or greater than 50 percent of the sign width.

O. "Pole or pylon signs" means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases are less than 50 percent of the sign width.

P. "Temporary signs" means a sign that is not permanently affixed and that is designed for or capable of being moved, except those signs explicitly designed for people to carry on their persons or that are permanently affixed to motor vehicles. Temporary signs include, but are not limited to, sandwich board signs, lawn signs, and similar signs.

~~I. “Open house signs” are signs of an A-frame or sandwich-type construction, which may include a real estate company’s name and logo and the words “open house” and having a directional symbol, not exceeding six square feet in size.~~

~~K. “Public right-of-way” means a public highway, whether or not dedicated to public use, which is primarily for the movement of vehicles, wheelchair, and pedestrian traffic, and land privately owned and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic, so long as such privately owned land has been constructed in compliance with all applicable laws and standards for a public right-of-way.~~

~~R.L. “Sandwich board signs” are temporary advertising signs constructed of two boards or other flat-surfaced materials hinged or otherwise connected at one end (i.e., A-frame) which may not exceed six square feet per side and may not exceed four feet in height. Balloons, flags, festoons, pennants, and the like may not be attached to any sandwich board sign.~~ Sandwich board signs must be placed on the ground; they cannot be elevated or suspended above the ground.

~~M. “Seasonal signs” means reasonable seasonal decorations of a noncommercial nature within an appropriate holiday season or during a festival as long as such seasonal signs are removed promptly at the end of the holiday season or festival.~~

~~T.O. “Sign height” means the vertical distance, from the average level of the undisturbed soil at the base of the sign, measured to the highest point of the sign.~~

~~U.P. “Signs” are any visible communication device, structure or fixture, stationary or mobile, including supporting and component parts, designed to announce, declare, demonstrate, display, or otherwise identify, advertise, or attract the attention of the public which are visible from any right-of-way, using graphics, letters, figures, symbols, trademarks, pennants, moving or fluttering devices, including balloons, or written copy. Flags, Painted wall designs, or patterns which do not represent a product, commodity, service or registered trademark, and which do not identify the user, are not signs. Official notices and informational materials erected and maintained in the discharge of a governmental function are not considered signs for the purposes of this chapter. When calculating sign square footage, the measurement of a sign’s dimension shall be only with respect to its physical dimensions and not include the distance it hangs from the ground or the size of its supports. A memorial plaque or tablet, or cornerstones indicating the name of a building and date of construction, when cut or carved into any masonry surface or when made of bronze or other incombustible material and made an integral part of the building or structure are not considered signs for the purposes of this chapter.~~

~~U. “Temporary sign” means any sign not permanently affixed or attached to the ground or a structure.~~

V. "Wall sign" means a sign applied with paint or similar substance on the surface of a wall, a sign attached essentially parallel to and extending not more than 12 inches from the wall of a building, or a sign attached to a roof gable of a building.

W. "Window signs" mean all signs located inside and affixed to a window and intended to be viewed from the exterior of the structure.

Q. "Special event signs" are signs advertising the occurrence of a community event such as a parade, festival, or community event. These signs shall be posted on a sign or sign frame on all four corners which is placed upon or attached to a street light pole or utility pole in a manner that does not create a traffic or other safety hazard.

Said signs shall be removed within 10 days of the event. If not removed, the city may remove the signs at the expense of the person responsible for the signs. This ordinance amends section 18.52.030 LFPMP, Illegal signs and removal, as follows:

18.52.030 ~~Prohibited~~Illegal signs and removal.

A. General prohibition. Any sign not expressly provided for in this chapter shall be prohibitedillegal. All prohibitedillegal signs must be removed by the person or entity placing them or by the person, business or entity benefited by the prohibitedillegal sign. Said persons or entities are also subject to enforcement proceedings under LFPMP 18.52.100. However, the city of Lake Forest Park may remove any prohibitedillegal sign within right-of-way, its jurisdiction. Signs so removed may be released to the sign owner or other responsible person upon payment of a \$25.00 removal fee. Removed signs which are unclaimed after 30 days may be destroyed by the city. Removal of a prohibitedillegal sign by the city does not relieve the person responsible for paying accrued fines under LFPMP 18.52.100, therefor.

B. Specific prohibitions. Unless otherwise provided for in this chapter, no person shall erect, alter, maintain, or relocate any of the following signs in the City:

1. Any animated sign as defined in LFPMP 18.52.020.

2. Any electronic video signs as defined in LFPMP 18.52.020.

2. Any signs that emit smoke, visible particles, odors, and/or sound, except that sound from speakers in signs on the premises of a drive-through facility shall be allowed.

3. Any sign that is dangerous or confusing to motorists and pedestrians, including any sign that by its color, wording, design, location, or illumination resembles or conflicts with any official traffic control device or that otherwise impedes the safe and efficient flow of traffic.

4. No sign may impede free ingress and egress from any sidewalk, pedestrian walkway, door, window, or exit way required by building and fire regulations.

5. Portable signs on wheels (trailer signs) and outdoor electric portable signs.

6. Signs within public property, public easements or structures, including, but not limited to, medians, roundabouts, sidewalks, utility poles and cabinets, street light poles, traffic poles and signals, and street trees, except as allowed pursuant to LFPMC 18.52.080.

7. Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of serving as a sign not otherwise allowed by this chapter.

Commented [PH2]: Clarify parked for the purpose of signage at business location?

8. Signs erected, constructed, or structurally altered that are required to have a permit for such action and that were erected, constructed, or altered without obtaining a permit for such action.

9. Off-premises signs.

Section 3. AMEND. The City Council of the City of Lake Forest Park hereby amends section 18.52.040 LFPMC, Exemptions, as follows:

18.52.040 Exemptions from permitting.

A. The following signs and sign related activities are exempt from obtaining a permit pursuant to 18.52.090 LFPMC, except as set forth in LFPMC ~~Error! Hyperlink reference not valid.~~ and except for signs in the right-of-way, exempt from regulation:

1. Changes to the copy of changeable message signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City.

2. The normal repair and maintenance of conforming or legal nonconforming signs.

3. Temporary signs with a sign area no greater than three square feet in area per side and no more than four feet in height that remain on the premises for less than 90 days in a one-year period.

4. Any sign on a vehicle, unless such vehicle sign is prohibited pursuant to LFPMC 18.52.030.

~~A. Incidental signs and noncommercial identity signs; provided, that noncommercial identity signs which identify the city or its public parks may be placed in the public right-of-way.~~

~~D. Construction signs; provided, that there may not be more than one construction sign on each public right-of-way upon which the project fronts and not more than two construction signs in total; and provided further, that no construction sign shall exceed 12 square feet in area per side and not more than six feet in height. All construction signs must be removed within one day of initial occupancy or one day of completion of the project; whichever is the last to occur.~~

~~E. Land use action notice signs.~~

~~F. Exterior and interior signs or displays not intended to be visible from streets or public rights-of-way, signs in the interior of a building not facing a window, window displays, and point of purchase advertising displays such as vending machines.~~

~~G. Sculptures, fountains, benches, lighting, mosaics, landscaping and other street furniture which do not incorporate advertising or identification.~~

~~H. Poles erected for the purpose of displaying patriotic flags and such flags.~~

~~J. Traffic and pedestrian signs and signals, signs required by law, street and governmental directional signs, official public notices and governmental flags. Other than as set forth, signs of governmental agencies and facilities, including the city of Lake Forest Park, shall comply with this chapter.~~

~~K. Service, fraternal, religious and similar organizations located in the city may erect signs at their cost at the entrances to the city as follows: there shall be one standard jointly shared by all such subject organizations no higher than 10 feet that shall carry all the signs for each subject organization at each principal arterial entrance, and each subject organization's sign, emblem or symbol shall be no more than two square feet per side in sign area. Placement of such standards must be approved in advance by the city's engineer and by the planning director.~~

Section 4. ADDITION. The City Council of the City of Lake Forest Park hereby add section 18.52.045 LFPMC, Temporary signs, as follows:

18.52.045 Temporary sign.

The following provisions apply to all temporary signs displayed within the City, unless otherwise provided in this chapter:

A. Temporary signs must be placed totally within the site/property pursuant to the requirements of this chapter, except when allowed to be placed within the right-of-way under LFPMC 18.52.080.

B. Temporary signs may be made of any durable material; provided, that the temporary sign otherwise conforms to the requirements of this chapter. A temporary sign may be of rigid or nonrigid construction.

C. Except as otherwise provided for in this chapter, temporary signs are prohibited from being in the following places:

1. on a roof of a building or structure,

2. on fences,

3. any location so as to physically obstruct any door or exit from a building,

4. any location so as to be hazardous to a motorist's or pedestrian's ingress and egress from buildings or parking areas.

5. in the sight-distance triangle, or in any other area which may obstruct the vision of motorists to create a safety hazard.

D Temporary signs shall not be directly or indirectly illuminated.

E. Temporary signs driven into the ground shall be clear of tree roots, irrigation lines and other underground structures that could be damaged.

F. Signs pertaining to an event, occasion, or similar occurrence with a beginning and/or ending date shall be removed within ten (10) calendar days after the ending date.

In all Residential-multifamily and Residential single-family zones, the following sign regulations apply.

A. All residences shall display the postal address of that property. The display may be lighted but not flashing and shall be clearly visible from the public right-of-way. If the display is to be placed upon the residence, the numbers must be no less than four inches in height and of a contrasting color to the residence.

B. Temporary signs are allowed that meet the following criteria:

1. Signs no greater than three square feet in area per side and no more than four feet in height may remain on the premises indefinitely; there may be no more than five such signs on displayed on the premises at one time.

2. Signs larger than allowed in the preceding paragraph, but no greater than six square feet in area per side and not more than four feet in height may remain displayed on the premises for no more than thirty (30) calendar days in any one-year period; and there may be no more than one sign of this size on the premises at any one time.

~~Yard sale signs on private property; provided, that yard sale signs may only be erected one day prior to the first day of the sale and must be removed within 24 hours of the end of the last day of the sale; and provided further, that yard sale signs to be held on any property may not be posted for more than a total of six days per month.~~

C. No home occupation otherwise permitted by this title may erect or post any sign advertising or promoting that home occupation.

D. The following additional signs are permitted in the RM and RS zoned properties zone for nonresidential uses:

1. One Exterior wall sign, marquee sign, or awning sign, lighted or unlighted, ~~nonflashing, on the outside wall of~~ the main building, which shall ~~be flat against the wall and~~ have an area of not greater than 40 square feet.
2. One monument, pole, or pedestal, detached sign, lighted or unlighted, ~~nonflashing~~, having an area not greater than 30 square feet per side and a sign height of not more than six feet on which both faces may be utilized. Such signs must be securely mounted on the ground on which they rest. On corner lots, one such sign may be placed facing each street.
3. One changing message sign that is included within one sign allowed by subsection D.1 or D.2 above.

~~F. Churches are permitted to attach readerboard signs to their outside walls and to place sandwichboard type signs on their property on days of service.~~

~~G. For any zone, the city shall determine the square footage of a sign that is painted on or attached directly to a wall, roof, monument, or support column by its sign area as defined herein. Where a sign is limited to square feet, on one or both sides, square footage shall be determined by sign area.~~

Section 6. AMEND. The City Council of the City of Lake Forest Park hereby amends section 18.52.060 LFPMC, Signs permitted in CC and BN zones, as follows:

18.52.060 Signs permitted in CC and BN zones.

In Neighborhood Business (BN) and Corridor Commercial (CC) zones, the following sign regulations apply.

A. In BN zones, ~~two single faced or one double faced wall~~ Exterior signs are, marquee sign, pole sign, or pedestal sign ~~is permitted on a wall, roof, monument, or support column by its sign area as defined herein. Where a sign is limited to square feet, on one or both sides, square footage shall be determined by sign area.~~

B. In the CC zone, for each street or parking lot on which a business fronts, one Exterior a single faced wall sign on the exterior wall, gable or awning fronting e for that business is permitted (Exterior Sign). If the exterior sign is on the exterior wall, its size must be the lesser of: (1) 150 square feet per side; or (2) the greater of that amount in square footage which is a factor of eight tenths (0.8) of that business' linear street or parking lot frontage or 75 square feet per side; provided, that stand-alone buildings in the CC zone are entitled to signs of not more than 75 square feet per side irrespective of linear

C. In both CC and BN zones, one monument sign, pole sign or pedestal sign~~freestanding~~, single-faced or one double-faced sign not exceeding 30 square feet in area per side and a sign height not exceeding 20 feet is permitted~~, securely fastened to the ground~~.

E. ~~In both CC and BN zones, one temporary sandwich board signs~~ may be placed on the business' property that meet the following criteria: advertising special sale commodities or services and displayed only when the advertised business is open for business.

1. size shall not exceed six square feet in area per side and not more than four feet in height;
2. signs shall remain displayed on the premises for no more than 60 calendar days in a one-year period; and
3. no more than two such sign shall be displayed on the premises at any one time.

G. For automobile service stations, a single freestanding fuel price and fuel brand
advertising sign that is not a building or building addition or other structure shall be located on the lot
adjacent to the highway and shall not be located on the lot adjacent to the highway
adjacent to the highway or interfere with traffic, traffic signals or traffic signs.

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~~J. Off-promises signs are prohibited.~~

amends section 18.52.070 LFPMP, Signs permitted in TC zones, as follows:

18.52.070 Signs permitted in TC zones.

The ~~planned shopping center in the~~ TC zone is a unique and visible community resource ~~and structure~~. It is the city's desire that signs in the ~~planned shopping center in the~~ TC zone be aesthetically pleasing, architecturally cohesive ~~with the planned shopping center in the TC zone and with signs of other tenants in the planned shopping center in the TC zone~~, of superior construction, safe for both pedestrian and vehicular traffic and commercially reasonable.

A. In the TC zone, for each street or parking lot on which a business fronts, one Exterior a single-faced sign on the exterior wall, gable or awning sign fronting ~~of~~ that business is permitted ("Exterior Sign"). If the exterior sign is on the exterior wall, its size must be the less of (1) 150 square feet per side or (2) the greater of that amount in square footage which is a factor of eight tenths (0.8) of that business' linear street or parking lot frontage or 75 square feet per side; provided, that stand-alone buildings in the TC are entitled to signs of not more than 75 square feet per side irrespective of linear frontage; and provided further, that businesses which occupy in excess of 20,000 square feet of space may have a single exterior sign or not more than 250 square feet per side on each street or parking lot frontage. If the exterior sign is on a gable or awning, its size must be less than 40 square feet. Signage entitlements under the foregoing sentence for any frontage may not be counted for entitlement on any other frontage. Businesses that share space must share signage entitlements under this provision.

B. For businesses that do not front either a right-of-way or parking lot, one Exterior sign per such business shall be allowed. If the exterior sign is on an exterior wall, its size must be seventy-five (75) square feet or less. If the exterior sign is on a gable or awning, its size must be less than forty (40) square feet.

CB. Each business in the TC zone may have nonilluminated projecting signs hanging from the soffits but each such sign must provide a minimum of seven feet of clearance from the underlying walkway to the bottom of the sign and no such sign may exceed five square feet per side.

DC. Each business in the TC zone may have a nonilluminated awning on which may be placed signs for that business so long as the total area of those signs does not exceed 45 percent of the facing of the awning.

ED. Signs of any kind in windows viewable from any public right-of-way may not cover more than 50 percent of the window area ~~except for celebration displays~~.

~~FE~~. A ~~planned~~ shopping center in the TC zone may display up to two freestanding ground signs, not in excess of 25 square feet in area per side, identifying the name of the shopping center but not the businesses located therein at Northeast 175th and Ballinger Way Northeast, plus one nonilluminated freestanding ground sign at or near Northeast 175th and Ballinger Way Northeast, not to exceed a sign height of 10 feet and 60 square feet in area per side identifying the businesses located therein, plus a single illuminated or nonilluminated freestanding sign at the main entrance off Bothell Way Northeast, not to exceed a sign height of 30 feet and not more than 300 square feet in area per side, which may include identities of one or more of the businesses located in the shopping center. Any nonilluminated sign permitted in this subsection may, notwithstanding the foregoing, be illuminated by one or more separate light(s) cast on it from the ground below. The ground signs shall be of a style, material and design as are compatible with the associated buildings. All ground signs and support elements are to be integrated into a single design.

~~GF~~. Entrances to buildings in the ~~planned shopping center in the~~ TC zone may have ~~a changing message readerboard~~ signs placed on the walls adjacent to the entrance wall or support columns not to exceed 13.5 square feet identifying only the businesses in that building. ~~Such changing message Readerboard~~ signs shall be limited to two per major public entrance.

H. Temporary signs that meet the following criteria are allowed on the premises:

1. a sign does not exceed six square feet in area per side and is not more than four feet in height;

2. signs remain displayed on the premises for no more than 60 days in any one-year period;

3. signs shall only be displayed during the hours the business is open to the general public, but in any event no earlier than dawn and no later than dusk;

4. one temporary sign is allowed per business at each vehicular entrance to the lot on which it is located, or if located in a shopping center, at each vehicular entrance to the shopping center;

5. one temporary sign is allowed per business at each pedestrian entrance adjacent to right-of-way for the lot on which the business is located; or if located in a shopping center, at each pedestrian entrance adjacent to right-of-way for the shopping center;

6. if the number of signs at a vehicular or pedestrian entrance is impeding free movement or causing a safety issue, the City may remove the problematic sign(s) without prior notice to the business owner.

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~~I.H.~~ All signs permitted by this section shall be ~~nonflashing, with no movement or simulated movement, except for changing message signs, and shall be located as not to produce glare on neighboring residential properties or interfere with traffic, traffic signals or traffic signs.~~

~~I.~~ Fluttering signs, including balloons, festoons, pennants and flags (other than official flags of political entities of a permanent nature) are prohibited. However, celebration displays are permitted for periods of no more than 14 consecutive days and a total of four times a year. Celebration displays must be used at the site of the shopping center and must be removed at the end of the event or 14 consecutive-day period, whichever is shorter.

~~J. Off-premises signs are prohibited~~

~~K.~~ Temporary sandwich board signs relating to a farmer's market may be permitted for a period not to exceed the operation of the farmer's market, subject to the following requirements:

~~4.~~ Signs may not block sidewalks or driveways, impede pedestrian or vehicular traffic, or create a hazard to traffic, such as, but not limited to, impeding visibility of oncoming traffic.

~~J.L.~~ Streetlight banners may be permitted upon the private light poles within the ~~TC~~town center zone. Such streetlight banners ~~may not be used to advertise individual businesses, but may be used year-round to highlight seasonal events such a farmer's market, holiday seasons or other special events within the town center zone~~ are subject to compliance with the following requirements:

1. Banners may be mounted on a total of 25 streetlight poles;
2. Two banners may be mounted on each pole and each banner must not exceed the dimensions of two feet by four feet;
3. All banners must be the same size, thematically consistent, and mounted in identical configurations;
4. Banners shall be installed with the bottom of the banner a minimum of 10 feet above the ground;
5. A banner permit may remain valid as long as the locations and the specifications of the banners and the mounting systems do not change, and so long as the banners are maintained in good condition;
6. Application requirements for a banner permit include:
 - a. Information on the design and construction of the mounting system including any engineering calculations demonstrating the mounting system will support the banner;
 - b. Identification of the location of the private light poles on which the banners will be placed; and

~~Added and does not have to be submitted and changed. With the proposed amendments, the following shall be added:~~

Section 8. ADDITION. The City Council of the City of Lake Forest Park hereby adds section 18.52.075 LFPMC, Signs in Southern Gateway zones.

18.52.075 Signs in Southern Gateway zones.

A. Signs in the Southern Gateway – Single-family residential zone are governed by this chapter and specifically LFPMC 18.52.050 for RM and RS zones.

B. Signs in the Southern Gateway - Corridor zone and Transition zone are governed by this chapter and specifically LFPMC 18.52.070 for the TC zone, as well as the southern gateway – corridor and transition zones design guidelines. In the event of a conflict, the design guidelines shall govern.

Section 9. AMEND. The City Council of the City of Lake Forest Park hereby amends section 18.52.080 LFPMC, Signs in the public right-of-way, as follows:

18.52.080 Signs in the public right-of-way.

~~A. The following signs are permitted in the public right-of-way, except as prohibited in 18.52.030, in Lake Forest Park upon making application for a permit to the planning director; provided, that no sign in a public right-of-way shall create a traffic or other safety hazard; and temporary signs are permitted upon meeting the following conditions:~~

1. signs shall not be placed in medians, traffic islands, roundabouts, or other areas within the roadway;
2. signs shall not be placed on a sidewalk or obstruct pedestrian or wheelchair access to the sidewalk;
3. on right-of-way that only have a shoulder and do not have a sidewalk, signs must be placed so that they do not interfere with pedestrian, wheelchair, bicycle access, or in any other manner that is unsafe for all users;
4. signs shall be placed entirely outside of the sight-distance-triangle of a right-of-way corner, curb-cut, or drive entrance and where no curb exists, the sign must be placed outside the roadway at least five feet from the edge of the roadway;
5. signs shall remain unanchored in any way to trees or to public property including, but not limited to, utility or light poles, utility boxes, street signs, parking meters, fences, or pavement;
6. no more than six (6) signs may be displayed city-wide in the right-of-way for the same event, occasion, or purpose, or by the same entity, at any one time;
7. A sign exempt from permitting by section 18.040 LFPMC because it is no greater than three square feet in area per side and no more than four feet in

height shall be displayed for thirty (30) days or less in any one-year period, unless a permit is obtained.

8. A sign ~~ed~~ allowed by permit may not exceed six (6) square feet in area per side and not more than four (4) feet in height, and shall be displayed for sixty days (60) days or less in any one-year period.

~~B. The following signs are permitted in the public right-of-way in Lake Forest Park without a permit being required:~~

- ~~1. Yard Sale Signs. A maximum of two yard sale signs may be posted for a maximum of two days prior to the event's commencement and upon such other conditions as may be imposed by the planning director. Yard sale signs shall be removed within 24 hours of the termination of the yard sale.~~

~~C. Signs shall not be located in the right-of-way or placed upon or in any way attached to any street or traffic control sign or utility pole in such a manner as to create a traffic or other safety hazard.~~

~~B.D. Signs are not permitted on other city-owned property or property leased by the city for public purposes such as public parks, trails, open space, or other public space, except those signs placed by the City, which signs shall only display noncommercial copy, without the permission of the city.~~

Section 10. AMEND. The City Council of the City of Lake Forest Park hereby amends section 18.52.090, Permit application and fee.

18.52.090 Permit application and fees.

A. Except as provided in the chapter, no person shall erect, alter, or relocate any sign without first receiving an approved sign permit from the City pursuant to the requirements herein. All applications for issuance of permits required by this chapter shall be made to the planning director on forms furnished for that purpose and shall be accompanied by the required fee. The applicable fee shall be as provided in the city's fee schedule. ~~The application shall include the applicant's full name, address, signature, location of the signs, types of goods proposed to be sold if applicable, duration of sale if applicable, together with such other information as the planning director deems appropriate.~~

B. The review and approval of sign permits is a ministerial administrative decision pursuant to Chapter 16.26 LFPMP, as amended.

C. Application Form.

1. Owner permission. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign permit application and for the installation/posting of the sign on the property owner's property.

2. Building Elevation/Site Plan. Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the location of the sign and drawings or photographs that show the scale of the sign in context with the building. Freestanding signs require a site plan indicating the proposed sign location as it relates to property lines, adjacent streets, and adjacent buildings.

3. Scaled Design Drawing. A colored rendering or scaled drawing, including dimensions of all sign faces, and descriptions of materials to be used, including color samples.

4. Scaled Installation Drawing. A scaled drawing that includes the sign description, proposed materials, size, weight, a manner of construction, and method of attachment, including all hardware necessary for proper sign installation.

5. Lighting. A drawing indicating the location and fixture type of all exterior lighting for the proposed sign. The drawing shall specify wattage and bulb type to ensure compatibility with the lighting standards in this chapter.

6. Expiration of Permit. A permanent sign approved under a permanent sign permit must be installed within 180 days of issuance of the permit or the sign permit will expire. No sign may be erected if a sign permit has expired.

Section 11. AMEND. The City Council of the City of Lake Forest Park hereby amends section 18.52.100, Violations, as follows:

18.52.100 EnforcementViolations.

A violation of LFPMC 18.52.080 shall be an infraction subject to a fine of \$100.00 a day or portion thereof, \$25.00 a day or portion thereof, and subject to code enforcement pursuant to Chapter 1.25 LFPMC.

Section 12. SEVERABILITY. Should any portion of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 13. CORRECTIONS. The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 14. EFFECTIVE DATE. This ordinance shall take effect five (5) days after passage and publication.

APPROVED BY A MAJORITY the Lake Forest Park City Council this XXX day of XXX, 2023.

APPROVED:

Jeff Johnson
Mayor

ATTEST/AUTHENTICATED:

Matthew McLean
City Clerk

APPROVED AS TO FORM:

Kim Adams Pratt
City Attorney

Introduced:
Adopted:
Posted:
Published:
Effective: