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ORDINANCE NO. 2254

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING AN INTERIM ZONING REGULATION PURSUANT TO RCW 35A.63.220 AND RCW 36.70A.390; AMENDING CHAPTER 20D.160.10. OF THE REDMOND COMMUNITY DEVELOPMENT GUIDE; IMPOSING LIMITATIONS ON THE DISPLAY OF FREESTANDING SIGNS WITHIN SPECIFIED RESIDENTIAL ZONING DISTRICTS; SETTING FORTH FINDINGS IN SUPPORT OF SAID LIMITATIONS; DECLARING AN EMERGENCY; SETTING A PUBLIC HEARING DATE; AND PROVIDING FOR IMMEDIATE EFFECT.

WHEREAS, the City Council adopted Ordinance No. 2253 at its March 15, 2005 regular meeting; and

WHEREAS, Ordinance No. 2253 adopted an interim time, place and manner regulatory framework for the display of portable signs, with the intention of affording equivalent regulatory treatment to real estate, construction and other types of commercial signage; and

WHEREAS, Ordinance No. 2253 replaced the City's previous regulations governing the display of temporary real estate signs; and

WHEREAS, RCDG 20D.160.10-050 currently authorizes the display of freestanding and projecting signs within various commercial, industrial and other zoning districts, but does not expressly authorize the display of such signage within most residential zones; and

WHEREAS, the City Council seeks to clarify the permissibility of displaying freestanding signs within residential zoning districts, subject to similar regulatory constraints applicable to commercial signage in general;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts by reference the recitals contained herein as findings in support of this ordinance. The City Council further makes the following findings:

A. The June 15, 2004 summary judgment ruling of the United States District Court for the Western District of Washington in case no. C03-2080Z invalidated the City's portable signage regulations.

B. The City has appealed the District Court's ruling to the United States Court of Appeals for the Ninth Circuit, which has not yet rendered a decision in the case.

C. The City Council adopted Ordinance No. 2253 on March 15, 2005 for the purpose of establishing an interim regulatory framework for portable signage until the City's appeal has been resolved.

D. To ensure compliance with the District Court's June 15, 2004 ruling, Ordinance No. 2253 afforded roughly equivalent regulatory treatment to all types of portable commercial signage.

E. Ordinance No. 2253 replaced the City's previous regulations regarding freestanding real estate signs in most residential zoning districts.

F. The freestanding signage regulations codified at RCDG 20D.160.10.-050 do not specifically address freestanding signs in most residential zoning districts.

G. Amendment of RCDG 20D.160.10.-050 as provided herein is necessary in order to ensure equivalent regulatory treatment of real estate and other types of commercial signage pursuant to the District Court's June 15, 2004 ruling.

H. RCW 35A.63.220 and RCW 36.70A.390 authorize municipalities to adopt interim zoning ordinances and to afford such ordinances immediate effect.

I. An emergency exists requiring this ordinance to take effect immediately upon adoption.

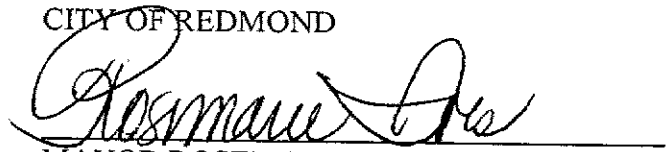
Section 2. Interim Amendment of RCDG 20D.160.10-050. Section 20D.160.10-050 of the Redmond Community Development Guide is hereby amended to provide in its entirety as indicated in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. Sunset; Effective Date. The revision to RCDG 20D.160.10-050 effected by Section 2 of this ordinance shall take effect immediately, and shall sunset automatically on September 15, 2005 if not extended by the City Council.

Section 4. Public Hearing. A public hearing regarding the interim zoning regulation established under this ordinance is hereby set for May 3, 2005 at 8:00 p.m. in the Redmond City Council chambers.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

CITY OF REDMOND



MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

Bonnie Mattson

CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

By: *Augusta Belbeck*
for James E. Haney

FILED WITH THE CITY CLERK:	March 21, 2005
PASSED BY THE CITY COUNCIL:	March 22, 2005
SIGNED BY THE MAYOR:	March 22, 2005
PUBLISHED:	March 28, 2005
EFFECTIVE DATE:	March 22, 2005
ORDINANCE NO. <u>2254</u>	

EXHIBIT A

20D.160.10-050 Sign Requirements per Zoning District.

The chart entitled "Sign Requirements per Zoning Districts" establishes sign type, area, height and location requirements for the various zoning districts and is incorporated as a part of this section.

Signs	Zoning Districts				
	GC; CB; CC-3; CC-4; CC-5; GDD, ODD, DD; Convenience Commercial Cluster	CC-1; CC-2; NC; MP; I; BP; OV R-20; R-30	Nonresidential in A; UR; RA-5; R-1 - R-18; CC-6	Single- Family Residential in A; UR; RA-5; R-1 - R-18; CC-6	Multi- Family Residential in A; UR; RA-5; R-1 - R-18; CC-6
Number of Signs					
Maximum Number of Freestanding or Projecting Signs per Street Frontage per Establishment*	1	1	1	1**	1**
Freestanding Signs					
Minimum Setback (feet)	5	5	10	6	6
Maximum Height (feet)	A height equal to the sign setback up to 10 feet	A height equal to the sign setback up to 10 feet	10	6	6
Maximum Size per Sign Face (square feet)	The smaller of 1% of the average gross floor area or 1 sq. ft. per 4 feet of street frontage where the sign is to be placed up to a maximum of 75 sq. ft.; but in any event, 25 sq. ft. is permitted	The smaller of 1% of the average gross floor area of 1 sq. ft. per 4 feet of street frontage where the sign is to be placed up to a maximum of 50 sq. ft.; but in any event, 25 sq. ft. is permitted.	25	6	32
Maximum Number of Sign Faces	4	4	2	2	2
Wall Signs					
Maximum Area (square feet)	The larger of 15% of the façade to which attached or 60 sq. ft. up to a maximum of 300 sq. ft.	The larger of 30 sq. ft. or 15% of the façade to which the sign is attached up to a maximum of 100 sq. ft.	60		
Maximum Height (feet)	Top of the wall or façade to which attached	Top of the wall or façade to which attached	20		

Projecting Signs					
Maximum Area per Sign Face (sq. ft.)	15	15	25		
Maximum Area Total All Sign Faces (sq. ft.)	30	30	50		
Maximum Height (feet)	Top of the wall or façade to which attached	Top of the wall or façade to which attached	20		
Note: Individual businesses in multiple building complexes not permitted to have freestanding signs.					

* For single-family residential sites, an establishment shall be comprised of an individual single-family lot. For multi-family residential sites, an establishment shall be comprised of a multiple-family complex.

** Allowed only for premises devoted entirely to residential uses. Signs must relate solely to on-premises activity, including but not limited to sales of the underlying premises. No permit shall be required for such signs. Nothing herein shall be construed as authorizing the display of signs otherwise prohibited under applicable provisions of this code, including but not limited to home occupation signs.