



# City Council Meeting Schedule December 2016

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December 6, 2016  
Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

December 13, 2016  
Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. TRIDEC Annual Update
2. City Manager's 2016 Accomplishments
3. Panhandling/Sign Code Update
4. EXECUTIVE SESSION (RCW 42.30.110(1)(g) Union Bargaining Contract (15 minutes)

December 20, 2016  
Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING - **CANCELLED**

December 27, 2016  
Tuesday, 6:30 p.m.

WORKSHOP MEETING - **CANCELLED**

**Council Workshop  
Coversheet**



Agenda Item Number	1.	Meeting Date	12/13/2016
Agenda Item Type	Reports/Plans		
Subject	TRIDEC and Young Professional Annual Report		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Employee & Community Relations		

Info Only	<input checked="" type="checkbox"/>
Policy Review	<input type="checkbox"/>
Policy DevMnt	<input type="checkbox"/>
Other	<input type="checkbox"/>

**Summary**

TRIDEC has been placed on an annual performance contract by City Council. Mid year they reported outcomes to the Planning and Economic Development Council Committee. TRIDEC staff will provide an update on year end outcomes and goal attainment as required below:

1. Recruitment: Recruitment and outreach to small industrial/light manufacturing companies for Kennewick properties
2. Marketing/Outreach and Communications
3. Client Tracking System/Measurements and Reporting: Report outreach, recruitment and outcomes
4. UGA Expansion: Provide support to Kennewick for expansion of the Urban Growth Area

Through	Terry Walsh Nov 30, 13:13:44 GMT-0800 2016	Attachments: 
Dept Head Approval	Terry Walsh Nov 30, 13:13:46 GMT-0800 2016	
City Mgr Approval	Marie Mosley Dec 08, 08:43:25 GMT-0800 2016	



# TRIDEC UPDATE

City of Kennewick

Tuesday, December 13, 2016

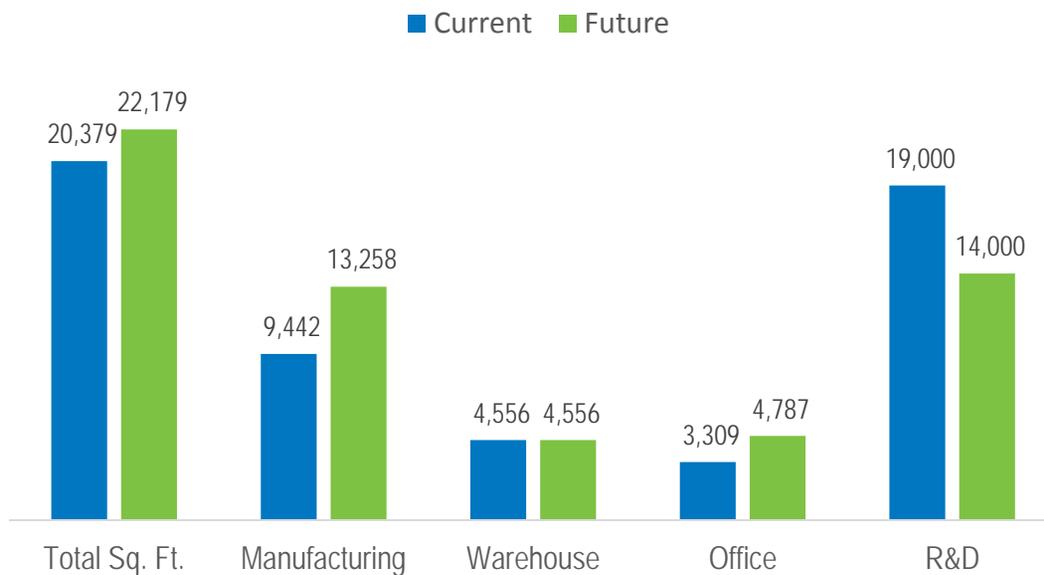


Building a BOLDER, BRIGHTER Tri-Cities!

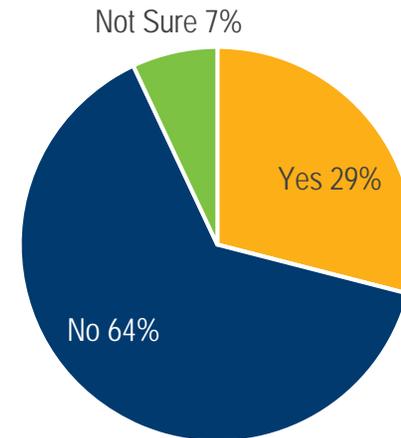
# Performance Outcome: Recruitment

Research and present information to Kennewick staff on size and space needs for target industry companies.

Estimated Square Footage – Current & Future Facilities



Relocation Plans – Next 5 Years



# Performance Outcome: Recruitment

Research and work with Kennewick staff on companies who might capitalize on Kennewick's technically skilled workforce.

TRIDEC continues to represent the City of Kennewick on all RFP's that we receive

Work with Kennewick staff on recruitment materials for these companies.

TRIDEC continues to work with Staff to create consistent messaging and branding. TRIDEC publication files and images are shared with Staff.



# Performance Outcome: Recruitment

Identify at least 3 companies to outreach to.

Distribution Center Expansion

Site Size: 15 Acres      Building Size: 120,000 square feet

Employees: Up to 100 Employees in 5 years

Metals Separation Facility

Site Size: 3-4 Acres      Building Size: 30-40,000 square feet

Engineering/Sales Office

German based company providing emergency warning and industrial communications systems to the power generation industry. Initial project is a 3-5 person engineering/sales office. Current manufacturing locations are New Jersey and Texas.



# Performance Outcome: Recruitment

Identify at least 3 companies to outreach to.

Spiral Fin and Heat Exchanger Coil Manufacturer

Considering a west coast manufacturing facility with engineering and sales support. Company currently operates a 165,000 square foot facility in Virginia.

Thermal Energy Storage

Company is currently opening a California office and is interested in expanding further on the west coast.



# Performance Outcome: Recruitment

## RFP Activity

Responded to 6 RFPs since June and responded to numerous requests for information.

### Active Projects:

Distribution Center (15 Acres/120,000 square foot facility)

Building Products Manufacturer (25 Acres)

### Pending Projects:

Food Processing Manufacturer (150 acres)

Data Center (50-100,000 square foot existing building)



# Performance Outcome: Recruitment

## ZoomProspector (TryTriCitiesSites.org) Activity:

356 Properties Listed – 179 Located in Kennewick

249 Buildings – 123 Located in Kennewick

107 Sites – 56 Located in Kennewick

52 Properties Managed Locally – 33 Located in Kennewick.



# Performance Outcome: Marketing & Communications

Retail Recruitment

Marketing Materials Specific to Opportunity Centers

Resources to Support Entrepreneur Community

Redevelopment Projects for Industry Sectors



# Performance Outcome: Measurement & Reporting

Monthly Meetings

PED Committee Meetings

Annual Council Presentation

Client Tracking System

YPTC Annual Presentation



## Performance Outcome: UGA Expansion

Meeting with Futurewise

Meeting with Department of Commerce

Attendance at Public Meetings Regarding UGA Expansion



# Connect with Us!



[www.TryTri-Cities.org](http://www.TryTri-Cities.org)

- Site Selectors
- Member Investors
- Link for Cities & Ports Retail Recruitment

[www.TryTriCitiesSites.org](http://www.TryTriCitiesSites.org) (ZoomProspector)

- Sites and Buildings Database
- Interactive Demographics

Social Media @TCDevCouncil



# Why TRIDEC?



An investment in TRIDEC is an investment in the Tri-Cities future!

- TRIDEC is the only local organization that focuses on **economic growth** of the entire community.
- TRIDEC is focused on **making a bigger pie** not just dividing it up into smaller pieces.
- TRIDEC has a **consistent record of success on major economic development projects** – AutoZone, Cascade Natural Gas HQ, Amazon.
- TRIDEC is an **advocate for business**, a **resource for local economic conditions**, a **catalyst for progress** and a **voice for the community**.



# Questions?



# Council Workshop Coversheet



Agenda Item Number	2.	Meeting Date	12/13/2016
Agenda Item Type	Presentation		
Subject	City Manager 2016 Accomplishments		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	City Manager		

Info Only	<input type="checkbox"/>
Policy Review	<input checked="" type="checkbox"/>
Policy DevMnt	<input type="checkbox"/>
Other	<input type="checkbox"/>

## Summary

During the workshop on January 26th, the strategic plan for 2016 was reviewed, updated and became the performance goals for the City Manager and the organization for the year. These goals were established to implement the strategic plan for the 2015/2016 biennium within each of Council's priority areas of Community Safety, Economic Development, Infrastructure & Growth, Quality of Life and Responsible Government. During the workshop, the City Manager will discuss the implementation strategies and accomplishments for 2016.

Through

Attachments:

Presentation

Dept Head Approval

City Mgr Approval

Marie Mosley  
Dec 07, 11:23:41 GMT-0800 2016



# 2016 Accomplishments

**December 13, 2016 Workshop**



# Priority Areas



*I want to be safe where I live, work  
and play.*



# Community Safety: Goals

Objective - Continue to Ensure the Safety of our Community by  
Maintaining Current Service Levels & Partnerships

## Criminal Justice Sales Tax Strategic Staffing Implementation:

- \* Review CJST funds for sustainability and continued support of staffing levels over the next 10 years and provide recommendations
- \* Four additional officers hired in 2016
- \* One additional PSS staff hired in 2016
- \* One additional City Attorney hired in 2016

## Implement Strategic staffing & Deployment model for Fire Department

- \* Opening of Station 5 and promotion of 3 Captains
- \* Re-inspection fee and compliance recommendation for fire inspection program
- \* WSRB findings and recommendations
- \* Plan for station #6 (land & staffing plan)



# Criminal Justice Sales Tax Strategic Staffing Implementation: Accomplishments

- ✿ Review CJST funding for sustainability:
  - ✿ Continue to report to council in leadership report on comparisons of funds received versus revenue projections.
  - ✿ New Officers – Hired 5 Officers in 2016 (continue to have attrition and work on filling vacancies)
- ✿ One-time Resources:
  - ✿ Recommendations for 2017/2018 uses proposed during budget preparation in 2016.
- ✿ Continued efforts to combat gang activity paid through OT until fully staffed
- ✿ Support Additional Patrol Officers:
  - ✿ Hired additional Police Support Specialist in 2016
  - ✿ Hired additional Prosecutor in 2016 to support increase in officers and new court requirements.



# Community Safety Strategic Staffing Accomplishments

- ✿ Implement Strategic staffing & Deployment model for Fire Department:
  - ✿ Promotional ceremony, Finley, Feather, and VanHorn.
- ✿ Opening of Station 5:
  - ✿ Grand opening and ribbon cutting for fire station 65 on Aug 22, 2016. Station was completed on time and under budget
- ✿ Re-inspection fee and compliance recommendation for fire inspection program:
  - ✿ Worked with council in September and codified a re-inspection fee of \$250.
- ✿ WSRB findings and recommendations:
  - ✿ Review conducted in September of 2016. Report forthcoming. Favorable response by reviewers.
- ✿ Plan for station #6 (land & staffing plan):
  - ✿ Negotiated with property owners on Hildebrand site in summer of 2016.
  - ✿ Purchase and sale agreement with property owners taken to council in November. Property purchased at assessed value which was under the budgeted allocation.



# Community Safety: Goals

Objective - Continue to Ensure the Safety of our Community by Maintaining Current Service Levels & Partnerships

## EMS Service & Sustainable staffing Model:

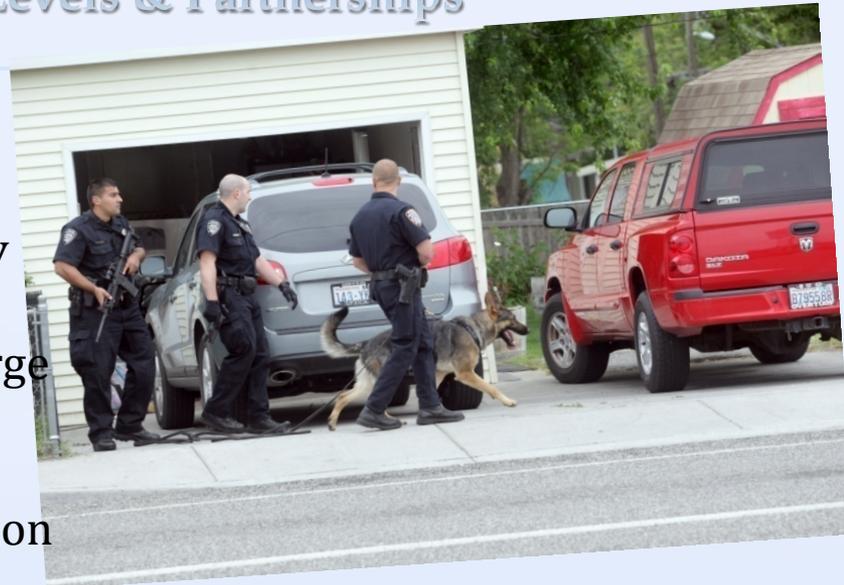
- \* Cost of service model review and budgetary recommendations for 2017/2018
- \* Implement the 2016 ambulance utility charge adjustment to provide sustainable fire staffing and deployment model
- \* LEOFF I long care study review in conjunction with W/S rate study

## Align Code enforcement program to achieve council's objectives and priorities:

- \* Implementation of Phase 1 & 2 improvements to code enforcement program.

## MATRICS Implementation:

- \* Provide recommendation on bi-county consolidated dispatch system



# Community Safety: Accomplishments

- EMS Service & Sustainable staffing Model:
  - \* Ambulance Utility Cost of Service Study completed and results presented to Council in November.
  - \* Cost of service recommendations will be discussed in 2017/2018
- Implement the 2016 ambulance utility charge adjustment to provide sustainable fire staffing and deployment model
  - \* Implemented \$1 in 2015 and second \$1 in 2016.
- LEOFF I long care study review in conjunction with W/S rate study
  - \* Actuary study completed in 2016; recommendations in 2017/2018 biennium
  - \* Water/Sewer rate study completed in 2016 with council adopted recommendations
- Align Code enforcement program to achieve council's objectives and priorities and implementation of Phase 1 & 2 improvements to code enforcement program:
  - \* Code enforcement moved under customer service and integrated into one-stop area
  - \* Implemented Phase 1 & 2 system improvements
  - \* Office specialist recommended and approved in 2017/2018 budget to support code enforcement efforts.
- MATRICS Implementation and provide recommendation on bi-county consolidated dispatch system:
  - \* Franklin County and Pasco are considering joining BCES dispatch system as a result of extensive review of alternative methods of service delivery. Recommendation in 2017/2018



*I want a diverse and vibrant economy  
in Kennewick.*



# Economic Development: Goals

Objective - Support Existing Businesses and the Creation of Sustainable Family Wage Jobs

## Public/Private Partnership

### Opportunities:

- \* Recruitment, retention and expansion efforts focusing on Southridge and Columbia Gardens
- \* Complete phase one of the wine village for tenant occupancy by the end of 2016
- \* Pursue potential educational partnerships to enhance economic vitality



## Major Project planning:

- \* Provide B2B master plan implementation recommendations to council which shall serve as a model for vista field
- \* Support Port master planning of the 112 acres to complement the entertainment district

## LRF

- \* Continue to work with partners and lobbyist on legislation for additional LRF in Vista area



# Economic Development: Accomplishments

## \* Public/Private Partnership Opportunities:

- \* Recruitment, retention and expansion efforts focusing on Southridge and Columbia Gardens.
  - \* Phase 1: Contract awarded and work completed on site plan by the port. Contract awarded on construction of 3 buildings in Fall by the Port. Contract bid and work underway on streetscape by the city. Effluent treatment infrastructure will be completed as building construction allows.
  - \* Staff participated with Port on tenant interviews and Port Commissioners will approve tenants in December.
  - \* New businesses in Southridge (Original Pancake House, Taco Bell, etc.)
- \* Pursue Educational Partnership:
  - \* Announcement of partnership with Port, City and Columbia Basin College for a Culinary School.



# Economic Development: Accomplishments, Cont.

## \* Major Project Planning:

- \* Bridge to bridge master plan concept approved by council. Zoning plan overlay currently in process in partnership with the port.
- \* Vista Field transportation plan approved by council and zoning overlay currently in process in partnership with the Port

## \* LRF:

- \* Council approved a Vista LRF area.
- \* Legislation approved, however currently there is not funding for additional applicants. Will continue to work with legislators and partners.



*I want a well-maintained City whose infrastructure keeps pace with growth.*



# Infrastructure and Growth: Goals

Objective - Maintain Existing Infrastructure and Build New Infrastructure to Support Economic Development & Expansion

## ❁ Bob Olson Parkway:

- ❁ Bob Olson Parkway bidding, final design and construction

## ❁ Comprehensive Plan update:

- ❁ Continue work on Comprehensive plan for the 10 year update in 2017 that complements the future UGA expansion

## ❁ Pavement Preservation Program:

- ❁ Provide recommendation for implementation of a sustainable funding program for pavement preservation and Ridgeline Interchange, to include partnering with neighboring agencies on a TBD



# Infrastructure and Growth: Accomplishments

## \* Bob Olson Parkway:

- \* Contract awarded and construction began in Fall of 2016 for completion in Spring, 2017

## \* Comp Plan Update:

- \* Consultant began work in Spring of 2016 and work will be completed in the Summer of 2017. Consultant provided results in 2016 of the Industrial Land Analysis

## \* Pavement Preservation Program:

- \* Options for a potential dedicated funding source for pavement preservation will be discussed in the 2017/2018 biennium to provide sustainable funding and potential partnerships.



# Infrastructure and Growth: Goals, cont.

Objective - Maintain Existing Infrastructure and Build New Infrastructure to Support Economic Development & Expansion

## Water Rate Study:

- ★ Conduct study and provide recommendations to council in preparation for the 2017/2018 biennial budget

## Sustainability program:

- ★ Identify current and potential sustainability practices in a single source document for council review
- ★ Continue to partner to PUD, MCEI and other partners as opportunities occur

## Facilities Strategic Plan:

- ★ Provide recommendations for remodel of station #1 & rebuild station #3



# Infrastructure and Growth: Accomplishments

- ✿ **Water/Sewer Rate Study:**
  - ✿ Water/Sewer rate study completed and council adopted recommendations in October for 2017/2018 implementation.
- ✿ **Sustainability program:**
  - ✿ Council reviewed sustainability program and policies. Final program will be incorporated into the 10 year comp plan and will be provided to council by the end of 2016.
- ✿ **Facilities Strategic Plan:**
  - ✿ During the 2017/2018 biennium, recommendations will be provided to council for potential bonding for remodel of station #1, rebuild of station #3, and funding for building station #6 that were all recommended in the facilities strategic plan and by the Blue Ribbon Committee at the end of 2014.



*I want to enjoy access to a variety of amenities and opportunities in a safe environment.*



# Quality of Life Goals

Objective – Maintain Parks, Provide for Diverse Recreation Programs and a Well Planned Community

## Expedited review process:

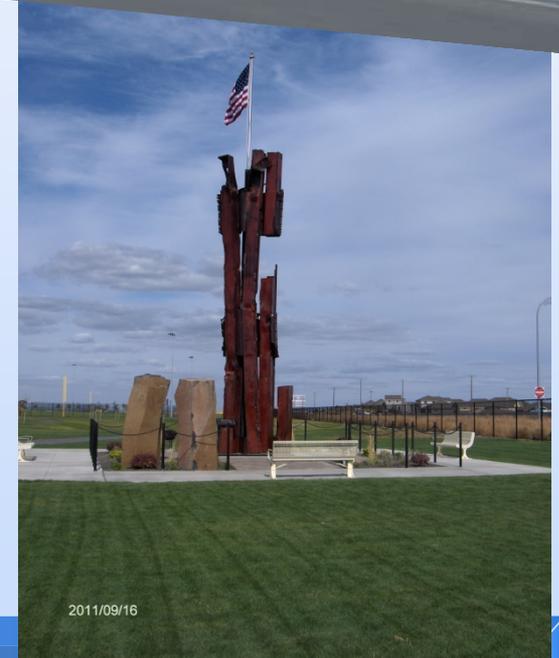
- \* Provide council with a recommendation for express permit fee charges
- \* Work with city departments on potential expansion of express process to include Tier 1 applications
- \* Work with Developers, HBA & other partners to continue providing flexibility and enhanced services

## Sign Code Compliance:

- \* Review recent case law and provide recommendations for potential code changes

## Columbia Park:

- \* Continue to work with the Corps of Engineers on conveyance of 60 acres of land in Columbia Park
- \* Continue to build relationships with the tribes
- \* Continue to work with Community Partners on other conveyance opportunities
- \* Continue to seek flexibility for limited commercial activity during conveyance period



2011/09/16

# Quality of Life: Accomplishments

## \* Expedited review process:

- \* Expedited review fee approved by council in 2016
- \* Tier 1 site plan expedited review process was implemented in 2016
- \* Commercial TI's & single family residential expedited review process continued in 2016
- \* Quarterly developer meetings held to discuss:
  - \* Express Permitting
  - \* Short Plat Code Revision
  - \* 10 Year Comprehensive Plan Update
  - \* Code and Process Updates
  - \* As-built Requirements
  - \* DPW Permit Template for Performance Bonds



# Quality of Life: Accomplishments, cont.

## \* Sign Code Compliance:

- \* Draft revisions of Title 18 to reflect changes in federal requirements will be presented to Council at December 13, 2016 workshop

## \* Conveyance:

- \* Worked with Corps during 2016 on continuing limited commercial activities
- \* Currently working with Corps on scoping meetings for recreational conveyance of 60+ acres
- \* Met with new Colonel of the USACE, continuing to express city desire to partner on this project
- \* Continue to support community partners on other conveyance opportunities



*I want a City government that is responsive,  
responsible and fiscally accountable.*



# Responsible Government: Goals

Objective – Provide Exceptional Public Service, Transparency and a Sustainable Future

## IT Strategic Plan:

- ★ Implement phase two improvements:
  - ★ Replace City Website
  - ★ Completion of GIS software
  - ★ Migration to ESRI
  - ★ Core Switch Upgrade
- ★ Plan for 2017/2018 IT projects

## Affordable Care Act:

- ★ Educate Unions on the implications of the ACA
- ★ Begin transition to Healthfirst 250
- ★ Begin working with unions on renewal of 5 collective bargaining agreements

## Public Records:

- ★ Continue to monitor legal issues with public records and work with lobbyist to address city concerns in 2016

## Leading The Way

We will provide excellent public service and ensure the safety and wellbeing of our community and one another through the empowerment of each employee. *We value...*

INTEGRITY...

INCLUSIVENESS...

STEWARDSHIP...

AND COMMUNICATION

We are accountable to our community for innovative and collaborative efforts that anticipate needs, leverage resources and deliver solutions.

**Integrity:** We hold ourselves to the highest standard of professionalism and ethical conduct.

**Inclusiveness:** We embrace diversity and value different perspectives as we work together for the common good.

**Stewardship:** We ensure the public's resources are used responsibly to provide the greatest benefit.

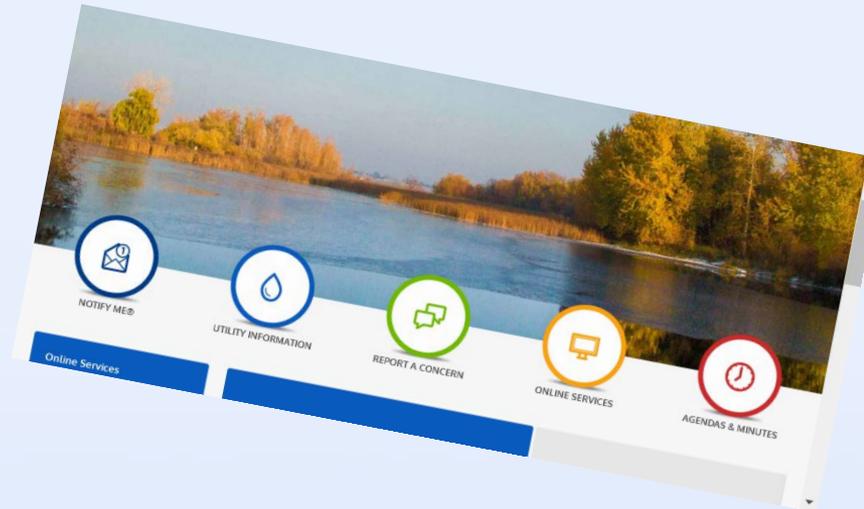
**Communication:** We will listen and engage in an open, honest and timely exchange of information.



# Responsible Government, Accomplishments

## IT Strategic Plan:

- \* City website replaced 2016
- \* Completion of GIS software in 2016
- \* Migration to ESRI completed in 2016
- \* Core Switch Upgrade completed in 2016
- \* Plan for 2017/2018 IT projects proposed in biennial budget approved by council in November 2016



## Affordable Care Act:

- \* Worked throughout 2016 on ACA and transition with Unions
- \* Moved non-represented to Healthfirst 250 in January of 2016
- \* Began working with unions on renewal of 5 collective bargaining agreements

## Public Records:

- \* Staff continues to monitor legal issues with public records and work with lobbyist to address city concerns and modify procedures as appropriate



# Responsible Government: Goals

Objective – Provide Exceptional Public Service, Transparency and a Sustainable Future

## Strategic Work Plans:

- \* Developed strategic work plans that are aligned with Council goals for Planning, Park & Recreation, Arts Commissions and Council Committees

## Communication:

- \* Weekly or Bi-Weekly Meetings with Mayor, Mayor Pro-Tem & Councilmembers as requested
- \* Monthly Leadership Team Reports to Council
- \* Periodic updates to organization on Implementation of the Strategic Plan
- \* Periodic Pending Litigation Updates to Council
- \* Enhance Various Partnerships in the Community
- \* Workplace Safety Updates & Recognition

## Sustainable Budget:

- \* Present a proposed 2017/2018 sustainable operating & capital budget to Council for consideration by November, 2016



# Responsible Government, Accomplishments

## Strategic Work Plans:

- ✦ Developed strategic work plans that were aligned with Council goals for Planning, Park & Recreation, Arts Commissions and Council Committees

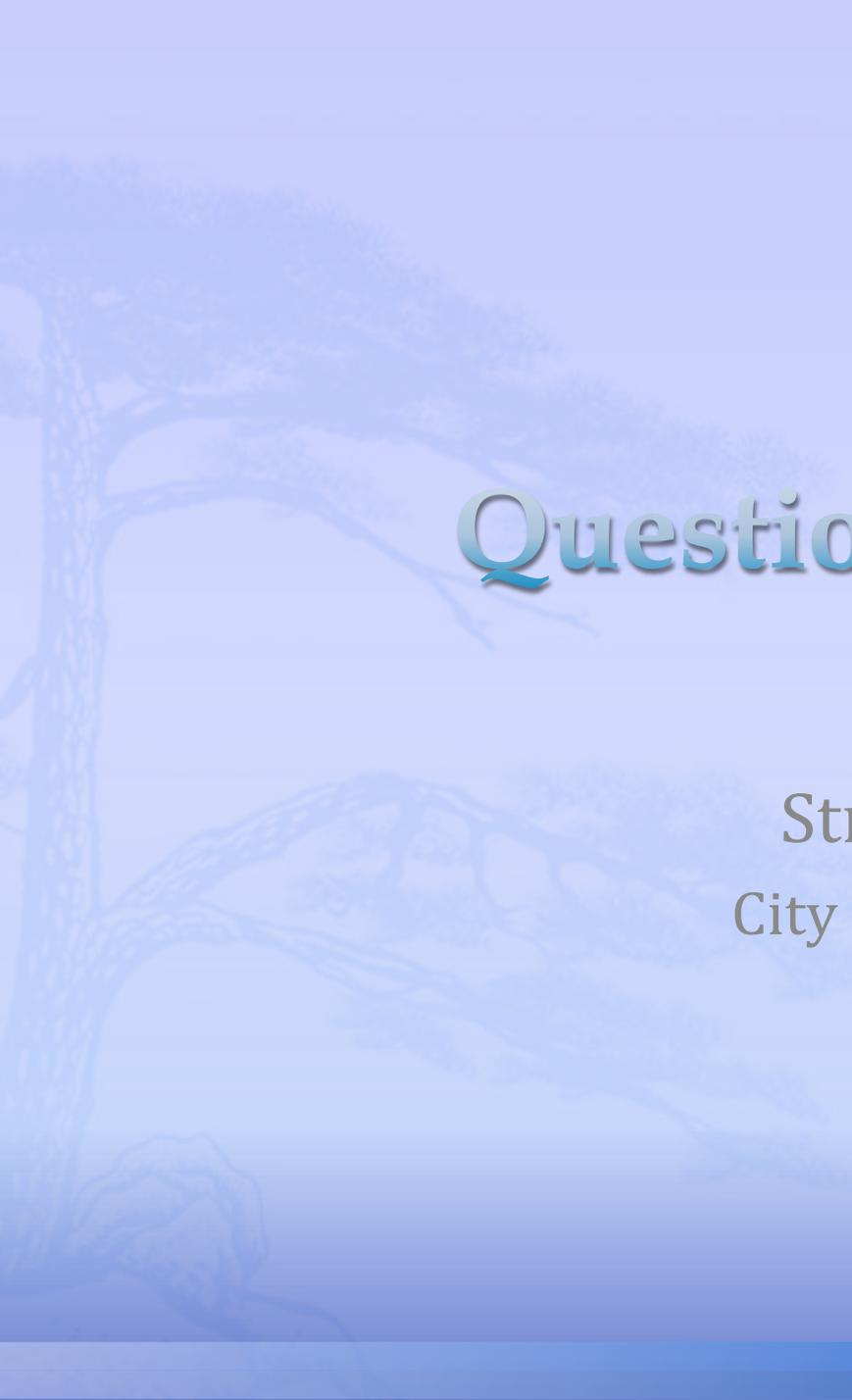
## Communication:

- ✦ Continued Weekly or Bi-Weekly Meetings with Mayor, Mayor Pro-Tem & Councilmembers as requested
- ✦ Provided Leadership Team Reports to Council
- ✦ Provided periodic updates to organization on Implementation of the Strategic Plan and held department meetings with employees
- ✦ Provided Pending Litigation Updates to Council
- ✦ Continued to enhance various partnerships in the Community such as United Way, TRIOS, Port, Chamber, Visit-Tri-Cities, PFD, etc.
- ✦ Hired new Workplace Safety Coordinator and provided periodic updates. Held employee safety recognition banquet in February of 2016.

## Sustainable Budget:

- ✦ Presented a proposed 2017/2018 sustainable operating & capital budget to Council for consideration on October 25<sup>th</sup>, which was approved on November 8, 2016.





# Questions or Comments

Strategic Plan Implementation  
City Manager 2016 Accomplishments

**Council Workshop  
Coversheet**



Agenda Item Number	3.	Meeting Date	12/13/2016
Agenda Item Type	Reports/Plans		
Subject	Panhandling/Sign Code Update		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	City Attorney		

Info Only	<input type="checkbox"/>
Policy Review	<input checked="" type="checkbox"/>
Policy DevMnt	<input type="checkbox"/>
Other	<input type="checkbox"/>

**Summary**

In June, 2015 the U.S. Supreme Court issued a significant sign code decision in Reed v. Town of Gilbert, 135 S.Ct. 2218 (2015). The Court's holding establishes a new standard for sign code regulations requiring essentially every municipality in the Country to review and revise their codes to come into compliance. The Court's ruling has also spurred litigation affecting other areas of municipal law, including criminal law. In the recent case of Willis v. City of Lakewood, the Washington State Supreme Court applied the holding in Reed to the City of Lakewood's "begging" ordinance, and determined it violated free speech. City staff has prepared two presentations addressing the impacts of this U.S. Supreme Court decision on the City's sign code and panhandling code, as well as proposed code amendments.

Through	Bonnie Lanning Dec 07, 13:41:41 GMT-0800 2016
Dept Head Approval	Lisa Beaton Dec 07, 15:10:44 GMT-0800 2016
City Mgr Approval	Marie Mosley Dec 08, 08:51:51 GMT-0800 2016

Attachments:

Panhandling Ordinance Presentation Sign Code Presentation Sign Code Proposed Amendments
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# *Panhandling Ordinance*

Review of Recent State Supreme Court case *Willis v. City of Lakewood*  
Discussion regarding application to Kennewick's Panhandling Ordinance



December 13, 2016  
City Council Workshop



## *Willis v. City of Lakewood*

### *State Supreme Court Decision July 21, 2016*

- Washington State Supreme Court struck down City of Lakewood “begging” ordinance as an unconstitutional restriction on First Amendment rights of an individual who was at a freeway ramp holding a sign indicating he was disabled and needed help.
- *Lakewood* ordinance prohibited “begging” at on and off ramps leading to and from State intersections from any City roadway or overpass, or at intersections of major principal arterials in the City. . .
- “Begging” was defined as “asking for money or goods as a charity, whether by words, bodily gestures, signs or other means.”



## *Willis v. City of Lakewood*

### *State Supreme Court Decision July 21, 2016*

- Citing the recent U.S. Supreme Court decision of *Reed v. Town of Gilbert*, 135 S.Ct. 2218 (2015), the Washington State Supreme Court found that the City of Lakewood code was an unconstitutional content-based restriction on free speech in a traditional public forum.
- *Reed v. Town of Gilbert* involved an appeal of a sign code enforcement action by the Town of Gilbert against a local church who used temporary signs to advertise their weekend services. The Town of Gilbert's sign code regulated temporary signs based upon their purpose/message, such as political signs, real estate signs or commercial signs.
- Per the holding in *Reed*, a law is impermissibly content-based if “on its face it defines regulated speech by a particular subject matter or by its function or purpose.”



## *Willis v. City of Lakewood*

### *State Supreme Court Decision July 21, 2016*

- Applying the *Reed* test, the Washington State Supreme Court found that Lakewood's code prohibited solicitation for a particular purpose; "begging" which the code defined to mean asking for money or goods as a charity, whether by words, bodily gestures, signs or other means.
- Since the code on its face regulated speech based upon its purpose (i.e. begging), the court found the code to be an unconstitutional content-based restriction on free speech in a traditional public forum.



# Kennewick's Panhandling Ordinance

- KMC 10.08.120 Interference with Pedestrian or Vehicular Traffic.
- KMC 10.08.120(d) “Solicit” means to ask, beg, or plead whether orally, non-verbally, or in a written or printed manner, for the purpose of immediately receiving contributions, alms, charity, gifts, or items of value for oneself or another person.
- KMC 10.08.120(3) Restricted Places . . . Includes on-ramps or off-ramps to State Routes and Interstates, also includes lengthy list in subsections (d) and (e) of portions of prohibited roadways in Kennewick.
- KMC 10.08.120(4)(c) A person is guilty of interference with pedestrian or vehicular traffic if the person intentionally solicits at a restricted place.
- Violation of this code section is a misdemeanor.



# Kennewick's Panhandling Ordinance

- Kennewick's Code restricts solicitation for a particular purpose – begging.
- There are no restrictions on solicitation for a commercial purpose – i.e. sign spinners, people in costumes advertising a business, etc.
- Per the holding in *Willis v. Lakewood*, the City's current Panhandling Ordinance would be found unconstitutional.
- Recommend repealing KMC 10.08.120.
- KMC contains provisions which address conduct not qualifying as protected speech - i.e. disorderly conduct, harassment and assault.

# Questions?





# Sign Code Review

*Reed v. Town of Gilbert*  
*U.S. Supreme Court Decision*

December 13, 2016  
City Council Workshop

# Supreme Court Decision

- ▶ *Reed v. Town of Gilbert* – the town had a sign code requiring permits for signs, but provided a variety of exemptions depending upon the content of the sign – divided into three categories “Political Signs,” “Temporary Directional Signs,” and “Ideological Signs.”
- ▶ Temporary Directional Signs were defined to include signs that directed the public to a church or other qualifying event temporary in nature; signs could be six square feet and could be displayed 12 hours before and 1 hour after.
- ▶ Political signs were defined as signs designed to influence the outcome of an election and could be up to 32 square feet and displayed during the political season.
- ▶ After being cited for violation of the rules for Temporary Directional Signs, a local church challenged the code as violating their freedom of speech.

# Supreme Court Decision (Cont.)

- ▶ Supreme Court held that a sign regulation which “on its face considers the message on a sign to determine how it will be regulated, is ‘content based.’”
- ▶ A content based regulation is subject to strict scrutiny analysis which is the highest constitutional hurdle.
- ▶ Requires municipality to show that the content based restrictions further a compelling governmental interest and are narrowly tailored to that end.
- ▶ In this case the sign code treated political signs more favorably than temporary directional signs – the town was unable to show a compelling governmental interest, they could not show that directional signs posed a greater threat to safety, or aesthetics than ideological or political signs.

# Media Comment

- ▶ “Narrowly tailored to serve compelling state interests.”
- ▶ “You can stare at those words as long as you like, but here is what you need to know: Strict scrutiny, like a Civil War stomach wound, is generally fatal.” *Adam Liptak, New York Times*

# Reed Primary Takeaways

- ▶ The primary takeaways of the *Reed* case are that local sign regulations must be content-neutral and that a sign code will be subject to “strict scrutiny” judicial review if it applies different standards based on:
  - A sign’s content (i.e. what is written or portrayed on the sign);
  - The purpose of the sign; or
  - Who is putting up the sign.
- ▶ The generalized rule is if you have to read what the sign says to determine whether it complies with the sign code, then the sign code is impermissibly content-based.

# Noncommercial Sign Regulation

- ▶ The City can still regulate noncommercial signs in a content-neutral “time, place or manner” approach using factors like:
  - Location, such as commercial vs. residential locations or zoning districts;
  - Size and height;
  - Type of structure (freestanding signs, monument signs, permanent façade signs or banner signs);
  - Use of materials;
  - Maximum number;
  - Lighted vs. unlighted signage;
  - Moving parts; and
  - Portability.

# Additional Considerations

- **Signs on public property** – It is permissible under *Reed* to prohibit or restrict signs on public property, including public right of way.
- **Public safety signs** – It is permissible and necessary to exempt public safety signs such as speed limit and stop signs.
- **A frame/sandwich board sign on public sidewalks** – If *Reed* applies to commercial speech, the City may need to decide whether to prohibit these signs or allow such signs subject to numerical and locational limits.

## Additional Considerations (Cont.)

- **Political Signs** – City may apply size, numerical, location and other limits to signs, but may not have post-election durational limitation on election campaign signs per the holding in *Reed*.
- **Attention Getting Device/Inflatable Signs** – If the City wants to regulate such signs, we need to add them as a specific type of sign and develop standards based upon their structural characteristics – “large rooftop balloon signs” or “air activated graphic signs – waving man.”

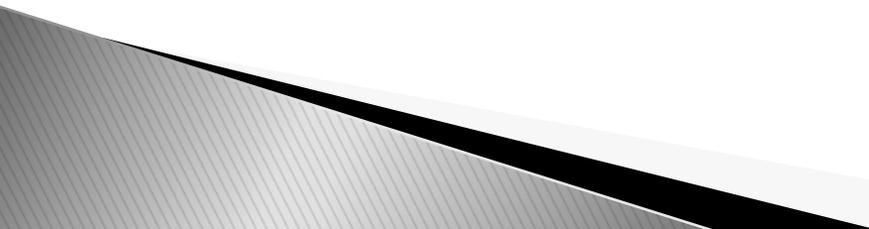
# KMC Revisions

- ▶ Kennewick's sign code will need to be revised to be compliant with the *Reed* decision.
- ▶ Staff review focused on eliminating provisions which regulated based upon the content of the sign.
- ▶ Biggest issue from a traffic safety and aesthetic standpoint is Portable Signs – signs not requiring a building permit.

# Portable Signs

- ▶ As noted above, Portable Signs may be regulated as to location, size and height, use of materials, maximum number, etc.
- ▶ Portable signs may no longer be regulated based upon the message or the purpose – political signs, real estate signs, temporary direction signs similar to the ones at issue in *Reed*.

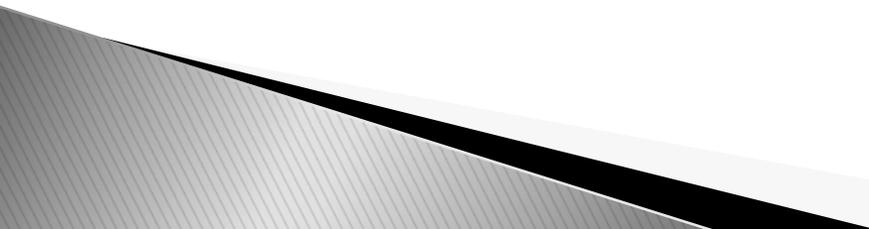
# Proposed Portable Sign Code Provisions

- No limit on the length of time it may be displayed;
  - Not permitted on or affixed to City property – including public right of way;
  - Limitations on the maximum height, width, area, and maximum total square foot based upon zoning;
  - Number of signs allowed on each parcel in each zone district based upon total area.
- 

# Additional Proposed Amendments

- **Substitution Clause** – Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.
- **Severability Clause** – If one provision or section is declared invalid, such invalidity will not affect the validity or enforceability of the remaining portions of the code.

# Next Steps

- Additional staff review based upon feedback from Council workshop;
  - Conduct a workshop with Planning Commission in January 2017;
  - Hold Public Hearing with Planning Commission in February 2017;
  - Present Code Amendments to Council at Regular Meeting for adoption in March 2017.
- 



▶ Questions?

## CHAPTER 18.24

### SIGNS

#### SECTION:

- 18.24.010: Purpose
- 18.24.020: Definitions
- 18.24.030: Sign Table
- 18.24.040: General Provisions
- 18.24.050: Regulation by Sign Type
- 18.24.060: Administration
- 18.24.070: Permit Applications
- 18.24.090: Change In Use
- 18.24.100: Substitution
- 18.24.110: Severability

**18.24.010: Purpose:** The purpose of this Chapter is to improve business in Kennewick; increase the City's attractiveness; promote a business person's right to identify their business through reasonable and effective methods; encourage the design and placement of signs in a manner which promotes the noticeability of Kennewick's scenic views and emphasizes Kennewick's street-side landscaping; minimize the dangerous conflicts between unregulated signage and traffic-control devices; minimize the distraction to motorists, bicyclists, and pedestrians from signs because of their shape, motion and competition for attention; and promote and protect the health, safety, property values, and general welfare of the citizens of Kennewick. (Ord. 5180 Sec. 1, 2007)

#### **18.24.020: Definitions:**

~~(1) “Auxiliary Sign.” Auxiliary sign is a sign that provides information such as direction, time and temperature displays, hours of operation, or warning; auxiliary signs are intended for the convenience of the public. An auxiliary sign may include the business name and/or logo, but may not include its product or services.~~

~~(21) “Awning.” Awning is a covering structure that projects horizontally from, and is attached to a building. An awning provides protection from the weather for persons or properties underneath it.~~

~~(32) “Awning Sign.” Awning sign is a non-illuminated or illuminated sign which is usually painted or screen printed onto the surface of an awning and which does not extend vertically or horizontally beyond the limits of the awning.~~

~~(43) “Banner Sign.” Banner sign is a sign made of lightweight material such as cloth, paper or flexible plastic with or without a rigid frame.~~

~~(54) “Business.” Business means any person, partnership, association, corporation, joint venture, or similar group whether operating for profit or not, and any governmental agency.~~

~~(65) “Canopy.” Canopy is an ornamental or protective roof-like structure that may be attached or detached from the main building and usually providing protection from the~~

elements to objects or people underneath. Structures over gas pump islands and over entrances of theaters or hotels are both examples of canopies.

(76) “Common Ownership.” Common ownership means groups of two (2) or more businesses when such businesses are located on one or more parcels of land or share public parking or maintenance facilities or when they conduct advertising on a regular basis; or when they function as a single entity in practical or business matters.

~~(8) —“City, State, Federal, and Community Sponsored Events.” City, State, Federal, and Community Sponsored Events are nonprofit events or activities open to the public and associated with common interests or characteristics of the community. Examples of such events are: the elections, Water Follies, Benton Franklin Fair and Rodeo, Little League Baseball, 4th of July parades or celebrations, and the like.~~

~~(9) —“Construction Sign.” Construction sign is a sign installed in conjunction with construction or remodeling of a building.~~

(407) “Copy.” Copy is the medium by which the message or idea of a sign is communicated.

~~(11) —“Development Sign.” Development sign is a sign, which through symbols or names identifies a development. Signs advertising residential or commercial properties “For Sale” or that identify an apartment complex, are examples of development signs.~~

~~(128) “Directional Sign.” Directional sign is an off-premise sign that directs attention by name and/or logo to a business, group of businesses, or a business area.~~

~~(139) “Electronic Message Sign or Center.” Electronic message sign or center is a sign on which differing copy is shown through an electronic or electrically controlled device, which may also display time and temperature or other messages.~~

(4410) “Freestanding Sign.” Freestanding sign is a single or multiple face sign attached to or supported by columns, uprights, braces, standards, or other type of base in or on the ground and not attached to the building. Freestanding signs are anchored to the ground in accord with the International Building Code. The method of anchoring may need to be confirmed by a professional engineer, as determined by the Building Inspector.

~~(a) —“Temporary, Freestanding Sign.” Temporary, freestanding signs are signs which can be moved from structure to structure, or site to site, and which are not anchored to the ground in accord with the International Building Code. Examples of such signs are “grass-hopper” signs, sandwich board/A frame signs, small price signs, and similar portable signs.~~

~~(b) —“Permanent, Freestanding Sign.” Permanent, freestanding signs are anchored to the ground in accord with the International Building Code. The method of anchoring may need to be confirmed by a professional engineer, as determined by the Building Inspector.~~

(4511) “Graphic Sign.” Graphic sign is a window sign or a sign, which is an integral part of a building’s facade. The sign may be painted, carved, or permanently imbedded.

~~(4612) “Integrated.” Integrated means a sign in which all elements of the sign are incorporated into a single design, but including attachments or projections not part of a single motif.~~

(4713) “Mobile Sign.” Mobile sign is any sign mounted on a vehicle, trailer, or boat; or fixed or attached to a device for the purpose of transporting from site-to-site. This definition includes all vehicles placed or parked for the purpose of drawing attention to a service, product, object, person, organization, institution, business, event, location or message, but not signs Signs or lettering installed on vehicles, trailers or boats operating during the normal course of business are not considered mobile signs.

~~(1814)~~ “Monument Sign.” Monument sign is a freestanding sign, not over six feet high and attached to the ground for a minimum of 66 percent of the length of the sign.

~~(19)~~—“~~Off Premises Signs.~~” ~~Off premises signs are signs that advertise a service, product, object, person, organization, institution, business, event, location or message that is not available on the property upon which the sign is located. This includes mobile signs if their placement constitutes an off premises sign.~~

~~(2015)~~ “Pictorial Sign.” Pictorial sign is a sign that conveys the service, product, or activity of a site without words, company or product emblem, or numbers or letters. Pictorial signs display a message through color, shape, and spatial relations, and are appropriate in context and taste with recognized standards of the community. Colored neon tubing and murals are examples of appropriate medium for display of a pictorial sign.

~~(21)~~—“~~Political Sign.~~” ~~Political sign is a sign promoting or publicizing candidates for public office or issues that are to be voted upon in a primary, general, or special election.~~

~~(216)~~ “~~Temporary Portable, Freestanding Sign.~~” ~~Temporary Portable, freestanding signs are-is a signs which can be moved from structure to structure, or site to site, and which are-is not anchored to the ground in accord with the International Building Code. Examples of such signs are “grass-hopper” signs, sandwich board/A-frame signs, small price signs, penants and other similar portable signs. Banner signs are specifically excluded from this definition.~~

(16) Alternate definition of “Portable Sign.” Portable Sign is a sign that is capable of being moved and not designed to be permanently attached to a building or permanently anchored to the ground that is constructed of paper, cloth, canvas, light fabric, cardboard, plywood, light plastic or other similar material. (Flagstaff, AZ definition)

~~(22) “Product-Sponsored Sign.” Product-sponsored sign is a sign, which identifies, displays or attracts attention to a product sold or available, but may or may not identify the on-site organization, institution, person, object, business service or event.~~

(2317) “Projecting Sign.” Projecting sign is a sign, other than a wall sign, which is attached to and projects more than eighteen inches (18”) from a structure, usually in a perpendicular manner. Projection defined as the distance by which a sign extends over public property or beyond the building line.

(2418) “Readerboard Sign.” Readerboard sign is a sign on which copy is designated so that it can be changed manually. It usually consists of a panel on which individual letters or pictorials are mounted, or displayed.

(2519) “Rooftop Sign.” Rooftop sign is a sign erected over or on the roof of a building, and is wholly or partially supported by the building.

(2620) “Sign.” Sign is any object, device, display, structure or part thereof, situated indoors or out which is used to identify, display, advertise, direct or attract attention to an object, person, organization, institution, business, product, service, event, location or message by any means including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

(2721) “Sign Area.” Sign area is the smallest circle(s), triangle(s) or rectangle(s), which will enclose the individual actual sign face. The supporting structure, which does not contain any part of the sign face, is not included in this definition. If a sign has back-to-back display faces, the area of only one face will be considered the sign area. If a sign has more than one face, all areas, which can be viewed simultaneously will be considered the sign area.

(2822) “Sign Height.” Sign height is the distance from the grade, or the top of the curb of the nearest street to the top of the sign or any projection thereon, whichever is higher.

(2923) “Street Frontage.” Streets, alleys, or public rights of way parallel to the property line used to compute the area of the sign(s) intended to be located in such a manner to have primary exposure on that street or right of way.

~~(30) “Subdivision Directional Sign.” Subdivision directional sign is a sign advertising the direction to a subdivision by naming the subdivision and furnishing a directional arrow.~~

~~(31) “Temporary Sign.” Temporary sign is a sign intended for use for a short period of time. Examples of such signs include: grand opening signs, open house signs, special sale signs, sandwich board/A-frame signs, small price signs, pennants, and other similar signs. Banner signs are specifically excluded from this definition.~~

(3224) “Wall Sign.” Wall sign is a sign mounted parallel to a building facade or vertical building surface, which does not extend beyond the edge of any wall or surface to which it is mounted. Wall signs project no more than eighteen inches (18”) from the surface.

(3325) “Window Sign.” Window sign is a sign located on or within three feet of a window of a building, and visible from the exterior of a building. Window signs are graphic signs unless they qualify as auxiliary signs. (Ord. 5180 Sec. 1, 2007)

**18.24.030: Sign Table:** Signs shall comply with the applicable standards of Table A. Table A does not apply to the CBD zoning district. See Table B for CBD district sign regulations.

#### SIGN TABLE A

Sign Type	Maximum Height	Maximum Sign Area Per Sign	Maximum Permitted Number of Signs	Special Considerations
Freestanding single business	60'	Based on height of sign 0'-30' ht. up to 150 sq. ft. 31'-50' ht. up to 300 sq. ft. 51'-60' ht. up to 400 sq. ft.	Two per frontage	Grandfather all existing signs prior to passage of ordinance
Freestanding group of businesses	60'	90 sq. ft. per business or the same maximum area per freestanding sign as the single business requirement, whichever is greater.	Based on frontage 0'-200' = Up to 2 signs 201' - 400' = Up to 4 signs 401'-600' = Up to 5 signs over 601' = Up to 6 signs	
Wall	Not beyond the top or ends of wall	25% of applicable wall area	See 18.24.040(1)	
Projecting	Not more than 5" above or beyond the attaching wall	75 square feet or 1/2 frontage whichever is greater	See 18.24.040(1)	
Graphic-window	Maximum building height	33% of applicable wall area or applicable window area		
Pictorial	Maximum building height	33% of applicable wall area		
Awning	18' or two stories	25% of available wall area		
Banner	None	None	See 18.24.060.2(i)	
<del>Off premises (existing)</del>	<del>30'</del>	<del>125 square feet</del>	<del>See 18.24.050(7)</del>	

				boards
<u>Temporary Portable</u>	<u>None See 18.24.050(6)</u>	<u>None See 18.24.050(6)</u>	See 18.24.050(6)	
Rooftop		See 18.24.050(13)	One	Grandfather existing signs prior to passage of ordinance

### SIGN TABLE B

Sign Type	Maximum Height	Maximum Sign Area Per Sign	Maximum Permitted Number of Signs	Special Considerations
Freestanding single business	13'	32 square feet*	One	* Per sign face  Grandfather all existing signs prior to passage of ordinance
Freestanding group of businesses	13'	64 square feet*	One	
Wall	Not beyond the top or ends of wall	25% of applicable wall area	N/A	
Projecting	10'	24 square feet*	One	
Graphic-window	Maximum building height	33% of applicable wall area or applicable window area	N/A	
Pictorial	Maximum building height	33% of applicable wall area	N/A	
Awning	8'	25% of available wall area	One	
Banner	None	None	N/A	
<u>Off Premises (existing)</u>	<u>Prohibited</u>	<u>N/A</u>	<u>N/A</u>	<u>Grandfather existing off-premises signs except bill boards</u>
<u>Temporary Portable</u>	<u>None See 18.24.050(6)</u>	<u>None See 18.24.050(6)</u>	See 18.24.050(16)	
Rooftop	Prohibited	N/A		Grandfather

				existing signs prior to passage of ordinance
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(Ord. 5434 Sec. 9, 2012) Ord. 5180 Sec. 1, 2007)

**18.24.040: General Provisions:**

(1) Number: Each permitted use within a commercial or industrial district may have a total of two (2) freestanding signs per street frontage and any combination but not to exceed four (4) of the following signs: projecting, wall, graphic, or pictorial. ~~Auxiliary signs are permitted if the combined square footage of such auxiliary signs does not exceed the allowed total of the user's other permitted signs. Auxiliary signs located on windows or entirely within a structure are permitted without limitation.~~

(2) Area, Height, and Lighting: Sign area, height, and lighting are regulated by the standards contained in Table A.

~~(23)~~ Structure: The structural components of signs are regulated by the currently adopted edition of Uniform Sign Code.

~~(34)~~ Electrical: The electrical components of signs are regulated by the currently adopted edition of the National Electric Code. All electrical signs must bear the U.L. label.

~~(45)~~ Illumination: The illumination of signs must be shielded, shaded, reduced or directed so that the light remains on the property and does not constitute a nuisance by distracting pedestrians and motorists. Strobe or strobe-like devices are prohibited from use where they are visible from the exterior of a building or location. Illumination of outdoor signs must comply with Chapter 15.26 KMC.

~~(56)~~ Maintenance: All signs shall be maintained in a state of security and repair. If a sign is not so maintained, it must be removed or repaired within 30 days of notification by the Department. The owner, his agents, or assigns, are responsible for such maintenance and compliance with this Section.

~~(67)~~ Sight Obstructions: All signs must be in conformance with Chapter 13.12 and Section 18.27.060 of the Kennewick Municipal Code (view obstruction and clearance triangle).

~~(78)~~ Removal: When a business or business site is vacated, the applicable freestanding, wall, projecting, auxiliary, and street signs face must be removed within thirty (30) days of notification by the Department.

~~(89)~~ Freestanding: All freestanding signs must be integrated. (Ord. 5180 Sec. 1, 2007)

**18.24.050: Regulation by Sign Type:**

(1) Awning Signs: Awning copy is exempt from this Section if no more than 100% of the maximum, available freestanding sign area is used for such copy. If more than 100% is used for the awning copy, then the other sign or signs for which the business is entitled must be reduced by an area equal to that exceeding 100% of the available freestanding sign area.

~~(2) Commercial and Industrial Development/Sale Signs: Signs advertising commercial or industrial sites or properties "For Sale" or "For Rent" must be placed wholly on the applicable property and may not exceed 32 square feet in sign area. The height of~~

such signs are limited to 10 feet overall. Any such sign greater than 16 square feet in area must obtain a building permit and be installed to the approval of the Building Inspector.

(3) — Construction Signs: Construction signs are allowed until occupancy of the applicable building or completion of the structure or remodeling, whichever occurs first.

(4) — Directional Signs: Direction signs may be permitted in “C” or “I” zones after approval of a Land Use Permit for a Conditional Use in accord with Section 18.42.100. The criteria for approval for such land use permits for conditional uses (variances) will be as follows: The business, group of businesses or business area must not have arterial street frontage available for free standing signage; special circumstances are necessary because of the location, size, shape or topography of the property of the business, group of businesses or business area to provide it with signage privileges typical of other properties in the vicinity or zoning district; the design of the directional sign can be conditioned to account for aesthetics, lighting, safety, compatibility with surrounding properties, and other factors necessary to meet the purpose (18.24.010) of this Chapter. Directional signs shall be further conditioned by the following:

(a) — The directional sign must be located as close to the business, group of businesses, or business area as is practical.

(b) — A single business is limited to one directional sign. Groups of businesses and business areas are limited to two directional signs.

(c) — The preferred means to implement directional signage shall be ground mounted or monument style signs. In cases where this is impractical, the maximum height is limited to 20 feet.

(d) — Directional signs shall be limited to a maximum area of 32 square feet.

(e) — If applicable the directional signs shall further the goals and guidelines of any adopted neighborhood or sub area plan and/or overlay zone.

(25) Electronic Message Signs or Centers: Electronic message signs or centers are regulated per its applicable sign type, i.e., freestanding or wall-mounted.

(6) — Existing Off Premises Signs in all Districts: All existing off premises signs installed in conjunction with a building permit as of the effective date of the ordinance codified herein are considered conforming, except billboards which are considered nonconforming. Such signs must be brought into full compliance with provisions of Section 18.24.040 herein for height, area, lighting, structural, and electrical regulations and Sign Table “A” of this Chapter. All existing off premises temporary/portable signs not installed with a building permit must be brought into full compliance with this Chapter within 180 days of notification by the Department.

(7) — Off Premise Signs for Community Sponsored Events. Off Premise signs associated with community sponsored events on property other than the event site shall be exempt from this Chapter but must be approved by the Department of Planning for sight visibility and structural safety. Such signs are allowed for no more than 14 days prior to the event and must be removed within three days of the conclusion of the event season.

(8) — Signs For City, State, Federal and Community Sponsored Events: Signs associated with City, State, Federal or community sponsored events shall be exempt from this Chapter but must be placed to not obstruct sight visibility and be structurally safe.

(a) — Such signs must be removed within seven days following the event. It is the responsibility of the candidate and campaign chairmen to remove political signs, and event chairman in the case of nonpolitical events.

~~(b) Event signs are not allowed on public property or buildings, sidewalks, public roads, utility poles, or public facilities. However event signs will be allowed in the space between the curb and sidewalk provided there is no traffic visibility obstruction, and the abutting owners' permission has been granted.~~

~~(9) Product Sponsored Signs: All outdoor product sponsored signs must devote at least 75% of the sign area to the on-site business.~~

(10) Prohibited Signs: Except as provided elsewhere, the following signs are prohibited in all districts: ~~off-premises signs, except as provided in subsection 18.24.050(7) above; off-premises~~ mobile signs; abandoned signs; signs imitating or resembling official traffic or government signs or signals; signs attached to trees, utility poles, public benches, light poles or any other public property or right of way; and other signs not permitted by this Chapter. Signs on public transit benches and shelters and on and within public transit vehicles, when installed in conformance with a City franchise, are exempt from this Chapter.

~~(34)~~ Readerboard Signs: Readerboard signs are regulated per applicable sign type, i.e., freestanding or wall-mounted. Portable reader board signs are regulated as temporaryportable signs and a building permit is required for each location.

~~(12) Residential Properties—Development/Sale Signs: Signs advertising residential properties “For Sale,” “Rent,” or “Sold” must be placed wholly on the applicable property, and shall not exceed eight square feet in sign area. The height of such signs is limited to eight feet. If the property is not on an arterial street, a single directional sign may be placed at the nearest arterial with the permission of the owner upon whose property the directional sign is placed, and the directional sign can be no larger than six square feet. Any manufactured home park or multi-family residence containing at least five living units may have one freestanding sign per abutting street frontage, which shall not exceed 10 feet in height, or 32 square feet in area and must not move or give the illusion of movement. All development signs in residential areas shall be lit only by existing surrounding lights or by lights shining directly onto the sign. Signage in the single-family subdivisions and multi-family developments must be in conformance with Chapter 18.24.~~

~~(13) Schools in Residential Zoning Districts’ Signs: Schools located in any Residential zoning district shall be allowed the following signs:~~

~~(a) One (1) freestanding sign per public street frontage that does not exceed sixteen (16) feet in height and a maximum of forty (40) square feet in area; and~~

~~(b) One (1) wall sign per street facing building façade that does not exceed fifty (50) square feet in size. Each school facility is permitted one (1) electronic message center that can either be incorporated into an allowed freestanding or wall-mounted sign.~~

(14) Rooftop Signs: Rooftop signs are only allowed in CG, CC, IL, or IH zoning districts after approval of a land use permit for conditional uses in accord with 18.42.110 KMC. The criteria for approval of such land use permits for conditional uses will be based on the following:

(a) The property requesting the rooftop sign must not have street frontage available for freestanding signage;

(b) Wall signs would be inadequate because of restricted visibility from arterial street frontage;

(c) Any approved rooftop sign must be consistent with the sign table.

(45) Signs Advertising a Group of Businesses: A group of two or more businesses when located on one land parcel of common ownership or abutting land parcels so as to function as if of common ownership, which are located along a major or minor arterial as designated on the comprehensive plan, shall comply with Sign Table A of this Chapter to determine allowed freestanding signage along said arterial frontage.

~~(16) Subdivision Directional Signs: Signs may display the direction to a subdivision by naming the subdivision and furnishing a directional arrow. The sign may not display the name of a realtor or developer, and must be removed within 24 months of its installation. The sign area is limited to 16 square feet, and sign height is limited to six feet overall height. The location of such signs must be approved by the City, and any subdivision utilizing such signs is limited to a maximum of three of these directional signs.~~

~~(17) Temporary Portable Signs: Portable signs are subject to the following requirements: Temporary signs are allowed for a maximum of 60 days within any calendar year. They may be placed for no more than 20 consecutive days and they must be removed for 30 days.~~

~~(a) There is no limitation on the length of time that a portable sign may be displayed;~~

~~(b) Portable signs are not permitted to be placed on or affixed to any City property;~~

~~(c) Portable signs are not allowed to be placed in the right-of-way;~~

~~(d) Portable signs located in residential zones are subject to the following limitations:~~

~~(i) Max height: 3 ft.;~~

~~(ii) Max width: 2 ft.;~~

~~(iii) Max area: 4 sq. ft.;~~

~~(iv) Max number of signs: Unlimited, provided total area of all signs does not exceed 16 sq. ft.;~~

~~(v) Must be installed securely in the ground;~~

~~(e) Portable signs located in commercial, industrial and all other zones are subject to the following limitations:~~

~~(i) Max height: 4 ft.;~~

~~(ii) Max width: 3 ft.;~~

~~(iii) Max area: 12 sq. ft.~~

~~(iv) Total number of signs: Unlimited provided the total area of all portable signs does not exceed 32 sq. ft.;~~

~~(v) Must be professionally crafted~~

~~(f) Banners are specifically exempt from this Section. (Ord. 5559 Sec. 1, 2014;~~

Ord. 5180 Sec. 1, 2007)

#### **18.24.060: Administration:**

(1) Administration of this Chapter is the responsibility of the Department of Planning. The owners, their assign, or agents are responsible for compliance with the requirements contained in this Chapter.

(2) All signs must comply with the requirements of this Chapter. All sign owners must obtain a building permit prior to installation, with the exception of the following:

(a) Exempt signs as listed in:

(i) Home occupations and signs for family day care homes.

- ~~(ii) Subsection 18.24.050(8): City, State, Federal and community sponsored events.~~
- ~~(iii) Subsection 18.24.050(12): Residential properties—development/sale signs.~~
- ~~(iv) Subsection 18.24.050(15): Subdivision directional signs.~~
- (b) Signs four square feet or less in area.
- ~~(c) Development and “For Sale” or “For Rent” signs.~~
- (d) Changing sign copy, when such change consists of re-lettering, replacing or changing the sign face, repainting, cleaning, or other similar and nonstructural changes.
- ~~(e) Seasonal and holiday decorating within an appropriate holiday season.~~
- (f) Official public notices or signs relating to an emergency.
- ~~(g) National, State or local governmental unit flags.~~
- ~~(h) Construction signs.~~
- (i) Banners.
- (j) Window signs.
- ~~(k) Auxiliary signs.~~
- (l) Signs that are required by law.
- (m) Signs installed in conjunction with new structure; provided that the construction of the structure is regulated by a current building permit, and the sign complies with this Chapter.
- ~~(n) Signs relaying information or warning such as “No Trespassing,” “No Dumping,” “Private,” provided such signs do not exceed 16 square feet in area. (Ord. 5180 Sec. 1, 2007)~~

**18.24.070: Permit Applications:** Applications for building permits for signs shall contain the name of the sign owner and user of the sign; address of the property in which the sign is located; location of the sign structure on such property; drawings of the sign showing design, dimensions, structural calculations and method of lighting, if applicable, and other pertinent information necessary to ensure compliance with this Chapter. Fees for freestanding, wall, projecting, awning and rooftop signs shall be in accord with the fee schedule of the International Building Code; fees for all other signs will be twenty dollars (\$20.00). (Ord. 5180 Sec. 1, 2007)

**18.24.090: Change in Use:** Any change in building use or classification requiring submittal of a land use permit for site plan approval, KMC 18.42.110; or any new sign structure installation will be cause of applicable signage to conform with provisions of this Section. Copy modifications are exempt. (Ord. 5180 Sec. 1, 2007)

**18.24.100: Substitution:** Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

**18.24.110: Severability:** If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word in this code is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the sign code.





# City Council Meeting Schedule January 2017

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January 3, 2017  
Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

January 10, 2017  
Tuesday, 6:30 p.m.

WORKSHOP MEETING  
1. Hanford Communities Update  
2. Mobile App Demo

January 17, 2017  
Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

January 24, 2017  
Tuesday, 6:30 p.m.

WORKSHOP MEETING