



City Council

Approval of an Ordinance Updating the City of Olympia Sign Code

Agenda Date: 2/5/2019
Agenda Item Number: 4.J
File Number: 19-0011

Type: ordinance **Version:** 2 **Status:** Passed

Title

Approval of an Ordinance Updating the City of Olympia Sign Code

Recommended Action

Committee Recommendation:

The Land Use and Environment Committee recommends approval of the Olympia Sign Code amendments, which retain the current “hold times” for signs with an electronic message.

City Manager Recommendation:

Move to approve the ordinance amending the Olympia Municipal Code related to Signs on second reading.

Report

Issue:

Whether to adopt the Olympia Sign Code update, retaining the current “hold times” for signs with an electronic message.

Staff Contact:

Joyce Phillips, Senior Planner, Community Planning and Development, 360.570.3722

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

The ordinance has been revised from first to second reading, revisions are outlined below.

After City Council completed its first reading of the draft ordinance (See Attachment), a modification has been proposed to address a conflict between two code sections pertaining to signs in the public right of way. Section 18.43.060.A.7 contained language that limits the ability to place signs in the public right of way with the exception of certain sign types. The language has been revised to clarify that the provision does not apply to temporary signs with a non-commercial message when placed in conformance with Section 18.43.085. The revised language is included in the ordinance attached to this staff report.

Background

Work to update the sign code began in late 2016, primarily in response to the US Supreme Court case known as *Reed v. Town of Gilbert, AZ*, which addressed sign content and standards for temporary signs. The City also wanted to update the sign code in order to increase clarity, provide more consistency across standards and zoning districts, and to streamline and simplify the code.

An advisory committee was used to consider policy changes to how the city addresses signs, changes in the sign industry and new sign types, and options to provide more clarity in the code. The committee was made up of businesses, neighborhood representatives, the sign industry, and community members. The committee met seven times with its final meeting devoted to review of a draft sign code. Comments on that draft led to the first public draft, which was issued in July 2018.

A Planning Commission briefing focused on the legal issues of free speech and recent court cases was conducted on August 20, 2018. A public Open House was held on August 28, 2018. In response to questions raised and comments provided, a second public draft was issued on September 21, 2018.

In October, staff met with the Coalition of Neighborhood Associations, provided another briefing to the Planning Commission on other issues related to the Sign Code, and provided an overview to the Olympia Downtown Alliance's Design Committee. In response to comments provided, a third public draft was released on October 25. Staff met with the Downtown Neighborhood Association on November 2 and a public hearing was held by the Planning Commission on November 5, 2018.

Four people spoke at the public hearing. In addition, copies of written comments received throughout the process were provided to the Planning Commission. Testimony at the hearing primarily focused on the "hold time" for signs that include an electronic message. Electronic message sign information was reviewed by the Commission and is included in the attachments, which are also included on the project webpage. The attached Summary of Studies includes a memorandum from the Federal Highways Administration (FHWA) providing guidance on the topic.

The Planning Commission completed its deliberations on November 19, 2018, and recommended approval of the Sign Code Update, as proposed by staff. The proposed code amendments were considered by the Land Use and Environment Committee (LUEC) on December 20, 2018. At its meeting the LUEC decided to recommend the proposed code amendments be forwarded to the City Council for adoption, with a modification to retain the current hold times for signs with an electronic message, such as the Development Identification sign for Auto Mall and for public service signs at schools. Currently such signs have a hold time of five minutes when associated with schools and three minutes for the Auto Mall.

It is important to note that use of signs with an electronic message are not allowed in most cases. The existing sign code permits them for the Auto Mall and schools, as described above. These provisions are also contained in the ordinances.

There is one additional provision in the ordinance that would allow for a shopping center with over 4,000 linear feet of frontage along arterials and major collector streets and with over 800,000 square feet of enclosed commercial retail, entertainment, and dining space to have one electronic development identification sign up to 25 feet in height with up to 300 square feet of advertising copy area per side (the same size that is allowed at the Auto Mall). Currently the provision would only be

applicable to Capital Mall. If ever constructed, this Electronic Development Identification Sign would have a hold time of three minutes, the same as is allowed for the Auto Mall.

Neighborhood/Community Interests (if known):

The most significant comments received have been about electronic messages on signs and the frequency with which the messages should be allowed to change. The City of Olympia restricts the use of signs with an electronic message. There are a few commercial signs of this type that are grandfathered in, which would not be allowed under the current or proposed regulations. Other signs with an electronic message are generally at schools and provide public service messages. There are some time and temperature signs in this category as well, primarily at banks.

Options:

1. Approve the ordinance amending the Olympia Municipal Code related to signs as recommended by the Land Use and Environment Committee on second reading.
2. Approve the ordinance with modifications on second reading.
3. Do not approve the ordinance.

Financial Impact:

None. Adoption and implementation of a new sign code, if approved, is in the Department's base budget.

Attachments:

Ordinance - Second Reading Version

Ordinance - First Reading Version

[Link to Sign Code Web Page](#)

[Link to Electronic Signs Information](#)

Summary of Studies

Summary of Other Cities