



PLANNING COMMISSION

MINUTES OF THE MEETING

MEETING SUMMARY

Regular bi-monthly meeting
Thursday, January 19, 2017, 6:30pm
City of Sammamish Council Chambers

COMMISSIONERS PRESENT

Frank Blau, *Pos. 6, Chair*
Shanna Collins, *Pos. 3, Vice-Chair*
Eric Brooks, *Pos. 1*
Larry Crandall, *Pos. 4*
Jane Garrison, *Pos. 5*
Nancy Anderson, *Pos. 7*
Absent: Roisin O'Farrell, *Pos. 2*

STAFF PRESENT

David Pyle, Deputy Director – Community Development
David Goodman, Management Analyst
Doug McIntyre, Senior Planner
Chris Hankins, Code Compliance Officer
Tammy Mueller, Administrative Research Assistant

CONSULTANTS PRESENT

Charlotte Archer, Kenyon Disend

CALL TO ORDER

Chair Frank Blau called the Sammamish Planning Commission meeting to order at 6:32 pm.

APPROVAL OF AGENDA: Vice-Chair Collins motioned; seconded – **Approved 5:0**
Commissioner Garrison abstained from the vote. The Agenda was approved as read.

APPROVAL OF MINUTES: Vice-Chair Collins motioned; seconded – **Approved 5:0**
Commissioner Garrison abstained from the vote. 12/15/2016 minutes approved as distributed.

Public Comment: Non-Agenda: (3 Min Individual / 5 Min Representative)

[Bookmarked Video Link](#)

No public comment provided.

Public Comment Closed

OLD BUSINESS

Sign Regulations – Work Session

David Goodman, Management Analyst presented a PowerPoint presentation ([link](#)) reviewing the topic of sign regulations, the work projected for Sammamish to become compliant with the Reed v. Gilbert Supreme Court ruling, and next steps.

- **Agenda:** The presentation agenda/overview was provided.
- **SMC 21A.45 – Sign Regulations:** An overview of the sign regulation section was provided including what signs are exempt and prohibited, general requirements, types of signage (residential, business, etc.) and duration of signage posting allowed.

- **SMC 21B.45 – Town Center Sign Regulation:** An overview was provided elaborating on how the Town Center signage code is different from the general sign code described previously.
- **Sign Code Amendment Focus Areas:** An overview of the areas of focus for sign code amendments was reviewed, including becoming compliant with the Reed v. Gilbert requirements, Town Center sign code improvements, improved code enforcement mechanisms, and general code clean-up.
 - Reed v. Gilbert, AZ: The case where the Supreme Court ruled that content-based regulation was unconstitutional.
 - Content-Based vs. Content-Neutral: Content-based restrictions regulate communication based on the sign’s content.
 - Impacts on City Regulations: Cities must change their signage codes to ensure they do not regulate based on content – they must become content-neutral. The “Purpose” sections of the code may become stricter to better focus the intent of the signage code.
 - Content-Based vs. Content-Neutral SMC 21A.45.120: A table depicting duration, size, and location of signage requirements for construction, political, real estate, community event, and fundraising currently in the code is displayed followed by examples of Kirkland’s municipal signage code which has already been made compliant with the Reed v. Gilbert ruling.
- **Town Center:** Additional amendments will be proposed to the Town Center Signage municipal code to make it easier to read while also adding additional signage requirements on top of those added to 21A.45.
- **Code Enforcement:** Current code is difficult to enforce. A goal of the amendments will be to make the code easier to understand and enforce while also providing Code Enforcement with additional resources to enforce the signage rules.
- **Code Clean-Up:** The current signage code is difficult to understand and navigate. Staff is drafting a table which reduces text while maintaining content in an effort to organize and make the content more understandable and accessible.
- **Planning Commission Next Steps:**
 - January 19: Work Session
 - February 23: Full Draft Code
 - March 16: Public Hearing and Deliberation
 - April 6: Additional Deliberation (if necessary)

Staff and Commission commenced discussion:

- Commission requested clarity from Staff that the purpose of this is to become compliant with Gilbert v Reed as well as cleaning up the code.
 - Staff agreed, though there will be more substantive changes proposed for the Town Center signage code. This is due to difficulties with implementing dimensional standards which Staff would like to bring up-to-date with current visions of the Town Center.
 - Commission requested details on what changes would occur.
 - Staff reiterated that it is primarily dimensional standards.
 - Commission requested visual examples when the code changes are proposed comparing current to proposed standards. They also requested whether the code can specify color and architectural requirements.
 - Staff responded that Town Center design review is looking for ‘timeless signage’ – high-quality signage that is consistent throughout Town Center.
- Commission stated appreciation for Staff’s attention to design review in Town Center along with proposing strengthening Code Enforcement and penalties.
- Commission requested clarity on the Electronic Reader Board Pilot Program.
 - Staff responded that the Pilot Program is no longer in effect and this will be removed during the code clean-up effort.

- Commission questioned whether a table is the best way to organize the signage code, given the amount of footnotes.
 - Staff replied that the intent is not to make readers search through all the footnotes, rather to use the table to determine what codes apply to a particular situation and read only those footnotes.
 - Deputy Director replied that this format is a standard but proposed breaking the table into categories to simplify the table further.
 - Commission suggested that the footnotes be added to a “Notes” or “Criteria” column that applies to an entire column or row of the table. Or perhaps a flowchart would be more helpful.
- Commission inquired as to how the banner regulation would change.
 - Staff responded that it may be relocated to another section of the code, however the content would likely not change significantly other than how the permits are processed.
 - Commission requested that the Staff do due diligence in researching how to address the banners which may be difficult to distinguish between commercial and non-commercial content.
 - Deputy Director stated that Staff is looking forward to hearing feedback and suggestions on how to move forward on such topics from the Commission.
- Commission suggested addition to the code stating that no signage may be placed on utility poles in public right of way, including stop signs, etc.
 - Staff responded that signage is currently prohibited from being placed on utility poles. Code enforcement regularly sweeps these areas and remove prohibited signage but the volume is often high and difficult to keep up with. The idea for a notice on the poles that signage was prohibited was welcomed.
 - Commission expressed concern that the line between commercial and non-commercial may be difficult to distinguish at times and how Code Enforcement would address this.
 - Staff stated that, while it may be difficult, the Staff is looking to clarify the code on this issue. Duration, location, size, and number of signs are the parameters which will be regulated.
 - The Commission also expressed concern regarding political signage regulation.
 - Staff reiterated that, while difficult, they are looking to clarify and regulate them in the code as much as they are able in a content-neutral manner.
- Commission expressed concern that the code would be made so restrictive that it would disallow more artistic or inviting signage for community shops or events.
 - Staff replied that, especially relating to the Town Center code, they are aware of this.
 - Consultant stated that non-commercial speech cannot be banned in public right of ways, though time restrictions can be placed. Commercial speech can be more tightly regulated; however, the City must justify their reasoning for regulations. These justifications could be introduced into the Purpose section of the code.
 - Commission suggested a middle-ground where the number of signs in an area could be limited.
 - Consultant stated that real estate signage was a grey area in the Gilbert v Reed decision regarding whether it is commercial or non-commercial.
- Commission expressed concerns that sign location as well as signage color in certain locations are taken into consideration along with language which could easily be abused by those wishing to circumvent new signage regulations (e.g. political signage in the yard of a house under construction, where political signage may be prohibited though the construction allows for signage in the yard).
- Commission suggested using safety sight-lines as a form of regulation as well.
- Commission requested Staff input regarding temporary mobile electric signage boards.
 - Deputy Director responded that the temporary non-mobile is listed under the Manual for Uniform Traffic Control Devices as they instruct on impacts to traffic. However, temporary

signage advertising for events could be regulated. Mobile signage, while mobile, cannot be regulated as it is in a transient state.

- Commission expressed concern regarding the regulation of “Welcome” signage at city boundaries as well as signage indicating points of interest within the city.
- Commission stated that the signage within a community can play a part in defining the character of the city, which should be a consideration.
- Commission suggested that all signage in right of ways be constructed of recyclable material.
 - Staff responded that this may be difficult to enforce.
 - Consultant stated that this would need to be analyzed regarding cost-effectiveness.
- Commission inquired whether more substantial changes to the code could be made or whether the purpose of the amendments are for clean-up purposes and compliance with Gilbert v Reed.
 - Staff replied that this has been the purpose, though additional changes could be considered.
 - Deputy Director stated that it is not recommended to change the code unless there is a valid reason for changing it. Currently, there are few complaints regarding the code. The changes proposed are due to Gilbert v Reed as well as areas which have repeatedly been problematic.
- Commission requested educational materials be provided to the community regarding the signage regulations once they are amended.
- Commission requested that aesthetics be considered alongside practicality of managing signage restrictions by City Staff.
 - Deputy Director stated that provisions could be made to incentivize aesthetic signage.
- Commission inquired whether signage which is held or ‘flipped’ by people is regulated and how.
 - Staff stated that the code is silent on this issue at the moment.
- Commission requested the history of the intent of the Town Center signage creation.
 - Staff stated that they would attempt to provide this information to the Commission.

Public Comment – Agenda (7 Minutes)

[Bookmarked Video Link](#)

No public comment provided.

Public Comment Closed

Motion to Adjourn: Jane Garrison motioned to adjourn; seconded. **Approved 6:0**

Meeting adjourned at 8:00pm.

Chair: Frank Blau

PC Coordinator: Tammy Mueller

[Video Audio Record 1/19/2017](#)

Roberts Rules of Order applied: [RONR (10TH ed.), p. 451, 1. 25-28]