

By: Public Works
Public Hearing: February 9, 2017
Adopted:

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 17-01**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION ESTABLISHING ENFORCEMENT PRIORITIES FOR VIOLATIONS REGARDING USE OF LAND AND BUILDINGS WITHIN THE CITY LIMITS AS DESCRIBED IN WASILLA MUNICIPAL CODE SECTION 16.08.070.

WHEREAS, the Wasilla Planning Commission recognizes the need to establish a reasonable level of enforcement for the land use regulations adopted by the Wasilla City Council; and

WHEREAS, there will always be violations of the Wasilla Land Development Code, Title 16 of the Wasilla Municipal Code, it is prudent and necessary to establish priorities to guide the enforcement activities of the planning and code enforcement staff to ensure that those activities are undertaken on an efficient, equitable and cost-effective basis; and

WHEREAS, there is a limit to the amount of money the City can annually afford to allocate to enforcement efforts, therefore, it is important that the most pressing enforcement issues are dealt with on a priority basis and in a timely fashion;

WHEREAS, the installation and maintenance of required landscaping on commercial properties substantially contributes to the aesthetic appearance of the city; and

WHEREAS, the attractiveness of the city significantly impacts the potential for additional economic development within the city limits.

NOW, THEREFORE, BE IT RESOLVED, that the Wasilla Planning Commission hereby determines that the inspection and enforcement of landscaping required as a condition of approval for a commercial land use permit within the city limits be established as a priority for code enforcement activities.

APPROVED by the Wasilla Planning Commission on -, 2017.

APPROVED:

--, Chairman

Date

ATTEST:

Tina Crawford, AICP, City Planner



**CITY OF WASILLA PLANNING COMMISSION
LEGISLATION STAFF REPORT**

Agenda of: February 9, 2017
Originator: Tina Crawford, AICP, City Planner

Topic: Discussion regarding possible revision to the sign regulations in Title 16 of the Wasilla Municipal Code

Attachments: City Council Action Memorandum No. 16-32
Chapter 16.32, Signs

OVERVIEW: Included in this packet is a copy of Wasilla City Council AM No. 16-32 that was adopted by the City Council at their November 28, 2016 regular meeting along with the accompanying staff report/recommendation. The action memorandum refers the discussion to the Commission regarding whether the sign regulations in the code should be amended to clarify the regulations, including, but not limited to additional definitions and methods to measure sign height.

Also included are two documents showing staff's proposed revisions to the sign regulations. The first shows the revisions in a strikethrough/underline format and the second shows the document in a final version.

The Planning Commission's recommendations will be drafted into a resolution for adoption at the March 14, 2017 meeting, which will be forwarded to the City Council for their consideration.

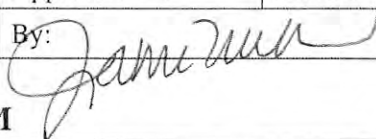
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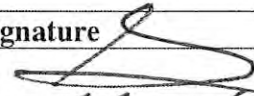

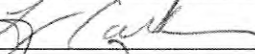
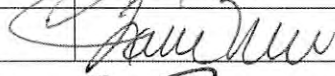
CITY OF
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Date of Action: 11/28/16	
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CITY COUNCIL ACTION MEMORANDUM

AM No. 16-32: Directing The Planning Commission To Consider Amendments To WMC 16.32, Signs, Through The Adoption Of A Resolution Recommending Changes No Later Than February 7, 2017.

Originator: City Clerk on behalf of Council Member Graham
 Date: 10/26/2016 Agenda of: 11/28/2016

Route to:	Department Head	Signature	Date
X	Public Works Director		11/2/16
X	Finance Director		11-2-16
X	Deputy Administrator		11/2/16
X	City Clerk		11/2/16

Reviewed by Mayor Bert L. Cottle:  11/04/2016

Fiscal Impact: yes or no
Attachments: WMC 16.32, Signs (11 pages)

Summary Statement: Currently, WMC 16.32, Signs, contains verbiage that may be unclear to persons using the code to plan the success of their business. Wasilla is a business-friendly city that relies on the success of businesses within city limits to generate sales tax revenue needed to operate and improve the City.

There is no definition of "Sight Triangle" in WMC 16.32.030, Definitions and "Height" is defined as measured from two different reference points depending on the topography of the lot bearing the sign. Additionally, WMC 16.32.050(G), prohibits signs exceeding a maximum height of thirty (30) feet; however, WMC 16.32.130(B), limits sign height in the commercial zone to twenty-five (25) feet.

Staff Recommendation: The Planning Commission is directed to review WMC 16.32, Signs, with respect to the issues raised above. Further, the resolution from the Planning Commission recommending changes is due no later than February 7, 2017. Based on the decision of the Commission, Planning staff will prepare the necessary legislation to the City Council on the next available regular meeting agenda.

Chapter 16.32 SIGNS

16.32.010 Purpose.

The purpose of this chapter is to coordinate the type, placement and physical dimensions of signs within the different landuse zones; to recognize the commercial communication requirements of all sectors of the community; to encourage the innovative use of design; to promote both renovation and property maintenance; to allow for special circumstances; to recognize traffic safety considerations; enhance the aesthetics of the community; and to guarantee equal treatment under the law through accurate record keeping and consistent enforcement. These shall be accomplished by regulation of the display, erection, use, and maintenance of signs. The use of signs is regulated according to zone. The placement and physical dimensions of signs are regulated primarily by type and length of street frontage. No sign shall be permitted except in accordance with the provisions of this chapter. (Prior code § 16.43.900)

16.32.020 Scope.

A. This chapter shall not relate to building design; nor shall the chapter regulate official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays, product dispensers and point of purchase displays; scoreboards on athletic fields; flags of any nation, government, or non-commercial organization; gravestones; barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.

B. The primary intent of this chapter is to regulate signs of a commercial nature intended to be viewed from any vehicular public right-of-way. (Prior code § 16.43.902)

16.32.030 Definitions.

The following definitions pertain only to this chapter.

“Abandoned sign” means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

“Animated sign” means any sign which uses movement or change of lighting to depict action or to create a special effect or scene.

Area. See “Sign, area of.”

“Awning” means a shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework.

“Awning sign” means a sign painted on, printed on, or attached flat against the surface of an awning.

“Banner sign” means a sign made of fabric or any nonrigid material with no enclosing framework.

Billboard. See “Off-premises sign.”

“Building” means any roofed structure intended or used for the support, shelter or enclosure of persons, animals or property of any kind.

“Cabinet, sign” means a complete, fully enclosed, unit or module of a sign.

“Changeable copy sign (automatic)” means a sign on which the copy changes automatically on a lampbank or through mechanical means (i.e., electrical or electronic time and temperature units. This does not include electronic animation; see definition of “Copy.”).

“Changeable copy sign (manual)” means a sign on which copy is changed manually in the field (i.e., readerboards with changeable letters).

City. Unless the context clearly discloses a contrary intent, the word “city” shall mean the city of Wasilla.

“Clearance (of a sign)” means the smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

“Construction sign” means a temporary sign identifying an architect, contractor, subcontractor and/or material supplier participating in construction the property on which the sign is located.

“Copy” means the wording on a sign surface in either permanent or removable letter form.

“Directional/information sign” means an on-premises sign giving directions, instruction or facility information and which may contain the name or logo of an establishment but no advertising copy (i.e., parking or exit and entrance signs).

“Double-/multiple-faced sign” means a sign with more than one message face.

“Electrical sign” means a sign or sign structure in which electrical wiring, connections, or fixtures are used.

Electronic Message Center. See “Changeable copy sign, automatic.”

“Facade” means the entire building front including the parapet.

“Face of sign” means the area of a sign on which the copy is placed.

“Festoons” means a string of ribbons, tinsel, small flags, or pinwheels.

“Flashing sign” means a sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include changeable copy signs, animated signs, or signs which, through reflection or other means, create an illusion of flashing or intermittent light.

“Freestanding sign” means a sign supported above the ground by poles or braces and not attached to any building.

“Frontage” means the length of the property line of any one premises along a public right-of-way on which it borders.

“Frontage, building” means the length of an outside building wall on a public right-of-way.

“Government sign” means any temporary or permanent sign erected and maintained by the city, borough, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property or facility.

“Ground sign” means a sign other than a pole sign, in which the entire bottom is in contact with or is close to the ground; it is independent of any other structure and does not exceed five feet in height. Signs of five feet in height and over are defined as freestanding signs.

“Height (of a sign)” means the vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

“Icon” means an image, symbol or emblem.

“Identification sign” means a sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

“Illegal sign” means a sign which does not meet the requirements of this title and which has not received legal nonconforming status.

“Illuminated sign” means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

“Incidental sign” means a small sign, emblem or decal informing the public of goods, facilities, or services available on the premises (i.e., a credit card sign or a sign indicating hours of business).

“Lot” means a distinct parcel of land for ownership and tax purposes which is delineated and fixed on a plat filed for record.

“Maintenance,” for the purposes of this chapter, means the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

“Mansard” means a sloped roof or roofline facade architecturally comparable to a building wall.

“Marquee” means a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building.

“Marquee sign” means any sign attached to or supported by a marquee structure.

“Name plate” means a non-electric on-premises identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

“Nonconforming sign” means:

1. A sign which was erected legally but which does not comply with subsequently enacted sign restriction and regulations;
2. A sign which does not conform to the sign code requirements but for which a special permit has been issued.

“Occupancy” means the portion of a building or premises owned, leased, rented or otherwise occupied for a given use.

“Off-premises sign” means a sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which said sign is located (i.e., billboards or outdoor advertising).

“On-premises sign” means a sign which pertains to the use of the premises on which it is located.

“Owner” means a person recorded as such on official records. For the purposes of this chapter, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the city planner or designee (i.e., a sign leased from a sign company).

“Painted wall sign” means any sign which is applied with paint or similar substance on the face of a wall.

“Parapet” means the extension of a false front or wall above a roofline.

“Person” means a partnership, firm, joint venture, public agency, government, company, corporation or other association, as well as a natural person.

“Planner” means the city planner or designee.

“Point of purchase display” means advertising of a retail item accompanying its display (i.e., an advertisement on a product dispenser).

“Pole cover” means covers enclosing or decorating poles or other structural supports of a sign.

“Political sign” means a temporary sign used in connection with a local, state or national election or referendum.

“Portable sign” means any sign designed to be moved easily and not permanently affixed to the ground, a structure or a building. For the purposes of setbacks, a portable sign is a freestanding sign.

“Premises” means a parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

“Projecting sign” means a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

“Real estate sign” means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

“Roof-line” means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

“Rotating sign” means a sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.

“Sign” means any device, structure, fixture, flashing light, strobe or placard regardless of whether it is standalone or fixed using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods or services.

“Sign, area of” means:

1. Projecting and Freestanding. The area of a freestanding sign or projecting sign shall have only one face (the largest one) of any double- or multifaced sign counted in calculating its area. The area of a sign shall be measured as follows if the sign is composed of one or two individual cabinets:

- a. The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area. The perimeter of measurable area shall not include embellishments such as pole cover, framing, decorative roofing, etc.; provided, that there is not written advertising copy on such embellishments.

b. If the sign is composed of more than two sign cabinets or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single, continuous geometric figure shall be the area of the sign. Pole covers and other embellishments shall not be included in the area of measurement if they do not bear advertising copy.

2. Wall Signs. The area shall be within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area within the perimeter of each symbol or letter. The combined areas of the individual figures shall be considered the total sign area.

“Snipe sign” means a temporary sign or poster affixed to a tree, fence, etc. (erected for three days or less).

“Subdivision identification sign” means a freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.

“Temporary sign” means a sign not constructed or intended for long-term use (erected for less than thirty (30) days).

“Under-canopy sign” means a sign suspended beneath a canopy, ceiling, roof or marquee.

“Use” means the purpose for which a building, lot, sign or structure is intended, designed, occupied or maintained.

“Wall sign” means a sign attached parallel to and extending not more than eighteen (18) inches from the wall of a building. This definition includes painted, individual letter, and cabinet signs, and signs on a mansard.

“Window sign” means a sign installed inside a window for the intended purpose of being viewed from the outside. (Ord. 11-08 § 2, 2011; prior code § 16.43.902.2)

16.32.040 Compliance required.

No person shall erect, place or maintain a sign in the city except in accordance with the provisions of this chapter. (Prior code § 16.43.904)

16.32.050 Signs prohibited.

The following types of signs are prohibited in all districts:

- A. Abandoned signs;
- B. Signs imitating or resembling official traffic or government signs or signals of response vehicles;
- C. Snipe signs or signs attached to telephone or utility poles, public benches, or street-lights;
- D. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying the sign (this does not apply to allowed portable signs or to signs or letters on buses, taxis

or vehicles operating during the normal course of business);

E. Signs with flashing, intermittent, revolving or blinking illumination, or an alternating light pattern or which are animated, other than electronic message centers, as permitted in this chapter. No sign regulated by this chapter may utilize:

1. An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion,

2. Any revolving beacon or flashing light,

3. Signs using exposed incandescent light sources exceeding sixty (60) watts per source;

F. Signs using reflectors, mirrors or other devices intended to focus or direct illumination from the sign to any other place;

G. Signs exceeding a maximum height of thirty (30) feet or the height of the roofline whichever is less;

H. Off-premises signs. (Ord. 11-08 § 3, 2011; prior code § 16.43.904.2)

16.32.060 Permits required.

Unless otherwise provided by this title, all signs shall require permits and payment of fees as described in the section covering administration and enforcement. No permit is required for the maintenance of a sign or for a change of copy on painted, printed or changeable copy signs. (Prior code § 16.43.904.4)

16.32.070 Signs not requiring permits.

The following types of signs are exempted from permit applications but must be in conformance with all other requirements of this chapter:

A. Construction signs of thirty-two (32) square feet or less;

B. Directional/information signs of eight square feet or less;

C. Holiday or special events decorations;

D. Nameplates of twelve (12) square feet or less;

E. Political signs;

F. Public signs or notices, or any sign relating to an emergency;

G. Real estate signs;

H. Window signs;

I. Incidental signs;

J. Point of purchase display signs;

K. Religious icons; and

L. Wall signs. (IM 07-24; prior code § 16.43.904.6)

16.32.080 Maintenance.

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The city planner or designee shall have the right to order the repair or removal of any sign which is defective, damaged or substantially deteriorated. (Prior code § 16.43.904.8)

16.32.090 Changeable copy.

Unless otherwise specified by this title, any sign herein allowed may use manual or automatic changeable copy. (Prior code § 16.43.904.10)

16.32.100 Sign setback requirements.

A. The base of structural members supporting signs mounted on the ground shall be set back at least three feet from any public right-of-way except that of the George Parks Highway.

B. The base of structural members supporting signs mounted on the ground shall be set back at least five feet from the right-of-way of the George Parks Highway.

C. No part of any sign shall encroach into a public right-of-way or the air space above such a right-of-way, nor shall any part of a sign obscure a sight triangle. (Prior code § 16.43.904.12)

16.32.110 Signs permitted in all zones.

The following signs are allowed in all zones:

- A. All signs not requiring permits;
- B. One construction sign for each street frontage of a construction project, not to exceed thirty-two (32) square feet in sign area. Such signs may be erected fourteen (14) days prior to beginning of construction and shall be removed seven days following completion of construction;
- C. One nonilluminated real estate sign per lot or premises, not to exceed thirty-two (32) square feet in sign area. Such signs must be removed one week following sale, rental or lease;
- D. One attached nameplate per occupancy, not to exceed two square feet in sign area;
- E. *Repealed by IM 07-24;*
- F. One directional/information sign per lot, not to exceed eight square feet in sign area or six feet in height;
- G. Two temporary special event signs and decoration per premises for special events, grand openings, or holidays. Such signs and decorations may be erected seven days prior to a special event or holiday and shall be removed seven days following the event or holiday. For grand

openings such signs may be used for no more than fourteen (14) days;

H. Snipe signs for three days or less. Signs must be dated. (IM 07-24; prior code § 16.43.906)

16.32.120 Signs permitted in residential zones.

A. Signs are allowed as follows in residential zones:

1. All signs as permitted in Sections 16.32.070 and 16.32.110;
2. Two subdivision signs per neighborhood, subdivision or development not to exceed thirty-two (32) square feet in sign area;
3. One identification sign per apartment or condominium complex, not to exceed six square feet in sign area;
4. For allowed nonresidential uses, including churches and synagogues, one freestanding sign, not to exceed thirty-two (32) square feet in sign area, and one wall sign not to exceed six square feet in sign area.

B. Special regulations for residential districts are as follows: All allowed freestanding signs shall have a maximum height limit of six feet. (Prior code § 16.43.906.2)

16.32.130 Signs in the commercial and industrial zone.

A. All signs as permitted in Section 16.32.070 and 16.32.110;

B. One freestanding sign per premises, not to exceed one square foot in sign area for each linear foot of main street frontage up to a maximum of one hundred fifty (150) square feet. Such signs may not exceed a height of twenty-five (25) feet;

C. One under-canopy sign per occupancy, not to exceed fifty (50) square feet in sign area;

D. Incidental signs, not to exceed six square feet in aggregate sign area per occupancy;

E. Where an occupancy is on a corner or has more than one street frontage, one additional freestanding sign will be allowed on the additional frontage, not to exceed the size of the other freestanding sign;

F. One awning sign, with text, per occupancy not to exceed thirty (30) percent of the surface area of an awning, or one marquee sign, not to exceed one square foot in sign area for each linear foot of marquee front and side;

G. One portable sign per lot, not to exceed thirty-two (32) square feet in sign area or five feet in height. Such signs may be displayed eight times per year for periods not to exceed two weeks;

H. Where a lot has in excess of four hundred (400) feet of street frontage, one additional freestanding sign will be allowed for each additional one hundred (100) feet of street frontage. Such signs shall be subject to the size and height limitations of the first allowed freestanding sign and may be placed no closer than two hundred fifty (250) feet to any other freestanding sign on the same premises;

I. A projecting sign may be used instead of any freestanding sign, not to exceed a sign area of one square foot for each linear foot of an occupancy's building frontage up to a maximum of fifty (50) square feet;

J. Two ground signs may be used instead of any one free standing sign, not to exceed fifty (50) square feet each;

K. Any size and amount of wall signs. (Prior code § 16.43.906.4)

16.32.140 Nonconforming signs - Determination of legal nonconformity.

Existing signs which do not conform to the specific provisions of the chapter may be eligible for the designation "legal non-conforming," provided that:

A. Such signs are properly maintained and do not in any way endanger the public;

B. The sign was covered by a valid permit or variance or complied with all applicable laws on the date of adoption of this chapter. (Prior code § 16.43.908)

16.32.150 Loss of legal nonconforming status.

A legal nonconforming sign may lose this designation if:

A. The sign is relocated or replaced;

B. The structure or size of the sign is altered in any way except towards compliance with this chapter. This does not refer to change of copy or normal maintenance. (Prior code § 16.43.908.2)

16.32.160 Maintenance and repair of nonconforming signs.

The legal nonconforming sign is subject to all requirements of this chapter regarding safety, maintenance and repair. However, if the sign suffers more than fifty (50) percent-appraised damage or deterioration, it must be brought into conformance with this chapter or removed. (Prior code § 16.43.908.4)

16.32.170 Construction information.

All electrical signs shall be constructed and located in such a way as to meet required federal, state, and city laws statutes and ordinances and meet the requirements of the National Electrical Code. (Prior code § 16.43.910)

16.32.180 Anchoring.

A. No sign shall be suspended by non-rigid attachments that will allow the sign to swing in a wind.

B. All freestanding signs shall have self-supporting structures erected on or permanently

attached to concrete foundations or steel pilings.

C. All portable signs on display shall be braced or secured to prevent motion. (Prior code § 16.43.910.2)

16.32.190 Additional safety information.

A. No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

B. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of building or mechanical codes.

C. Signs shall be located in such a way as required to meet state and/or city safety standards. (Prior code § 16.43.910.4)

16.32.200 Administration and enforcement - City planner.

A. The city planner or designee is authorized to process applications for permits and variances, hold public hearings as required, and enforce and carry out all provisions of this chapter, both in letter and in intent. The city planner or designee is authorized to promulgate regulations and procedures consistent with this function.

B. The city planner or designee is empowered, upon presentation of proper credentials, to inspect any structure, or premises in the city for the purpose of inspection of a sign to ensure compliance with this chapter. Such inspections shall be carried out during business hours unless an emergency exists. (Prior code § 16.43.912)

16.32.210 Application for permits.

Application for a permit for the erection, alteration, or relocation of a sign shall be made to the city planner or designee on a form provided by the city planner or designee and shall include the following information:

- A. Name and address of the owner of the sign;
- B. Street address or location of the property on which the sign is to be located, along with the name and address of the property owner;
- C. The type of sign or sign structure as defined in this chapter;
- D. A site plan showing the proposed location of the sign along with the locations and square footage areas of all existing signs on the same premises; and
- E. Specifications and scale drawings showing plans, elevation, materials, design, dimensions and structural supports. (Prior code § 16.43.912.2)

16.32.220 Permit fees.

All applications for permits filed with the city planner or designee shall be issued free of charge. (Prior code § 16.43.912.4)

16.32.230 Issuance and denial.

A. The city planner or designee shall issue a permit for the erection, alteration or relocation of a sign within five working days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

B. When a permit is denied, a written notice shall be provided to the applicant along with a brief statement of the reasons for denial. The city planner or designee may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application. (Prior code § 16.43.912.6)

16.32.240 Permit conditions.

A. Permit fees are nonrefundable.

B. A permit becomes null and void if work is not completed within one year of the date of issuance. (Prior code § 16.43.912.8)

16.32.250 Removal of sign by planner.

In cases of emergency, the city planner or designee may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety. (Prior code § 16.43.912.10)

16.32.260 Variance provisions.

Variations to the setbacks, sign area, number of signs per parcel, and height of signs may be requested by a property owner, or authorized agent. The application process, notice requirements, and variance standards shall be the same as those for variances in Section 16.28.110. In granting a sign variance, the planning commission may prescribe conditions and safeguards to assure conformity with the purpose and intent of this chapter and consistency with the city comprehensive plan and any other applicable adopted city plans. (Ord. 11-30 § 3, 2011)

10. CITY ADMINISTRATOR/STAFF REPORTS
11. RECESS - AIRPORT BOARD MEETING
12. EXECUTIVE SESSION
13. ADJOURNMENT

"You do not write your life with words...You write it with actions. What you think is not important. It is only important what you *do*." Patrick Ness

City of Chelan Vision Statement

"A welcoming community dedicated to a thriving year round economy and the preservation of Lake Chelan."

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1 **16.32.010 Purpose.**

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3 signs within the different land use ~~zones~~zoning districts; to recognize the commercial
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13 A. This chapter shall not relate to building design; nor shall the chapter regulate official
14 traffic or government signs; the copy and message of signs; signs not intended to be viewed from
15 a public right-of-way; window displays, product dispensers, and point of purchase displays;
16 scoreboards on athletic fields; flags of any nation, government, or non-commercial organization;
17 gravestones; barber poles; religious symbols; commemorative plaques; the display of street
18 numbers; or any display or construction not defined herein as a sign.

19 B. The primary intent of this chapter is to regulate signs of a commercial nature intended
20 to be viewed from any vehicular public right-of-way.

21 **16.32.030 Definitions.**

22 The following definitions pertain only to this chapter:

23 **A-frame sign.** (Add definition and cross-reference sandwich board sign)

1 **“Abandoned sign”.** A sign whose message describes the availability of goods or
2 services at a location where such goods and services are no longer available and have ceased to
3 be available for a period of at least 60 days or, in the alternative, a sign that is non-commercial in
4 nature and the content of the sign pertains to a time, event, or purpose that has elapsed or expired
5 in the preceding 60 days. Such abandonment includes failure to maintain the sign. ~~means a sign~~
6 ~~which no longer identifies or advertises a bona fide business, lessor, service, owner, product or~~
7 ~~activity, and/or for which no legal owner can be found.~~

8 _____
9 **Alteration.** The process of changing, modifying, reworking, revising, or remodeling a
10 sign. This does not include maintenance of a sign or a change of the copy on a painted, printed,
11 or changeable copy sign.

12 **“Animated sign”.** A ~~means any~~ sign which uses movement or change of lighting to
13 depict action or to create a special effect or scene.

14 **Area.** See “Sign, area of.”

15 **“Awning”.** A ~~means a~~ shelter projecting from and supported entirely by the exterior
16 wall of a building constructed of non-rigid materials on a supporting framework that may either
17 be permanent or retractable.

18 **“Awning sign.”** means a sign painted on, printed on, or attached flat against the
19 surface of an awning.

20 **Backlit sign.** A sign using illuminated reverse channel letters with an open or
21 translucent back so that light from the letter is directed against the surface behind the letter,
22 producing a halo lighting effect around the letter; also referred to as silhouette- or halo-lighted.

1 ~~“Banner sign.”~~ A means a temporary sign made of fabric or any nonrigid material with
2 no enclosing framework that is mounted to a pole or a building.

3 **Billboard.** See “Off-premises sign.”

4 ~~“Building.”~~ means any roofed structure intended or used for the support, shelter or
5 enclosure of persons, animals or property of any kind.

6 ~~“Cabinet, sign.”~~ means a complete, fully enclosed, unit or module of a sign.

7 Canopy. A shelter projecting from and supported entirely by the exterior wall of a
8 building constructed of rigid materials or may be of non-rigid materials on a supporting
9 framework that may either be permanent or retractable.

10 ~~“Changeable copy sign (automatic).”~~ means a sign, or portion thereof, on which the
11 copy changes automatically on a lampbank or through ~~mechanical~~ electrical or electronic means
12 (i.e., ~~electrical or electronic~~ time and temperature units.) –This does not include electronic
13 animation; see definition of “Copy.”

14 ~~“Changeable copy sign (manual).”~~ means a sign, or portion thereof, on which copy
15 is changed manually in the field through placement of letters or symbols on a panel mounted in
16 or on a track system (i.e., readerboards with changeable letters).

17 Channel Letter. A fabricated or formed three-dimensional letter that may
18 accommodate a light source.

19 **City.** Unless the context clearly discloses a contrary intent, the word “city” shall mean
20 the city of Wasilla.

21 ~~“Clearance (of a sign).”~~ means ~~†~~ The smallest vertical distance between the grade of the
22 adjacent street or street curb and the lowest point of any sign, including framework and
23 embellishments, extending over that grade.

1 **“Construction sign.”** ~~_means a~~ temporary sign identifying ~~an the~~ architect, engineer,
2 contractor, subcontractor, financier, sponsor, and/or material supplier participating in
3 construction of a residential or commercial development on the property on which the sign is
4 located. The sign may also designate the future occupant or use of the development.

5 **“Copy.”** ~~_means t~~The ~~wording~~ words and/or message displayed on a sign surface in
6 either permanent or removable letter form.

7 **“Directional/information sign.”** ~~_means an on premises~~ An on-premise sign giving
8 directions, instruction, or facility information to pedestrian and vehicular traffic. ~~_and which~~ It ~~-~~
9 may contain the name or logo of an establishment but no advertising copy (i.e., parking or exit
10 and entrance signs).

11 **“Double-/multiple-faced sign.”** ~~_means a~~ sign with ~~more than one message facet~~ two
12 parallel faces.

13 **“Electrical sign.”** ~~_means a~~ sign or sign structure in which electrical wiring,
14 connections, or fixtures are used.

15 **Electronic Message Center.** ~~_See~~ **“Changeable copy sign, automatic.”**

16 **Exterior Illuminated Sign.** A sign that is illuminated by a light source that is directed
17 towards and shines on the face of a sign; also called direct illumination.

18 **“Facade.”** ~~_means t~~The entire building front including the parapet.

19 **“Face of sign”** ~~See~~ **Sign face.** ~~means the area of a sign on which the copy is placed.~~

20 **“Festoons.”** ~~_means a~~ string of ribbons, tinsel, small flags, or pinwheels.

21 **“Flashing sign.”** ~~_means a~~ sign which contains an intermittent or sequential flashing
22 light source used primarily to attract attention. Generally, the sign’s message is constantly
23 repeated. ~~This d~~Does not include changeable copy signs, animated signs, or signs which,

1 through reflection or other means, create an illusion of flashing or intermittent light.

2 | **“Freestanding sign.”** ~~_means a~~A sign supported above the ground by visible poles or
3 | braces and not attached to any building.

4 | **“Frontage.”** ~~_means t~~The length of the property line of any one premises along a public
5 | right-of-way on which it borders.

6 | **“Frontage, building.”** ~~_means t~~The length of an outside building wall on a public
7 | right-of-way.

8 | **“Government sign.”** ~~_means a~~Any temporary or permanent sign erected and maintained
9 | by the city, borough, state or federal government for traffic direction or for designation of or
10 | direction to any school, hospital, historical site, or public service, property or facility.

11 | **“Ground sign.”** ~~_means a~~A sign other than a pole sign, in which the entire bottom is in
12 | contact with or is close to the ground, there is no visible support structure, and; it is independent
13 | of any other structure ~~and does not exceed five feet in height.~~

14 | ~~Signs of five feet in height and over are defined as freestanding signs.~~

15 | **Halo-lit sign. See Backlit sign.**

16 | **“Height (of a sign).”** ~~_means t~~The vertical distance measured from the highest point of
17 | the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface
18 | grade beneath the sign, whichever is greater. _

19 | [NOTE: Sign Code working group recommended that the definition be changed to allow properties at lower
20 | elevations along the highway to have the same visibility as properties at or above street level (e.g. Grandview Inn &
21 | Suites, Evangelos, commercial businesses along Lucus)]
22 |
23 |

24 | **“Icon.”** ~~_means a~~An image, symbol or emblem.
25 |

1 | **“Identification sign.”** ~~means a~~ sign whose copy is limited to the name and address of a
2 | building, institution, or person and/or to the activity or occupation being identified.

3 | **“Illegal sign.”** ~~means a~~ sign which does not meet the requirements of this title and
4 | ~~which that~~ has not received legal nonconforming status.

5 | **“Illuminated sign.”** ~~means a~~ sign with an artificial light source incorporated internally
6 | or externally for the purpose of illuminating the sign.

7 | **“Incidental sign.”** ~~means a~~ small sign, emblem or decal informing the public of
8 | goods, facilities, or services available on the premises (i.e., a credit card sign or a sign indicating
9 | hours of business).

10 | **Inflatable device.** A sign that is a cold air inflated object, which may be of various
11 | shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable
12 | blower motor that provides a constant flow of air into the device. These devices are restrained,
13 | attached, or held in place by a cord, rope, cable, weight, or similar method.

14 | **Internally illuminated sign.** A sign that has the light source enclosed within it so the
15 | source is not visible to the eye.

16 | **Logo.** A design or symbol that represents a product, identity, or service.

17 | **“Lot.”** ~~means a~~ distinct parcel of land for ownership and tax purposes which is
18 | delineated and fixed on a plat filed for record.

19 | **“Maintenance.”** ~~f~~For the purposes of this chapter, this means the cleaning, painting,
20 | repair or replacement of defective parts of a sign in a manner that does not alter the basic copy,
21 | design or structure of the sign.

22 | **“Mansard.”** ~~means a~~ sloped roof or roofline facade architecturally comparable to a
23 | building wall.

1 **“Marquee.”** ~~_means a~~ permanent roof-like structure or canopy of rigid materials
2 supported by and extending from the facade of a building.

3 **“Marquee sign.”** ~~_means a~~ Any sign attached to or supported by a marquee structure.

4 **Menu Board.** A variable-message sign that allows a retailer to list products and prices
5 (i.e. the bill of fare for a fast-food restaurant.)

6 **Message Area.** The area within the sign panel describing the limits of the message.

7 **“Name plate.”** ~~_means a~~ non-electric on-premises identification sign giving only the
8 name, address, and/or occupation of an occupant or group of occupants.

9 **“Nonconforming sign.”** ~~means:~~

10 ~~1.—~~ A sign which was erected legally and maintained but ~~which~~ does not comply with
11 subsequently enacted sign restrictions and regulations;

12 ~~2.—~~ ~~A sign which does not conform to the sign code requirements but for which a~~
13 ~~special permit has been issued.~~

14 **“Occupancy.”** ~~_means~~ †The portion of a building or premises owned, leased, rented or
15 otherwise occupied for a given use.

16 **“Off-premises sign.”** ~~_means a~~ sign structure advertising or directing attention to a
17 specific business, an establishment, merchandise product, service, commercial activity, or
18 entertainment event or activity, which that is not sold, produced, manufactured, ~~_or~~ furnished, or
19 conducted at the property upon which said sign is located (i.e., billboards or outdoor advertising).

20 **“On-premises sign.”** ~~_means a~~ sign whose message and design relates to a business,
21 profession, product, service, event, or other commercial activity sold, offered, or conducted on
22 the same property where the sign is located, which pertains to the use of the premises on which it
23 is located.

1 **“Owner.”** ~~_means a~~ person recorded as such on official records. For the purposes of
2 this chapter, the owner of property on which a sign is located is presumed to be the owner of the
3 sign unless facts to the contrary are officially recorded or otherwise brought to the attention of
4 the city planner or designee (i.e., a sign leased from a sign company).

5 **“Painted wall sign.”** ~~_means a~~Any sign ~~which that~~ is applied with paint or similar
6 substance on ~~the face of a wall~~ building surface.

7 **“Parapet.”** ~~_means t~~The extension of a false front or wall above a roofline.

8 **Pennant.** A triangular or irregular piece of fabric or other material, commonly attached
9 in strings or stands, or supported on small poles intended to flap in the wind.

10 **Permanent sign.** A sign attached to a building or structure, or to the ground in a manner
11 that enables the sign to resist environmental loads, such as wind, and that precludes ready
12 removal or movement of the sign and whose intended use appears to be indefinite.

13 **“Person.”** ~~_means a~~ partnership, firm, joint venture, public agency, government,
14 company, corporation or other association, as well as a natural person.

15 **“Planner.”** ~~_means t~~The city planner or designee.

16 **“Point of purchase display.”** ~~_means a~~Advertising of a retail item accompanying its
17 display (i.e., an advertisement on a product dispenser).

18 **“Pole cover.”** ~~_means e~~An enclosure for concealing and/or decorating ~~overs enclosing or~~
19 ~~decorating~~ poles or other structural supports of a sign.

20 **Pole sign.** See Freestanding sign.

21 **“Political sign.”** ~~_means a~~ temporary sign used in connection with a local, state or
22 national election or referendum.

1 ~~“Portable sign.”~~ means a Any sign designed to be moved easily and not permanently
2 affixed to the ground, a structure or a building.

3 ~~For the purposes of setbacks, a portable sign is a freestanding sign.~~

4 ~~“Premises.”~~ means a parcel of land with its appurtenances and buildings which,
5 because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

6 ~~“Projecting sign.”~~ means a building-mounted sign with the faces of the sign
7 projecting from and perpendicular to the building fascia. This does not include signs located on
8 a canopy, awning, or marquee.

9 ~~sign, other than a flat wall sign, which is attached to and projects from a building wall or~~
10 ~~other structure not specifically designed to support the sign.~~

11 Pylon sign. See Freestanding sign.

12 ~~“Real estate sign.”~~ means a temporary sign advertising the real ~~estate~~ property upon
13 which the sign is located as being for rent, lease or sale that provides the name and contact
14 information for the owner or their agent.

15 Regulatory sign. A sign having the primary purpose of conveying information
16 concerning rules, ordinances, or laws.

17 Right-of-way (ROW). The land on which a public thoroughfare is located and certain
18 lands adjacent thereto.

19 ~~“Roof line.”~~ means tThe top edge of a roof or building parapet, whichever is higher,
20 excluding any cupolas, architectural pylons, chimneys, or minor projections.

21 Roof sign. A building-mounted sign erected upon, against, or extending either partially
22 or completely over the roof of the building.

1 **“Rotating sign.”** ~~means a~~ sign in which the sign itself or any portion of the sign
2 moves in a revolving or similar manner. Such motion does not refer to methods of changing
3 copy.

4 **Sandwich board/Sidewalk sign.** A sign not secured or attached to the ground or
5 surface upon which it is located, but supported by its own frame and most often forming the
6 cross-sectional shape of an A.

7 **Sight triangle.** A triangle at an intersection, formed by the two roads or rights-of-way
8 and a third line, which must be kept clear of obstructions such as hedges so that people in
9 vehicles on one road can see cars approaching on the other road.

10 **“Sign.”** ~~means a~~ny device, structure, fixture, painting, visual image, flashing light,
11 strobe or placard regardless of whether it is standalone or fixed using graphics, symbols,
12 numbers and/or written copy designed specifically for the purpose of advertising, ~~or~~
13 identifying, or attracting attention to any establishment, product, goods or services.

14 **~~“Sign, area – Projecting and Freestanding sign” means:~~**

15 ~~1. — Projecting and Freestanding.~~ The area of a freestanding sign or projecting sign
16 shall have only one face (the largest one) of any double- or multifaced sign counted in
17 calculating its area. The area of a sign shall be measured as follows if the sign is composed of
18 one or two individual cabinets:

19 ~~a.1.~~ The area around and enclosing the perimeter of each cabinet or module
20 shall be summed and then totaled to determine total area. The perimeter of
21 measurable area shall not include embellishments such as pole cover, framing,
22 decorative roofing, etc.; provided, that there is not written advertising copy on such
23 embellishments.

1 b.2. If the sign is composed of more than two sign cabinets or modules, the
2 area enclosing the entire perimeter of all cabinets and/or modules within a single,
3 continuous geometric figure shall be the area of the sign. Pole covers and other
4 embellishments shall not be included in the area of measurement if they do not bear
5 advertising copy.

6 Sign area – Wall sign. ~~2. — Wall Signs.~~ The area shall be within a single, continuous
7 perimeter composed of any straight line geometric figure which encloses the extreme limits of
8 the advertising message. If the sign is composed of individual letters or symbols using the wall
9 as the background with no added decoration, the total sign area shall be calculated by measuring
10 the area within the perimeter of each symbol or letter. The combined areas of the individual
11 figures shall be considered the total sign area.

12 Sign face. The surface area of a sign on which the advertising copy or message is
13 placed or displayed.

14 “Snipe sign.” ~~_means a~~ temporary or permanent sign or poster ~~affixed tacked, nailed,~~
15 ~~posted, pasted, glued, taped, or otherwise attached to trees, telephone or utility poles, public~~
16 ~~benches, streetlights, or placed on any public property or within a public right-of way.~~
17 ~~to a tree, fence, etc. (erected for three days or less).~~

18 “Subdivision identification sign.” ~~_means a~~ freestanding or wall sign identifying a
19 recognized subdivision, condominium complex, or residential development.

20 “Temporary sign.” ~~means a~~ sign not constructed or intended for long-term use or
21 permanent installation. Generally these signs are intended to be used for a limited period of
22 time for purposes such as announcing special events or sales, announcing the sale or rental of
23 property, supporting political positions, or presenting other miscellaneous or incidental

1 ~~information or instructions. (erected for less than thirty (30) days).~~

2 ~~“Under-canopy sign.” means a~~ A sign suspended beneath a canopy, ceiling, roof or
3 marquee.

4 ~~“Use.” means~~ The purpose for which a building, lot, sign or structure is intended,
5 designed, occupied or maintained.

6 ~~“Wall sign.” A building-mounted sign that is either attached to, displayed on, or painted~~
7 ~~on an exterior wall in a manner parallel with the wall surface, and not projecting more than 18~~
8 ~~inches from such surface.~~

9 ~~means a sign attached parallel to and extending not more than eighteen (18) inches from~~
10 ~~the wall of a building. This definition includes painted, individual letter, and cabinet signs, and~~
11 ~~signs on a mansard.~~

12 ~~“Window sign.” means a~~ A sign that is painted on, attached to, or suspended directly
13 behind a ~~installed inside a~~ window for the intended purpose of being viewed from the outside.

14 **16.32.040 Compliance required.**

15 No person shall erect, place or maintain a sign in the city except in accordance with the
16 provisions of this chapter.

17 **16.32.050 Signs prohibited.**

18 The following types of signs are prohibited in all districts:

19 A. Abandoned signs;

20 B. Signs imitating or resembling official traffic or government signs or signals of
21 response vehicles;

22 C. Snipe signs or signs attached to trees, telephone or utility poles, public benches, ~~or~~
23 street-lights, or placed on any public property or within a public right-of way;

1 D. Signs placed on vehicles or trailers which are parked or located for the primary
2 purpose of displaying the sign. ~~T~~(this does not apply to allowed portable signs or to signs or
3 letters on buses, taxis or vehicles operating during the normal course of business);

4 E. Signs with flashing, intermittent, revolving or blinking illumination, or an alternating
5 light pattern or which are animated, other than electronic message centers, as permitted in this
6 chapter. No sign regulated by this chapter may utilize:

7 1. An exposed incandescent lamp with an external reflector and without a sunscreen
8 or comparable diffusion,

9 2. Any revolving beacon or flashing light,

10 3. Signs using exposed incandescent light sources exceeding ~~sixty (60)~~60 watts per
11 source;

12 F. Signs using reflectors, mirrors or other devices intended to focus or direct illumination
13 from the sign to any other place;

14 G. Wall Signs exceeding a maximum height of ~~thirty (30)~~30 feet or the height of the
15 roofline, whichever is less;

16 H. Off-premises signs;

17 I. Billboards;

18 J. Banners, except when approved for a special event or as a temporary sign;

19 K. Pennant signs with advertising copy or logos, except when approved for a special
20 event or as a temporary sign;

21 L. Inflatable devices with or without copy or logos, except when approved for a special
22 event or as a temporary sign;

23 M. Signs located within the sight triangle that are between three feet and nine feet in

1 | height, not including the support poles; and

2 | N. Any sign not specifically permitted in this section.

3 | **16.32.060 Permits required.**

4 | Unless otherwise provided by this title, all signs shall require permits and payment of fees as
5 | described in the section covering administration and enforcement. No permit is required for the
6 | maintenance of a sign or for a change of copy on painted, printed or changeable copy signs.

7 | **16.32.070 Signs not requiring permits.**

8 | The following types of signs are exempted from permit applications but must be in
9 | conformance with all other requirements of this chapter:

10 | A. Construction signs with a sign area of ~~thirty-two (32)~~ square feet or less and eight feet
11 | or less in height;

12 | B. Directional/information signs of eight square feet or less and three feet or less in
13 | height;

14 | C. Holiday or special events decorations;

15 | D. Nameplates of ~~twelve (12)~~ square feet or less;

16 | E. Political signs;

17 | F. Public signs or notices, or any sign relating to an emergency;

18 | G. Real estate signs;

19 | H. Window signs;

20 | I. Incidental signs;

21 | J. Point of purchase display signs;

22 | K. Religious icons; and

23 | L. Wall signs.

1 **16.32.080 Maintenance.**

2 All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint
3 is required. Defective parts shall be replaced. The city planner or designee shall have the right
4 to order the repair or removal of any sign which is defective, damaged or substantially
5 deteriorated.

6 **16.32.090 Changeable copy.**

7 Unless otherwise specified by this title, any sign herein allowed may use manual or
8 automatic changeable copy.

9 **16.32.100 Sign setback requirements.**

10 A. The base of structural members supporting signs mounted on the ground shall be set
11 back at least three feet from any public right-of-way except that of the George Parks Highway.
12 The base of structural members supporting signs mounted on the ground shall be set back at least
13 five feet from the right-of-way of the George Parks Highway.

14 B. ~~The base of structural members supporting signs mounted on the ground shall be set~~
15 ~~back at least five feet from the right of way of the George Parks Highway.Repealed. (moved to~~
16 ~~subsection A above)~~

17 C. No part of any sign shall encroach into a public right-of-way or the air space above
18 such a right-of-way, nor shall any part of a sign obscure the line of sight within the sight
19 triangle. The sight triangle area at the intersection of two public streets is formed by measuring
20 from the point of the intersection of the two rights-of-way a distance of 25 feet along said
21 rights-of-way and connecting the points so established to form a sight triangle on the area of the
22 lot adjacent to the street intersections. The sight triangle area at the intersection of a public
23 street and a private access way is formed by measuring from the point of the intersection of the

1 right-of-way a distance of 25 feet along said right-of-way and a distance of 15 feet along said
2 private access way and connecting the points so established to form a sight triangle on the area of
3 the lot adjacent to the street and private access way intersection.

4 **16.32.110 Signs permitted in all zones.**

5 The following signs are allowed in all ~~zones~~zoning districts:

6 A. All signs ~~not requiring permits~~allowed in Section 16.32.070;

7 B. **Construction sign.** One construction sign for each street frontage of a construction
8 project, not to exceed ~~thirty-two (32)~~ square feet in sign area and eight feet in height. Such signs
9 may be erected ~~fourteen (14)~~30 days prior to beginning of construction and shall be removed
10 ~~seven~~30 days following completion of construction;

11 C. **Real estate sign.** One non-illuminated real estate sign per lot or premises, not to
12 exceed ~~thirty-two (32)~~ square feet in sign area and eight feet in height. Such signs must be
13 removed one week following sale, rental or lease;

14 D. **Nameplate.** One attached nameplate per occupancy, not to exceed two square feet in
15 sign area;

16 E. *Repealed by IM 07-24*;

17 F. **Directional sign.** One directional/information sign per lot, not to exceed eight square
18 feet in sign area or ~~six~~three feet in height;

19 G. **Special event sign.** Two temporary special event signs and decoration per premises
20 for special events, grand openings, or holidays. Such signs and decorations may be erected
21 seven days prior to a special event or holiday and shall be removed seven days following the
22 event or holiday. For grand openings such signs may be used for no more than ~~fourteen (14)~~14
23 days; (Add maximum size, height, duration, and type of signage.)

1 H. **Snipe sign.** Snipe signs for three days or less. Signs must be dated. (Clarify if
2 allowed in right-of-way or only on private property – specifically yard sale signs)

3 **16.32.120 Signs permitted in residential zones.**

4 ~~A.—The following s~~Signs are allowed ~~as follows~~ in all residential zones zoning districts
5 subject to the restrictions within this subsection:

6 ~~—1A.~~ **Maximum height.** All allowed freestanding signs in this subsection shall
7 have a maximum height limit of six feet.

8 ~~B.~~ All signs ~~as permitted~~allowed in Sections 16.32.070 and 16.32.110;

9 ~~—2C.~~ **Subdivision sign.** Two subdivision signs per neighborhood, subdivision or
10 development, not to exceed ~~thirty two (32)~~ square feet in sign area;

11 ~~—3D.~~ **Identification sign.** One identification sign per apartment or condominium
12 complex, ~~_~~not to exceed six square feet in sign area;

13 ~~—4E.~~ **Religious sign.** ~~For allowed nonresidential uses, including e~~Churches and
14 synagogues may have, one freestanding sign, not to exceed ~~thirty two (32)~~32 square
15 feet in sign area, and one wall sign not to exceed six square feet in sign area.

16 ~~F.~~ **Other non-residential uses.** A non-residential use may have one freestanding sign,
17 not to exceed 32 square feet in sign area and one wall sign not to exceed six square
18 feet in sign area.

19 ~~—B.—Special regulations for residential districts are as follows: All allowed freestanding~~
20 ~~signs shall have a maximum height limit of six feet.—~~

21 **16.32.130 Signs in the commercial and industrial zone.**

22 The following signs are allowed in the commercial and industrial zoning districts:

23 A. All signs as ~~permitted~~allowed in Section 16.32.070 and 16.32.110;

1 B. **Freestanding sign.** One freestanding sign per premises, not to exceed one square
2 foot in sign area for each linear foot of main street frontage up to a maximum of ~~one hundred~~
3 ~~fifty (150)~~150 square feet. Such signs may not exceed a height of ~~twenty-five (25)~~25 feet.
4 Where an occupancy is on a corner or has more than one street frontage, one additional
5 freestanding sign will be allowed on the additional frontage, not to exceed the area and/or height
6 of the other freestanding sign. Where a lot has in excess of 400 feet of street frontage, one
7 additional freestanding sign will be allowed for each additional 100 feet of street frontage. Such
8 signs shall be subject to the size and height limitations of the first allowed freestanding sign and
9 may be placed no closer than 250 feet to any other freestanding sign on the same premises;

10 -C. **Under-canopy sign.** One under-canopy sign per occupancy, not to exceed ~~fifty~~
11 ~~(50)~~50 square feet in sign area;

12 D. **Incidental sign.** ~~One~~ incidental signs, not to exceed six square feet in aggregate sign
13 area per occupancy;

14 E. ~~Where an occupancy is on a corner or has more than one street frontage, one additional~~
15 ~~freestanding sign will be allowed on the additional frontage, not to exceed the size of the other~~
16 ~~freestanding sign;~~(Repeal subsection – information relocated to subsection D)

17 F. **Awning sign.** One awning sign, with text, per occupancy not to exceed ~~thirty (30)~~30
18 percent of the surface area of an awning, or one marquee sign, not to exceed one square foot in
19 sign area for each linear foot of marquee front and side;

20 G. **Portable sign.** One portable sign per lot, not to exceed ~~thirty-two (32)~~32 square feet
21 in sign area or five feet in height. Such signs may be displayed eight times per year for periods
22 not to exceed two weeks;

1
2 H. ~~Where a lot has in excess of four hundred (400) feet of street frontage, one additional~~
3 ~~freestanding sign will be allowed for each additional one hundred (100) feet of street frontage.~~
4 ~~Such signs shall be subject to the size and height limitations of the first allowed freestanding sign~~
5 ~~and may be placed no closer than two hundred fifty (250) feet to any other freestanding sign on~~
6 ~~the same premises; Repeal subsection (information relocated to subsection D)~~

7 I. **Projecting sign.** A projecting sign may be used instead of any freestanding sign, not
8 to exceed a sign area of one square foot for each linear foot of an occupancy's building frontage
9 up to a maximum of ~~fifty (50)~~50 square feet. ~~Signs may not project more than six feet from the~~
10 ~~building face and the lowest portion of the sign must be a minimum of eight feet from the~~
11 ~~sidewalk or pedestrian area;~~

12 J. **Ground sign.** Two ground signs may be used instead of any one free standing sign,
13 not to exceed ~~fifty (50)~~50 square feet each and five feet in height;

14 K. **Wall sign.** Any size and amount of wall signs;-

15 **L. A-frame/sandwich board signs.** One A-frame/sandwich board sign is allowed per
16 business provided that the size of the sign does not exceed three feet in width and four
17 feet in height, the sign is only placed on the lot where the business occurs, is only in
18 place during store hours, and is stored inside at all other times.-

19 **16.32.140 Nonconforming signs - Determination of legal nonconformity.**

20 Existing signs which do not conform to the specific provisions of the chapter may be eligible
21 for the designation "legal ~~non-conforming~~nonconforming," provided that:

22 A. Such signs are properly maintained and do not in any way endanger the public; and

23 B. The sign was covered by a valid permit or variance or complied with all applicable

1 laws on the date of adoption of this chapter.

2 **16.32.150 Loss of legal nonconforming status.**

3 A legal nonconforming sign ~~may~~will lose this designation if:

4 A. The sign is relocated or replaced; or

5 B. The structure or size of the sign is altered in any way except towards compliance with
6 this chapter. This does not refer to change of copy or normal maintenance.

7 **16.32.160 Maintenance and repair of nonconforming signs.**

8 The legal nonconforming sign is subject to all requirements of this chapter regarding safety,
9 maintenance and repair. However, if the sign suffers more than ~~fifty (50)~~50 percent-appraised
10 damage or deterioration, it must be brought into conformance with this chapter or removed.

11 **16.32.170 Construction information.**

12 All electrical signs shall be constructed and located in such a way as to meet required federal,
13 state, and city laws statutes and ordinances and meet the requirements of the National Electrical
14 Code.

15 **16.32.180 Anchoring.**

16 A. No sign shall be suspended by non-rigid attachments that will allow the sign to swing
17 in a wind.

18 B. All freestanding signs shall have self-supporting structures erected on or permanently
19 attached to concrete foundations or steel pilings.

20 C. All portable signs on display shall be braced or secured to prevent motion.

21 **16.32.190 Additional safety information.**

22 A. No sign shall be erected, constructed or maintained so as to obstruct any fire escape,
23 required exit, window or door opening used as a means of egress.

1 B. No sign shall be attached in any form, shape, or manner which will interfere with any
2 opening required for ventilation, except that signs may be erected in front of and may cover
3 transom windows when not in violation of building or mechanical codes.

4 C. Signs shall be located in such a way as required to meet state and/or city safety
5 standards.

6 **16.32.200 Administration and enforcement - City planner.**

7 A. The city planner or designee is authorized to process applications for permits and
8 variances, hold public hearings as required, and enforce and carry out all provisions of this
9 chapter, both in letter and in intent. The city planner or designee is authorized to promulgate
10 regulations and procedures consistent with this function.

11 B. The city planner or designee is empowered, upon presentation of proper credentials, to
12 inspect any structure, or premises in the city for the purpose of inspection of a sign to ensure
13 compliance with this chapter. Such inspections shall be carried out during business hours unless
14 an emergency exists.

15 **16.32.210 Application for permits.**

16 Application for a permit for the erection, alteration, or relocation of a sign shall be made to
17 the city planner or designee on a form provided by the city planner or designee and shall include
18 the following information:

19 A. Name and address of the owner of the sign;

20 B. Street address or location of the property on which the sign is to be located, along with
21 the name and address of the property owner;

22 C. The type of sign or sign structure as defined in this chapter;

23 D. A site plan showing the proposed location of the sign along with the locations and

1 square footage areas of all existing signs on the same premises; and

2 E. Specifications and scale drawings showing plans, elevation, materials, design,
3 dimensions and structural supports.

4 **16.32.220 Permit fees.**

5 All applications for permits filed with the city planner or designee ~~shall be issued free of~~
6 ~~charge~~with the appropriate fee.

7 **16.32.230 Issuance and denial.**

8 A. The city planner or designee shall issue a permit for the erection, alteration or
9 relocation of a sign within five working days of receipt of a valid and complete application,
10 provided that the sign complies with all applicable laws and regulations of the city. In all
11 applications, where a matter of interpretation arises, the more specific definition or higher
12 standard shall prevail.

13 B. When a permit is denied, a written notice shall be provided to the applicant along with
14 a brief statement of the reasons for denial. The city planner or designee may suspend or revoke
15 an issued permit for any false statement or misrepresentation of fact in the application.

16 **16.32.240 Permit conditions.**

17 A. Permit fees are nonrefundable.

18 B. A permit becomes null and void if work is not completed within one year of the date of
19 issuance.

20 **16.32.250 Removal of sign by planner.**

21 ~~In cases of emergency, the~~The city planner or designee may cause the immediate removal of_
22 signs within the public right-of-way consistent with the regulations in WMC 12.16.040.
23 Additionally, a dangerous or defective sign that presents a hazard to the public safety may be

1 | ~~removed without notice to the owner. Signs removed in this manner must present a hazard to the~~
2 | ~~public safety.~~

3 | **16.32.260 Variance provisions.**

4 | Variances to the setbacks, sign area, number of signs per parcel, and height of signs may be
5 | requested by a property owner, or authorized agent. The application process, notice
6 | requirements, and variance standards shall be the same as those for variances in Section
7 | 16.28.110. In granting a sign variance, the planning commission may prescribe conditions and
8 | safeguards to assure conformity with the purpose and intent of this chapter and consistency with
9 | the city comprehensive plan and any other applicable adopted city plans.

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1 **16.32.010 Purpose.**

2 The purpose of this chapter is to coordinate the type, placement, and physical dimensions of
3 signs within the different land use zoning districts; to recognize the commercial communication
4 requirements of all sectors of the community; encourage the innovative use of design; promote
5 both renovation and property maintenance; allow for special circumstances; to recognize traffic
6 safety considerations; enhance the aesthetics of the community; and guarantee equal treatment
7 under the law through accurate record keeping and consistent enforcement. These shall be
8 accomplished by regulation of the display, erection, use, and maintenance of signs. The use of
9 signs is regulated according to zoning districts. The placement and physical dimensions of signs
10 are regulated primarily by type and length of street frontage. No sign shall be permitted except in
11 accordance with the provisions of this chapter.

12 **16.32.020 Scope.**

13 A. This chapter shall not relate to building design; nor shall the chapter regulate official
14 traffic or government signs; the copy and message of signs; signs not intended to be viewed from
15 a public right-of-way; window displays, product dispensers, and point of purchase displays;
16 scoreboards on athletic fields; flags of any nation, government, or non-commercial organization;
17 gravestones; barber poles; religious symbols; commemorative plaques; the display of street
18 numbers; or any display or construction not defined herein as a sign.

19 B. The primary intent of this chapter is to regulate signs of a commercial nature intended
20 to be viewed from any vehicular public right-of-way.

21 **16.32.030 Definitions.**

22 The following definitions pertain only to this chapter:

23 **A-frame sign.** (Add definition and cross-reference sandwich board sign)

1 **Abandoned sign.** A sign whose message describes the availability of goods or services
2 at a location where such goods and services are no longer available and have ceased to be
3 available for a period of at least 60 days or, in the alternative, a sign that is non-commercial in
4 nature and the content of the sign pertains to a time, event, or purpose that has elapsed or expired
5 in the preceding 60 days. Such abandonment includes failure to maintain the sign.

6 **Alteration.** The process of changing, modifying, reworking, revising, or remodeling a
7 sign. This does not include maintenance of a sign or a change of the copy on a painted, printed,
8 or changeable copy sign.

9 **Animated sign.** A sign which uses movement or change of lighting to depict action or
10 to create a special effect or scene.

11 **Area.** See **Sign area.**

12 **Awning.** A shelter projecting from and supported entirely by the exterior wall of a
13 building constructed of non-rigid materials on a supporting framework that may either be
14 permanent or retractable.

15 **Awning sign.** A sign painted on, printed on, or attached flat against the surface of an
16 awning.

17 **Backlit sign.** A sign using illuminated reverse channel letters with an open or
18 translucent back so that light from the letter is directed against the surface behind the letter,
19 producing a halo lighting effect around the letter; also referred to as silhouette- or halo-lighted.

20 **Banner.** A temporary sign made of fabric or any nonrigid material with no enclosing
21 framework that is mounted to a pole or a building.

22 **Billboard.** See **Off-premises sign.**

23

1 **Building.** Any roofed structure intended or used for the support, shelter or enclosure of
2 persons, animals or property of any kind.

3 **Cabinet, sign.** A complete, fully enclosed, unit or module of a sign.

4 **Canopy.** A shelter projecting from and supported entirely by the exterior wall of a
5 building constructed of rigid materials or may be of non-rigid materials on a supporting
6 framework that may either be permanent or retractable.

7 **Changeable copy sign (automatic).** A sign, or portion thereof, on which the copy
8 changes automatically on a lampbank or through electrical or electronic means (i.e., time and
9 temperature units.) This does not include electronic animation; see definition of “Copy.”

10 **Changeable copy sign (manual).** A sign, or portion thereof, on which copy is changed
11 manually in the field through placement of letters or symbols on a panel mounted in or on a track
12 system (i.e., readerboards with changeable letters).

13 **Channel Letter.** A fabricated or formed three-dimensional letter that may
14 accommodate a light source.

15 **City.** Unless the context clearly discloses a contrary intent, the word “city” shall mean
16 the city of Wasilla.

17 **Clearance (of a sign).** The smallest vertical distance between the grade of the adjacent
18 street or street curb and the lowest point of any sign, including framework and embellishments,
19 extending over that grade.

20 **Construction sign.** A temporary sign identifying the architect, engineer, contractor,
21 subcontractor, financier, sponsor, and/or material supplier participating in construction of a
22 residential or commercial development on the property on which the sign is located. The sign
23 may also designate the future occupant or use of the development.

1 **Copy.** The words and/or message displayed on a sign surface in either permanent or
2 removable letter form.

3 **Directional/information sign.** An on-premise sign giving directions, instruction, or
4 facility information to pedestrian and vehicular traffic. It may contain the name or logo of an
5 establishment but no advertising copy (i.e., parking or exit and entrance signs).

6 **Double-/multiple-faced sign.** A sign with two parallel faces.

7 **Electrical sign.** A sign or sign structure in which electrical wiring, connections, or
8 fixtures are used.

9 **Electronic Message Center.** See **Changeable copy sign, automatic.**

10 **Exterior Illuminated Sign.** A sign that is illuminated by a light source that is directed
11 towards and shines on the face of a sign; also called direct illumination.

12 **Facade.** The entire building front including the parapet.

13 **Face.** See **Sign face.**

14 **Festoons.** A string of ribbons, tinsel, small flags, or pinwheels.

15 **Flashing sign.** A sign which contains an intermittent or sequential flashing light source
16 used primarily to attract attention. Generally, the sign's message is constantly repeated. This
17 does not include changeable copy signs, animated signs, or signs which, through reflection or
18 other means, create an illusion of flashing or intermittent light.

19 **Freestanding sign.** A sign supported above the ground by visible poles or braces and
20 not attached to any building.

21 **Frontage.** The length of the property line of any one premises along a public
22 right-of-way on which it borders.

23 **Frontage, building.** The length of an outside building wall on a public right-of-way.

1 **Government sign.** Any temporary or permanent sign erected and maintained by the
2 city, borough, state or federal government for traffic direction or for designation of or direction
3 to any school, hospital, historical site, or public service, property or facility.

4 **Ground sign.** A sign other than a pole sign, in which the entire bottom is in contact
5 with or is close to the ground, there is no visible support structure, and it is independent of any
6 other structure.

7 **Halo-lit sign.** See **Backlit sign.**

8 **Height (of a sign).** The vertical distance measured from the highest point of the sign,
9 excluding decorative embellishments, to the grade of the adjacent street or the surface grade
10 beneath the sign, whichever is greater.

11 *[NOTE: Sign Code working group recommended that the definition be changed to allow properties at lower*
12 *elevations along the highway to have the same visibility as properties at or above street level (e.g. Grandview Inn &*
13 *Suites, Evangelos, commercial businesses along Lucus)]*
14

15 **Icon.** An image, symbol or emblem.

16 **Identification sign.** A sign whose copy is limited to the name and address of a building,
17 institution, or person and/or to the activity or occupation being identified.

18 **Illegal sign.** A sign which does not meet the requirements of this title and that has not
19 received legal nonconforming status.

20 **Illuminated sign.** A sign with an artificial light source incorporated internally or
21 externally for the purpose of illuminating the sign.

22 **Incidental sign.** A small sign, emblem or decal informing the public of goods, facilities,
23 or services available on the premises (i.e., a credit card sign or a sign indicating hours of
24 business).

25

1 **Inflatable device.** A sign that is a cold air inflated object, which may be of various
2 shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable
3 blower motor that provides a constant flow of air into the device. These devices are restrained,
4 attached, or held in place by a cord, rope, cable, weight, or similar method.

5 **Internally illuminated sign.** A sign that has the light source enclosed within it so the
6 source is not visible to the eye.

7 **Logo.** A design or symbol that represents a product, identity, or service.

8 **Lot.** A distinct parcel of land for ownership and tax purposes which is delineated and
9 fixed on a plat filed for record.

10 **Maintenance.** For the purposes of this chapter, this means the cleaning, painting, repair
11 or replacement of defective parts of a sign in a manner that does not alter the basic copy, design
12 or structure of the sign.

13 **Mansard.** A sloped roof or roofline facade architecturally comparable to a building
14 wall.

15 **Marquee.** A permanent roof-like structure or canopy of rigid materials supported by
16 and extending from the facade of a building.

17 **Marquee sign.** Any sign attached to or supported by a marquee structure.

18 **Menu Board.** A variable-message sign that allows a retailer to list products and prices
19 (i.e. the bill of fare for a fast-food restaurant.)

20 **Message Area.** The area within the sign panel describing the limits of the message.

21 **Name plate.** A nonelectric on-premises identification sign giving only the name,
22 address, and/or occupation of an occupant or group of occupants.

23

1 **Nonconforming sign.** A sign which was erected legally and maintained but does not
2 comply with subsequently enacted sign restrictions and regulations;

3 **Occupancy.** The portion of a building or premises owned, leased, rented or otherwise
4 occupied for a given use.

5 **Off-premises sign.** A sign structure advertising or directing attention to a specific
6 business, establishment, product, service, commercial activity, or entertainment event or activity
7 that is not sold, produced, manufactured, furnished, or conducted at the property upon which said
8 sign is located (i.e., billboards or outdoor advertising).

9 **On-premises sign.** A sign whose message and design relates to a business, profession,
10 product, service, event, or other commercial activity sold, offered, or conducted on the same
11 property where the sign is located.

12 **Owner.** A person recorded as such on official records. For the purposes of this chapter,
13 the owner of property on which a sign is located is presumed to be the owner of the sign unless
14 facts to the contrary are officially recorded or otherwise brought to the attention of the city
15 planner or designee (i.e., a sign leased from a sign company).

16 **Painted wall sign.** A sign that is applied with paint or similar substance on a building
17 surface.

18 **Parapet.** The extension of a false front or wall above a roofline.

19 **Pennant.** A triangular or irregular piece of fabric or other material, commonly attached
20 in strings or stands, or supported on small poles intended to flap in the wind.

21 **Permanent sign.** A sign attached to a building or structure, or to the ground in a manner
22 that enables the sign to resist environmental loads, such as wind, and that precludes ready
23 removal or movement of the sign and whose intended use appears to be indefinite.

1 **Person.** A partnership, firm, joint venture, public agency, government, company,
2 corporation or other association, as well as a natural person.

3 **Planner.** The city planner or designee.

4 **Point of purchase display.** Advertising of a retail item accompanying its display (i.e.,
5 an advertisement on a product dispenser).

6 **Pole cover.** An enclosure for concealing and/or decorating poles or other structural
7 supports of a sign.

8 **Pole sign.** See Freestanding sign.

9 **Political sign.** A temporary sign used in connection with a local, state or national
10 election or referendum.

11 **Portable sign.** Any sign designed to be moved easily and not permanently affixed to the
12 ground, a structure or a building.

13 **Premises.** A parcel of land with its appurtenances and buildings which, because of its
14 unity of use, may be regarded as the smallest conveyable unit of real estate.

15 **Projecting sign.** A building-mounted sign with the faces of the sign projecting from and
16 perpendicular to the building fascia. This does not include signs located on a canopy, awning,
17 or marquee.

18 **Pylon sign.** See Freestanding sign.

19 **Real estate sign.** A temporary sign advertising the real property upon which the sign is
20 located as being for rent, lease or sale that provides the name and contact information for the
21 owner or their agent.

22 **Regulatory sign.** A sign having the primary purpose of conveying information
23 concerning rules, ordinances, or laws.

1 **Right-of-way (ROW).** The land on which a public thoroughfare is located and certain
2 lands adjacent thereto.

3 **Roof line.** The top edge of a roof or building parapet, whichever is higher, excluding
4 any cupolas, architectural pylons, chimneys, or minor projections.

5 **Roof sign.** A building-mounted sign erected upon, against, or extending either partially
6 or completely over the roof of the building.

7 **Rotating sign.** A sign in which the sign itself or any portion of the sign moves in a
8 revolving or similar manner. Such motion does not refer to methods of changing copy.

9 **Sandwich board/Sidewalk sign.** A sign not secured or attached to the ground or
10 surface upon which it is located, but supported by its own frame and most often forming the
11 cross-sectional shape of an A.

12 **Sight triangle.** A triangle at an intersection, formed by the two roads or rights-of-way
13 and a third line, which must be kept clear of obstructions such as hedges so that people in
14 vehicles on one road can see cars approaching on the other road.

15 **Sign.** Any device, structure, fixture, painting, visual image, flashing light, strobe or
16 placard regardless of whether it is standalone or fixed using graphics, symbols, numbers and/or
17 written copy designed specifically for the purpose of advertising, identifying, or attracting
18 attention to any establishment, product, goods or services.

19 **Sign area – Projecting and Freestanding sign.** The area of a freestanding sign or
20 projecting sign shall have only one face (the largest one) of any double- or multifaced sign
21 counted in calculating its area. The area of a sign shall be measured as follows if the sign is
22 composed of one or two individual cabinets:

23

1 1. The area around and enclosing the perimeter of each cabinet or module shall
2 be summed and then totaled to determine total area. The perimeter of measurable area
3 shall not include embellishments such as pole cover, framing, decorative roofing, etc.;
4 provided, that there is not written advertising copy on such embellishments.

5 2. If the sign is composed of more than two sign cabinets or modules, the area
6 enclosing the entire perimeter of all cabinets and/or modules within a single,
7 continuous geometric figure shall be the area of the sign. Pole covers and other
8 embellishments shall not be included in the area of measurement if they do not bear
9 advertising copy.

10 **Sign area – Wall sign.** The area shall be within a single, continuous perimeter
11 composed of any straight line geometric figure which encloses the extreme limits of the
12 advertising message. If the sign is composed of individual letters or symbols using the wall as
13 the background with no added decoration, the total sign area shall be calculated by measuring the
14 area within the perimeter of each symbol or letter. The combined areas of the individual figures
15 shall be considered the total sign area.

16 **Sign face.** The surface area of a sign on which the advertising copy or message is
17 placed or displayed.

18 **Snipe sign.** A temporary or permanent sign or poster tacked, nailed, posted, pasted,
19 glued, taped, or otherwise attached to trees, telephone or utility poles, public benches,
20 streetlights, or placed on any public property or within a public right-of way.

21 **Subdivision identification sign.** A freestanding or wall sign identifying a recognized
22 subdivision, condominium complex, or residential development.

1 **Temporary sign.** A sign not constructed or intended for long-term use or permanent
2 installation. Generally these signs are intended to be used for a limited period of time for
3 purposes such as announcing special events or sales, announcing the sale or rental of property,
4 supporting political positions, or presenting other miscellaneous or incidental information or
5 instructions.

6 **Under-canopy sign.** A sign suspended beneath a canopy, ceiling, roof or marquee.

7 **Use.** The purpose for which a building, lot, sign or structure is intended, designed,
8 occupied or maintained.

9 **Wall sign.** A building-mounted sign that is either attached to, displayed on, or painted on
10 an exterior wall in a manner parallel with the wall surface, and not projecting more than 18
11 inches from such surface.

12 **Window sign.** A sign that is painted on, attached to, or suspended directly behind a
13 window for the intended purpose of being viewed from the outside.

14 **16.32.040 Compliance required.**

15 No person shall erect, place or maintain a sign in the city except in accordance with the
16 provisions of this chapter.

17 **16.32.050 Signs prohibited.**

18 The following types of signs are prohibited in all districts:

19 A. Abandoned signs;

20 B. Signs imitating or resembling official traffic or government signs or signals of
21 response vehicles;

22 C. Snipe signs or signs attached to trees, telephone or utility poles, public benches,
23 streetlights, or placed on any public property or within a public right-of way;

- 1 D. Signs placed on vehicles or trailers which are parked or located for the primary
2 purpose of displaying the sign. This does not apply to allowed portable signs or to signs or
3 letters on buses, taxis or vehicles operating during the normal course of business;
- 4 E. Signs with flashing, intermittent, revolving or blinking illumination, or an alternating
5 light pattern or which are animated, other than electronic message centers, as permitted in this
6 chapter. No sign regulated by this chapter may utilize:
- 7 1. An exposed incandescent lamp with an external reflector and without a sunscreen
8 or comparable diffusion,
- 9 2. Any revolving beacon or flashing light,
- 10 3. Signs using exposed incandescent light sources exceeding 60 watts per source;
- 11 F. Signs using reflectors, mirrors or other devices intended to focus or direct illumination
12 from the sign to any other place;
- 13 G. Wall signs exceeding a maximum height of 30 feet or the height of the roofline,
14 whichever is less;
- 15 H. Off-premises signs;
- 16 I. Billboards;
- 17 J. Banners, except when approved for a special event or as a temporary sign;
- 18 K. Pennant signs with advertising copy or logos, except when approved for a special
19 event or as a temporary sign;
- 20 L. Inflatable devices with or without copy or logos, except when approved for a special
21 event or as a temporary sign;
- 22 M. Signs located within the sight triangle that are between three feet and nine feet in
23 height, not including the support poles; and

1 N. Any sign not specifically permitted in this section.

2 **16.32.060 Permits required.**

3 Unless otherwise provided by this title, all signs shall require permits and payment of fees as
4 described in the section covering administration and enforcement. No permit is required for the
5 maintenance of a sign or for a change of copy on painted, printed or changeable copy signs.

6 **16.32.070 Signs not requiring permits.**

7 The following types of signs are exempted from permit applications but must be in
8 conformance with all other requirements of this chapter:

- 9 A. Construction signs with a sign area of 32 square feet or less and eight feet or less in
10 height;
- 11 B. Directional/information signs of eight square feet or less and three feet or less in
12 height;
- 13 C. Holiday or special events decorations;
- 14 D. Nameplates of 12 square feet or less;
- 15 E. Political signs;
- 16 F. Public signs or notices, or any sign relating to an emergency;
- 17 G. Real estate signs;
- 18 H. Window signs;
- 19 I. Incidental signs;
- 20 J. Point of purchase display signs;
- 21 K. Religious icons; and
- 22 L. Wall signs.

23

1 **16.32.080 Maintenance.**

2 All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint
3 is required. Defective parts shall be replaced. The city planner or designee shall have the right
4 to order the repair or removal of any sign which is defective, damaged or substantially
5 deteriorated.

6 **16.32.090 Changeable copy.**

7 Unless otherwise specified by this title, any sign herein allowed may use manual or
8 automatic changeable copy.

9 **16.32.100 Sign setback requirements.**

10 A. The base of structural members supporting signs mounted on the ground shall be set
11 back at least three feet from any public right-of-way except that of the George Parks Highway.

12 The base of structural members supporting signs mounted on the ground shall be set back at least
13 five feet from the right-of-way of the George Parks Highway.

14 B. Repealed. (moved to subsection A above)

15 C. No part of any sign shall encroach into a public right-of-way or the air space above
16 such a right-of-way, nor shall any part of a sign obscure the line of sight within the sight triangle.

17 The sight triangle area at the intersection of two public streets is formed by measuring from the
18 point of the intersection of the two rights-of-way a distance of 25 feet along said rights-of-way

19 and connecting the points so established to form a sight triangle on the area of the lot adjacent to

20 the street intersections. The sight triangle area at the intersection of a public street and a private

21 access way is formed by measuring from the point of the intersection of the right-of-way a

22 distance of 25 feet along said right-of-way and a distance of 15 feet along said private access

23 way and connecting the points so established to form a sight triangle on the area of the lot

1 adjacent to the street and private access way intersection.

2 **16.32.110 Signs permitted in all zones.**

3 The following signs are allowed in all zoning districts:

4 A. All signs allowed in Section 16.32.070;

5 B. **Construction sign.** One construction sign for each street frontage of a construction
6 project, not to exceed 32 square feet in sign area and eight feet in height. Such signs may be
7 erected 30 days prior to beginning of construction and shall be removed 30 days following
8 completion of construction;

9 C. **Real estate sign.** One non-illuminated real estate sign per lot or premises, not to
10 exceed 32 square feet in sign area and eight feet in height. Such signs must be removed one
11 week following sale, rental or lease;

12 D. **Nameplate.** One attached nameplate per occupancy, not to exceed two square feet in
13 sign area;

14 E. *Repealed by IM 07-24;*

15 F. **Directional sign.** One directional/information sign per lot, not to exceed eight square
16 feet in sign area or three feet in height;

17 G. **Special event sign.** Two temporary special event signs and decoration per premises
18 for special events, grand openings, or holidays. Such signs and decorations may be erected
19 seven days prior to a special event or holiday and shall be removed seven days following the
20 event or holiday. For grand openings such signs may be used for no more than 14 days; (Add
21 maximum size, height, duration, and type of signage.)

22 H. **Snipe sign.** Snipe signs for three days or less. Signs must be dated. (Clarify if
23 allowed in right-of-way or only on private property – specifically yard sale signs)

1 **16.32.120 Signs permitted in residential zones.**

2 The following signs are allowed in all residential zoning districts subject to the restrictions
3 within this subsection:

4 A. **Maximum height.** All allowed freestanding signs in this subsection shall have a
5 maximum height limit of six feet.

6 B. All signs allowed in Sections 16.32.070 and 16.32.110;

7 C. **Subdivision sign.** Two subdivision signs per neighborhood, subdivision or
8 development, not to exceed 32 square feet in sign area;

9 D. **Identification sign.** One identification sign per apartment or condominium complex,
10 not to exceed six square feet in sign area;

11 E. **Religious sign.** Churches and synagogues may have one freestanding sign, not to
12 exceed 32 square feet in sign area and one wall sign not to exceed six square feet in
13 sign area.

14 F. **Other non-residential uses.** A non-residential use may have one freestanding sign,
15 not to exceed 32 square feet in sign area and one wall sign not to exceed six square
16 feet in sign area.

17 **16.32.130 Signs in the commercial and industrial zone.**

18 The following signs are allowed in the commercial and industrial zoning districts:

19 A. All signs as allowed in Section 16.32.070 and 16.32.110;

20 B. **Freestanding sign.** One freestanding sign per premises, not to exceed one square
21 foot in sign area for each linear foot of main street frontage up to a maximum of 150 square feet.

22 Such signs may not exceed a height of 25 feet. Where an occupancy is on a corner or has more
23 than one street frontage, one additional freestanding sign will be allowed on the additional

1 frontage, not to exceed the area and/or height of the other freestanding sign. Where a lot has in
2 excess of 400 feet of street frontage, one additional freestanding sign will be allowed for each
3 additional 100 feet of street frontage. Such signs shall be subject to the size and height
4 limitations of the first allowed freestanding sign and may be placed no closer than 250 feet to
5 any other freestanding sign on the same premises;

6 C. **Under-canopy sign.** One under-canopy sign per occupancy, not to exceed 50 square
7 feet in sign area;

8 D. **Incidental sign.** One incidental signs, not to exceed six square feet in aggregate sign
9 area per occupancy;

10 E. (Repeal subsection – information relocated to subsection D)

11 F. **Awning sign.** One awning sign, with text, per occupancy not to exceed 30 percent of
12 the surface area of an awning, or one marquee sign, not to exceed one square foot in sign area for
13 each linear foot of marquee front and side;

14 G. **Portable sign.** One portable sign per lot, not to exceed 32 square feet in sign area or
15 five feet in height. Such signs may be displayed eight times per year for periods not to exceed
16 two weeks;

17 H. Repeal subsection (information relocated to subsection D)

18 I. **Projecting sign.** A projecting sign may be used instead of any freestanding sign, not
19 to exceed a sign area of one square foot for each linear foot of an occupancy’s building frontage
20 up to a maximum of 50 square feet. Signs may not project more than six fee from the building
21 face and the lowest portion of the sign must be a minimum of eight feet from the sidewalk or
22 pedestrian area;

23

1 J. **Ground sign.** Two ground signs may be used instead of any one free standing sign,
2 not to exceed 50 square feet each and five feet in height;

3 K. **Wall sign.** Any size and amount of wall signs;

4 L. **A-frame/sandwich board signs.** One A-frame/sandwich board sign is allowed per
5 business provided that the size of the sign does not exceed three feet in width and four
6 feet in height, the sign is only placed on the lot where the business occurs, is only in
7 place during store hours, and is stored inside at all other times.

8 **16.32.140 Nonconforming signs - Determination of legal nonconformity.**

9 Existing signs which do not conform to the specific provisions of the chapter may be eligible
10 for the designation “legal nonconforming,” provided that:

11 A. Such signs are properly maintained and do not in any way endanger the public; and

12 B. The sign was covered by a valid permit or variance or complied with all applicable
13 laws on the date of adoption of this chapter.

14 **16.32.150 Loss of legal nonconforming status.**

15 A legal nonconforming sign will lose this designation if:

16 A. The sign is relocated or replaced; or

17 B. The structure or size of the sign is altered in any way except towards compliance with
18 this chapter. This does not refer to change of copy or normal maintenance.

19 **16.32.160 Maintenance and repair of nonconforming signs.**

20 The legal nonconforming sign is subject to all requirements of this chapter regarding safety,
21 maintenance and repair. However, if the sign suffers more than 50 percent appraised damage or
22 deterioration, it must be brought into conformance with this chapter or removed.

23

1 **16.32.170 Construction information.**

2 All electrical signs shall be constructed and located in such a way as to meet required federal,
3 state, and city laws statutes and ordinances and meet the requirements of the National Electrical
4 Code.

5 **16.32.180 Anchoring.**

6 A. No sign shall be suspended by non-rigid attachments that will allow the sign to swing
7 in a wind.

8 B. All freestanding signs shall have self-supporting structures erected on or permanently
9 attached to concrete foundations or steel pilings.

10 C. All portable signs on display shall be braced or secured to prevent motion.

11 **16.32.190 Additional safety information.**

12 A. No sign shall be erected, constructed or maintained so as to obstruct any fire escape,
13 required exit, window or door opening used as a means of egress.

14 B. No sign shall be attached in any form, shape, or manner which will interfere with any
15 opening required for ventilation, except that signs may be erected in front of and may cover
16 transom windows when not in violation of building or mechanical codes.

17 C. Signs shall be located in such a way as required to meet state and/or city safety
18 standards.

19 **16.32.200 Administration and enforcement - City planner.**

20 A. The city planner or designee is authorized to process applications for permits and
21 variances, hold public hearings as required, and enforce and carry out all provisions of this
22 chapter, both in letter and in intent. The city planner or designee is authorized to promulgate
23 regulations and procedures consistent with this function.

1 B. The city planner or designee is empowered, upon presentation of proper credentials, to
2 inspect any structure, or premises in the city for the purpose of inspection of a sign to ensure
3 compliance with this chapter. Such inspections shall be carried out during business hours unless
4 an emergency exists.

5 **16.32.210 Application for permits.**

6 Application for a permit for the erection, alteration, or relocation of a sign shall be made to
7 the city planner or designee on a form provided by the city planner or designee and shall include
8 the following information:

9 A. Name and address of the owner of the sign;

10 B. Street address or location of the property on which the sign is to be located, along with
11 the name and address of the property owner;

12 C. The type of sign or sign structure as defined in this chapter;

13 D. A site plan showing the proposed location of the sign along with the locations and
14 square footage areas of all existing signs on the same premises; and

15 E. Specifications and scale drawings showing plans, elevation, materials, design,
16 dimensions and structural supports.

17 **16.32.220 Permit fees.**

18 All applications for permits filed with the city planner or designee with the appropriate fee.

19 **16.32.230 Issuance and denial.**

20 A. The city planner or designee shall issue a permit for the erection, alteration or
21 relocation of a sign within five working days of receipt of a valid and complete application,
22 provided that the sign complies with all applicable laws and regulations of the city. In all
23 applications, where a matter of interpretation arises, the more specific definition or higher

1 standard shall prevail.

2 B. When a permit is denied, a written notice shall be provided to the applicant along with
3 a brief statement of the reasons for denial. The city planner or designee may suspend or revoke
4 an issued permit for any false statement or misrepresentation of fact in the application.

5 **16.32.240 Permit conditions.**

6 A. Permit fees are nonrefundable.

7 B. A permit becomes null and void if work is not completed within one year of the date of
8 issuance.

9 **16.32.250 Removal of sign by planner.**

10 The city planner or designee may cause the immediate removal of signs within the public
11 right-of-way consistent with the regulations in WMC 12.16.040. Additionally, dangerous or
12 defective signs that presents a hazard to the public safety may be removed without notice to the
13 owner.

14 **16.32.260 Variance provisions.**

15 Variances to the setbacks, sign area, number of signs per parcel, and height of signs may be
16 requested by a property owner, or authorized agent. The application process, notice
17 requirements, and variance standards shall be the same as those for variances in Section
18 16.28.110. In granting a sign variance, the planning commission may prescribe conditions and
19 safeguards to assure conformity with the purpose and intent of this chapter and consistency with
20 the city comprehensive plan and any other applicable adopted city plans.

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- **PURPOSE**

The purpose of the landscaping standards in this chapter is to ensure that new landscaping and the retention of existing vegetation is an integral part of all development. It is the intent of these standards to promote the environmental and community benefits of a healthy, diverse, and well managed urban forest. These standards are intended to:

- Visually enhance the community image through new landscaping improvements and/or retention of existing vegetation;
- Promote the use of existing vegetation and retention of trees, woodlands, habitat, and urban forest;
- Encourage the use of native plants to improve plant establishment, survival, and vitality;
- Soften the view and break up the visual impact of extensive paved parking areas and surfaces;
- Separate, screen, and buffer adjacent incompatible land uses through the use of landscape plantings, fencing, and other appropriate landscape architectural features;
- Allow for appropriate removal of trees utilizing an objective criterion-based review and appropriate replanting of quality trees;
- Reduce noise, dust pollution, and glare;
- Provide privacy in residential settings;
- Provide for erosion control, runoff reduction, and pollutant mitigation; and
- Eliminate or reduce the need for irrigation by providing landscaping that are well-suited to the environment and climate.
- Ensure that landscaping design is consistent with accepted Community Prevention Through Environmental Design (CPTED) principles.

- **APPLICABILITY**

- Except as provided in this chapter, every administrative approval, use permit, and conditional use permit approved under this title shall be conditioned upon compliance with an approved landscaping plan that conforms to the requirements of this chapter.

- **EXEMPTIONS**

The following uses are exempt from the landscaping requirements in this chapter:

- Temporary Uses
- Single-family home
- Duplex
- Areas authorized by the city for public or private parks, playgrounds, playing fields, or golf courses that will be retained in pervious ground cover. Parking lots, community centers, clubhouses, and other typical accessory uses or structures must comply with the landscape requirements in this chapter.
- Airport lease lots
- Legal nonconforming commercial buildings except when there is a change of use of the building (e.g. retail to office, office to retail, retail to automotive uses). At that time, the landscaping must be brought into compliance with the regulations in this chapter to the greatest extent possible, as determined by the City Planner.

- **LANDSCAPE PLAN**

- **Submittal**

- A landscape plan that adequately indicates compliance with applicable landscaping standards in this chapter must be submitted with the development/permit application. For commercial developments with a greater than 5,000 gross floor area and/or a lot size greater than one-half acre and for multi-family residential developments, the landscape plan must be prepared and sealed by a licensed landscape architect registered in the state of Alaska or a professional with similar landscaping expertise, as approved by the City Planner.

- **Plan Components**

- Calculations, dimensions, notes, and details necessary to describe the landscape elements and their relation to the site boundary and site improvements.
- Include owner notification of the responsibility for the establishment of newly planted vegetation and the continuing obligation to maintain all landscape elements.
- Where a landscape plan is required, the plan shall include the following:
 - The common name of each plant used;
 - The number, height, and diameter of each plant;
 - The locations where different plant types will be used;
 - The locations, size, and type of vegetation to be preserved in its natural state;
 - Location of any retaining walls and/or fences;
 - Location of existing or proposed utilities and easements of record;
 - Location of all property lines including all streets that border the lot/parcel;
 - Location of any existing or proposed structures or parking areas;
 - North arrow and scale; and
 - Site drainage and drainage patterns, unless shown on civil drawings.

- **Landscape Design**

- Design must take into consideration existing protected trees and incorporate existing trees and vegetation where practical to lower adverse impacts of development.

- **Existing Tree inventory**

- The provisions of this section apply to any land use or development activity permit application required to inventory on-site protected trees. If no protected trees exist on site, that condition must be identified in the application documents.
- A scaled drawing identifying all existing protected trees and their locations relative to the development parcel boundary and to existing and proposed improvements. It must identify the location, circular critical root zone (CRZ) boundary, and diameter at breast height (DBH). Estimates may be made for inaccessible trees, but they must be noted as such on the drawing.

- **GENERAL LANDSCAPING REQUIREMENTS AND STANDARDS**

- **Minimum Lot area to be landscaped**

- A minimum of 15 percent of the total lot area must be covered with landscaping. The planting of grass and annual flowers alone does not constitute landscaping in the context of this section.

- **Preservation of Existing Vegetation**

- Existing healthy trees must be preserved to the greatest extent practical to sustain an age-diverse urban forest and to minimize tree canopy cover losses.
- Native plant material area. Natural vegetation that is sufficient to meet the intent of the standards set out in this chapter may be retained in place of all or part of any required landscaping. Existing trees may be credited toward the landscape requirements on a 2:1 basis if an evergreen or a 1:1 basis if a deciduous tree.

- Individual trees

- Trees over 5" diameter at breast height (DBH) are considered protected trees and must be inventoried as required in this chapter. Note: This equals 15.7" circumference.
- Protection requirements.
 - The critical root zone is, and will remain, substantially undisturbed. The critical root zone (CRZ) is represented by a circle, centered on the tree trunk and having a radius of one and one-half foot for each one inch of trunk diameter (DBH). Although an undisturbed circular area centered on the tree generally assures less critical root loss, modifications to the CRZ perimeters resulting in non-concentric, irregular, and/or smaller areas are acceptable for tree preservation if either of the following conditions are met:
 - Maximum disturbance. The modified root zone includes at least 50 percent of the concentric CRZ, contains no less total contiguous area than the concentric CRZ, and includes no disturbance or encroachments by improvements within the structural root plate area.
 - Existing conditions. The tree has demonstrated long-term viability within the same sub-standard root zone and that area will not be further reduced or adversely impacted. In some cases, a certified arborist may be required to delineate the functioning root zone and confirm avoidance of further impacts.
 - The structural root plate is represented by a circle, centered on the tree trunk and having a radius of one-half foot for each inch of trunk diameter (DBH), but no less than six feet and no more than 10 feet.
 - Canopy. No more than 25 percent of the canopy has been or will be removed and the pruning is done according to ANSI standards (A300).
 - Protective barriers. Trees designated for preservation must be protected from all potentially harmful activity during development by the temporary installation of protective

- barriers. Barriers must be constructed of chain link fence, orange laminated plastic fencing, or wood posts and rails, consistent with professional arboricultural practices and must be installed along the perimeter of all required preserve areas prior to any land clearing, demolition, grading, or construction. No potentially harmful activity may take place within the protective barrier. This includes, but is not limited to grade change, trenching, compaction, grubbing, or root raking.
- Replacement of removed protected trees. When protected trees are removed from the site to allow for development, replacement trees to mitigate lost benefits of the trees removed shall be provided according to the following provisions, in addition to the trees prescribed for general landscaping:
 - Replacement ratio. Within the applicable replacement limits of this section, no less than 50 percent of the total protected tree trunk diameter (DBH) inches removed shall be replaced in total caliper inches of new canopy trees planted. For example, if the diameters (DBH) of all protected trees removed totaled 39 inches, the minimum required replacement would be $39 \times 0.50 = 19.5$ caliper inches. Three replacement possibilities for the example given are: eight 2.5-inch trees providing 20 caliper inches, three 2.5-inch and four 3-inch trees providing 19.5 caliper inches, or seven 3-inch trees providing 21 caliper inches.
 - Replacement reduction. If a standard arboricultural assessment of a tree documents damage, decay, poor structure or other substandard conditions, city officials may proportionally reduce the replacement required by its removal.
 - Replacement trees. All trees planted as replacements for removed protected trees shall meet the requirements for tree selection prescribed in this section. Any of the tree species identified as pre-approved replacements may be planted. Other native trees with confirmed moderate to high drought tolerance and wind resistance may be proposed for city review and acceptance.
 - Replacement fee. If any required replacement trees cannot be accommodated on the site of the removed trees in conformance with the minimum spacing, root area, and other applicable provisions of this section, the unplanted mitigation shall be fulfilled by a contribution to the city tree restoration fund. The fee shall be collected at the time of issuance of any permit authorizing the tree removal.
 - **Unit cost basis.** The restoration fund contribution for unplanted mitigation is based on the unit cost of a standard replacement tree. That cost shall be the sum of the typical purchase, planting, and establishment (e.g., initial watering) costs of a 2.5-inch caliper)

evergreen tree that is appropriate for planting in Alaska, as estimated by the city. The city shall periodically reevaluate the unit cost to assure that the amount accurately represents the complete costs of a replacement tree.

- **Calculation.** The restoration fund contribution is determined by dividing the caliper inches of unplanted mitigation by 2.5 to determine the required number of standard replacement trees. The calculated number of trees is then multiplied by the unit cost of a standard replacement tree. For example, eleven caliper inches of mitigation not provided on site, divided by 2.5 inches per tree, equals 4.4 trees. An amount equal to 4.4 times the fee schedule cost of a replacement tree is the required Tree Restoration Fund contribution.
- **Use of fees.** All tree replacement fees collected by the city will be deposited to the City tree restoration fund, which shall be used to plant trees along sidewalks within public street rights-of-way and/or within City parks.

○ **Plant Materials**

- Plant material must be true to name, variety, and size and must conform to all applicable provisions of American Standards for Nursery Stock, latest edition.
- Minimum size
 - Shrubs must be a minimum of 24 inches in height at time of planting
 - Trees must be a minimum of 8 feet in height or a minimum of 1.5” caliper at DBH, whichever is larger, at time of planting.
- Quality. All plant material must be healthy, of a suitable type for the site conditions being used in, and hardy to the project area.
- Species. All landscaping shall utilize native plant species.
- Diversity. The diversity of any trees required to be planted on a site shall comply with the following limits to avoid uniform site tree decline from pests or disease:

Number of new trees planted on site	Maximum percentage of any one species planted
5 – 19	67%
20-49	40%
50 or more	30%

- Installation. All required landscaping must be installed in a sound manner utilizing established professional standards and consistent with the requirements in this chapter.
- Ground covers and mulch. All ground cover around vegetation must consist of dead vegetative matter, or product with similar appearance, unless otherwise approved by the Planning Commission.

○ **Planting Location**

- Placement. Installation of plants in appropriate locations is essential to long-term survival. Locations should match mature plant size to available soil volume and other conditions necessary for healthy growth. Appropriate separation must be provided from pavement, structures, streets, driveways, curbs, sidewalks, signs, lights, and utilities.

Vehicle Overhang. All required landscape planting beds must be protected from vehicular damage. Vehicular use areas shall provide raised curbs, wheelstops, bollards, or other effective means to permanently protect landscape areas from damage by vehicle encroachment. Vehicles may not overhang into landscape areas beyond the designed boundaries of vehicular use areas.

Utility Easements/Overhead Utilities

- Only plants that will not create persistent utility maintenance or interference problems may be installed where overhead utilities exist.
 - Trees may not be planted directly below powerlines to prevent them from being energized or disrupting service.
 - Understory trees may be planted near power lines.
 - Vegetation within a utility easement may not achieve heights greater than 14 feet or intrude from the side closer than 10 feet to power lines, or exceed clearances otherwise required by applicable ANSI standards. Canopy trees must be planted at minimum of 25 feet from power lines and large maturing species should be planted a minimum of 50 feet away from power lines.
- Visibility Clearance Areas/Sight distance
 - Landscaping within the sight distance areas must be designed, installed, and maintained to allow visibility between three feet and nine feet above grade. The trunks of mature trees trimmed of foliage to nine feet and newly planted trees with immature crown development allowing visibility are generally acceptable within this area.

○ **Installation**

- Timing
 - All landscaping structural requirements (e.g. drainage, grading, concrete, rock or keystone bed structures, sidewalks) must be in place prior to occupancy. If occupancy occurs outside the planting season, all landscaping must be in place no later than June 30 of the following year. Topsoil addition and final grading, seeding, and plantings must be in place within 12 months of occupancy, or within the first growing season after occupancy, whichever comes first.
- Tree protection and preservation
 - Tree roots. In addition to the minimum areas required by this chapter for planted and preserved trees, curb, sidewalks, and other concrete around trees must be minimized and more flexible materials utilized to accommodate tree roots (e.g. crushed rock, porous pavers)

○ **Guaranty**

- Insert Section 16.33.040 language
- Require 2 year guaranty to ensure vegetation lives past first season

- **TYPES OF LANDSCAPING** (Create Tables – see Anchorage)
 - **Site Perimeter/Project Boundary**
 - Purpose
 - Applicability
 - Exemptions
 - Visual Enhancement
 - Buffer
 - Screening
 - Freeway
 - **Parking Lot and Vehicular Use Areas – Street, Perimeter, and Interior** (Create Tables – see Seattle)
 - Purpose. All parking lots and vehicular use areas must be screened from view from the right-of-way and/or adjacent residential areas to soften the appearance of these areas.
 - Applicability
 - Except as provided in this chapter, all parking lots must provide landscaping
 - Exemptions
 - Parking developed only for one single-family or one two-family structure on a lot.
 - Vehicular display areas for automobile sales or rentals are exempt from the landscaping requirements in this section except for the landscaped areas at the termination of parking rows. All other areas of the site must comply with the standards in this chapter.
 - Truck wells, loading docks, and other areas designated exclusively for the loading and unloading of vehicles.
 - Parking lot perimeter. All parking lots visible from public rights-of-way must be screened with a combination of trees, shrubs, and/or other plant materials, possibly in combination with fences and berms.
 - Minimum of a 10-foot wide landscape strip/planting bed. Driveways and sidewalks may cross such strips to provide approved site access.
 - Encroachments and overhang. Vehicular use areas shall provide raised curbs, wheel stops, bollards, or other effective means to permanently protect landscape areas and irrigation systems from damage by vehicle encroachment. Vehicles may not overhang into landscape areas beyond the designated boundaries of vehicular use areas. Only grass and ground cover may be planted in any vehicle overhang areas and does not count toward the minimum landscaping.
 - For parking lots containing less than five parking spaces, an area equal to at least five percent of the parking lot must be planted with landscaping that is visible from the street.
 - For parking lots containing five up to 20 spaces, an area equal to at least 10 percent of the parking area must be planted with landscaping that is visible from the street.
 - For parking lots containing more than 20 spaces, an area equal to at least 15 percent of the parking area must be planted with landscaping that is visible from the street.

- Parking row terminations
 - All rows of parking stalls shall be terminated at each end with a landscape area having the full length of the adjoining parking stall and containing at least one planted or preserved canopy tree. The landscape area must be sufficiently sized to provide the minimum root zone for a preserved tree. Where a double row of interior parking stalls ends, the terminating landscape area shall be combined as one continuous area to maximize rooting area except when a dividing pedestrian and/or handicap accessibility route may be appropriate and approve by the City Planner.
 - Exemptions.
 - Parking lots in the industrial zoning district are exempt from the requirements in this section.
- Continuous parking stalls
 - Each row of parking must contain 15 or less continuous stalls without interruption by a landscape area. Each landscape area must be consistent with the dimensions required for parking row terminations above.
 - If any of the following conditions exist, no more than 12 continuous stall may be provided:
 - The total number of on-site parking spaces exceeds 50;
 - The total number of on-site parking spaces exceeds the number required by the applicable parking ratios in Title 16 by more than 10 percent; or
 - The dimensions of drive aisles and/or parking stalls exceed the standards in Title 16.
 - Exemptions.
 - Parking lots in the industrial zoning district are exempt from the requirements in this section.
- Parking lot interior (Update specific numbers for each type of vegetation using Target as an example for the formula.)

Landscaping requirements for surface parking areas	
Number of parking spaces	Required landscaped area
20 to 50	18 square feet, per parking space
51 to 99	25 square feet, per parking space
100 or more	35 square feet, per parking space

- Each landscaped area shall be no smaller than 100 square feet and must be protected by permanent curbs or structural barriers.
- No part of a landscaped area shall be less than 4 feet in width or length except those parts of landscaped areas created by turning radii or angles of parking spaces.
- No parking space shall be more than 60 feet from a required landscaped area.

- The landscaped area may include bio-retention facilities.
- Trees in surface parking areas
 - One tree is required for every ten parking spaces.
 - Trees shall be selected in consultation with the City Planner.
- Screening of surface parking areas
 - Three-foot-high screening is required along street lot lines.
 - Surface parking abutting or across an alley from a lot in a residential zone must have 6-foot-high screening along the abutting lot line and a 5-foot-deep landscaped area inside the screening.

e. The City Planner may waive or reduce the requirements of this subsection:

- 1) to improve safety;
- 2) to provide adequate maneuvering room for service vehicles;
- 3) when it would not otherwise be feasible to provide the required number of spaces; or
- 4) when required parking can only be provided at the rear lot line and access to individual parking spaces can only be provided directly from the alley.

f. In deciding whether and to what extent to waive or reduce the landscaping and screening requirements, the City Planner shall consider whether:

- 1) the lot width and depth permit alternative workable site plans that would allow screening and landscaping;
- 2) the character of uses across the alley, such as a parking garage accessory to a multifamily structure, makes the screening and landscaping less necessary;
- 3) the lot is in a location where access to parking from the street is not permitted; and
- 4) a topographic break between the alley and the residential zone makes screening less necessary.

2. Fences or free-standing walls associated with utility services uses may obstruct or allow views to the interior of a site. Where site dimensions and site conditions allow, applicants are encouraged to provide both a landscaped setback between the fence or wall and the right-of-way, and a fence or wall that provides visual interest facing the street lot line, through the height, design or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features. Any fence or free-standing wall for a utility services use must provide either:

- a) A 5-foot-deep landscaped area between the wall or fence and the street lot line; or
- b) Architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual interest facing the street lot line, as approved by the City Planner.

3. Other uses or circumstances. Screening and landscaping is required according to Table D:

Table D	
Use or Circumstance	Minimum Requirement
a. Drive-in businesses abutting or across an alley from a lot in a residential zone	6-foot-high screening along the abutting or alley lot lines; and A 5-foot-deep landscaped area inside the screening, when a drive-in lane or queuing lane abuts a lot in a residential zone

b. Drive-in businesses, other than gas stations, in which the drive-in lane or queuing lanes are across the street from a lot in a residential zone	3-foot-high screening
c. Garbage cans in RR zones, or associated with a structure containing a residential use in C zone	3-foot-high screening along areas where garbage cans are located
d. Garbage dumpsters in RR zones, or associated with structures containing a residential use in C zones	6-foot-high screening
e. Gas stations in RR zones or, in C zones, across the street from a lot in a residential zone	3-foot-high screening along street lot lines
f. Mobile home parks	6-foot-high screening along all lot lines that are not street lot lines; and Along all street lot lines, a 5-foot-deep landscaped area or a 5-foot-deep planting strip with street trees
g. Outdoor sales and outdoor display of rental equipment, abutting or across an alley from a lot in a residential zone	6-foot-high screening along the abutting or alley lot lines
h. Outdoor sales and outdoor display of rental equipment across the street from a lot in a residential zone	3-foot-high screening along the street lot line
i. Outdoor storage in a C zone	Screened from all lot lines by the facade of the structure or by 6-foot- high screening; and 5-foot-deep landscaped area between all street lot lines and the 6-foot-high screening (Exhibit C)
j. Outdoor storage in a C zone abutting a lot in a residential zone; or	50-foot setback from the lot lines of the abutting lot in a residential zone and screened from those lot lines by the facade of the structure or by 6-foot-high screening (Exhibit D)
k. Outdoor storage in a C zone across the street from a lot in a residential zone;	Screened from the street by the facade of a structure, or by 6-foot-high screening
l. Parking garage occupying any portion of the street-level street-facing facade between 5 and 8 feet above sidewalk grade	A 5-foot-deep landscaped area along the street lot line; or Screening by the exterior wall of the structure; or 6-foot-high screening between the structure and the landscaped area (Exhibit B)
m. Unenclosed parking garage on lots abutting a lot in a residential zone	A 5-foot-deep landscaped area and 6- foot-high screening along each shared lot line

<p>n. Parking garage that is 8 feet or more above grade</p>	<p>3.5-foot screening along the perimeter of each floor of parking</p>
<p>o. Outdoor areas associated with pet daycare centers</p>	<p>Screened from all property lines by the facade of the structure or by 6-foot-high screening between the outdoor area and all property lines</p>

Exhibit 23.47A.016 B

Screening of parking within or under a structure

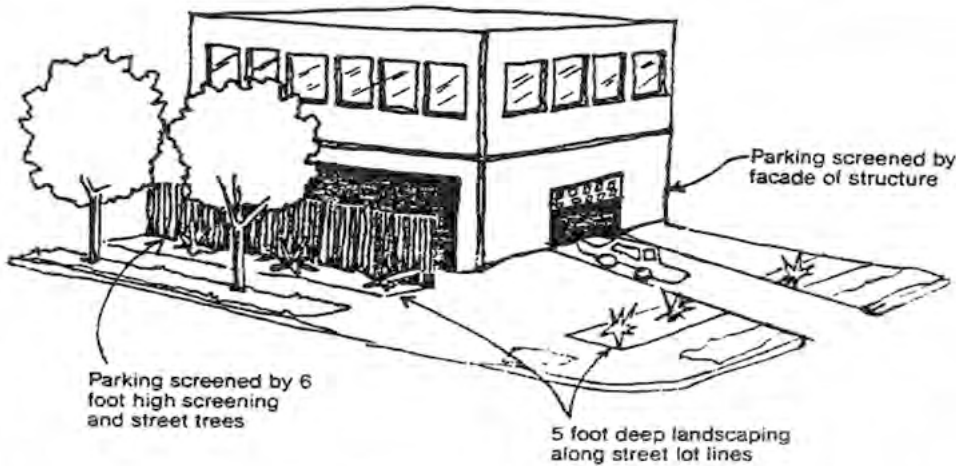


Exhibit B - Screening of parking within or under a structure

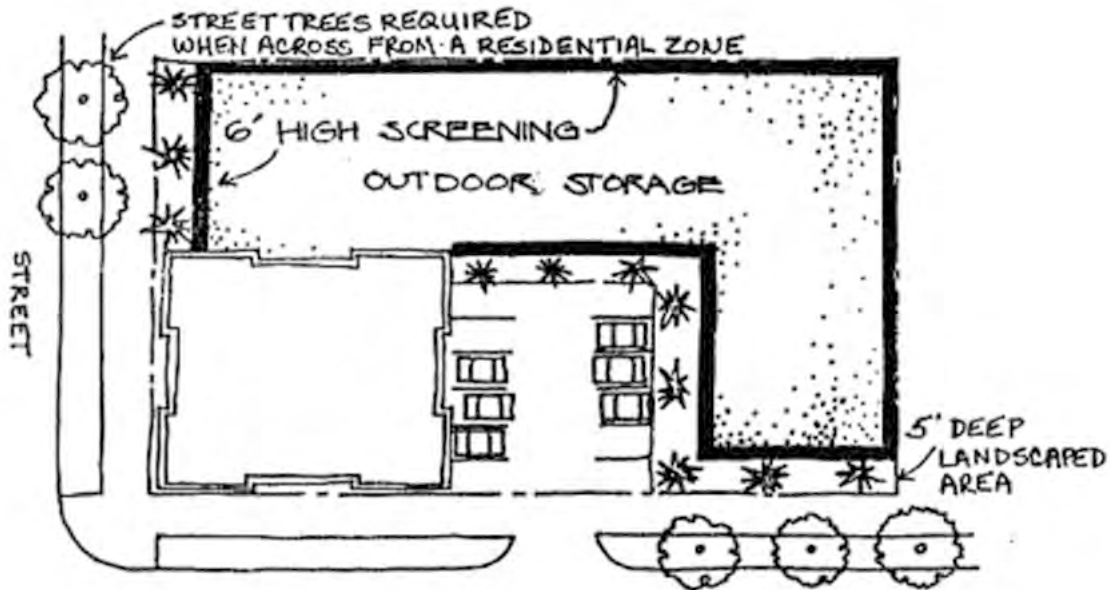


Exhibit C - Screening of open storage areas in C zones

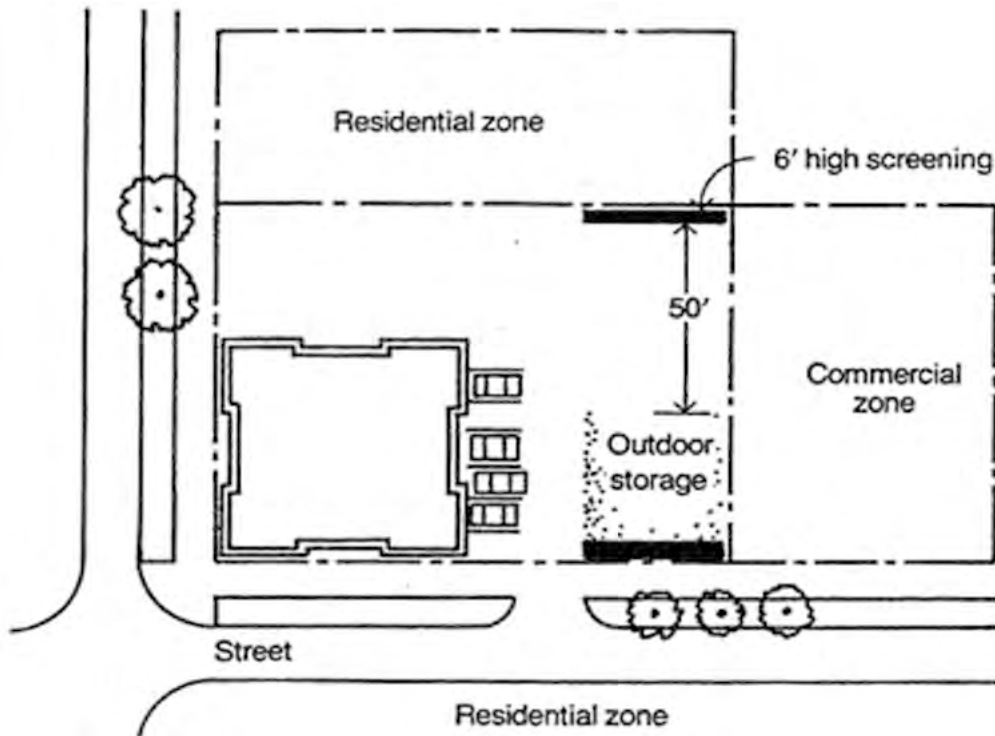


Exhibit D - Screening of open storage areas in C zones

4. When one of the specific uses listed in this subsection is proposed for expansion, the applicable requirements for that use shall be met. The City Planner may reduce or waive the requirements where they are physically infeasible due to the location of existing structures or required parking.

E. Breaks in required screening are permitted to provide pedestrian and vehicular access. Breaks in required screening for vehicular access shall not exceed the width of permitted curb cuts.

- **Interior site enhancement**
 - Purpose
 - Applicability
 - Exemptions
 - Lots developed with only
- **Street Trees/Street Buffers**
 - Street trees are required when any development is proposed except as indicated in the subsection below.
 - Requirements. Street trees are required if any type of development is proposed, except as provided in subsection 23.45.524.B.2 and B.3 below and Section 23.53.015. Existing street trees shall be retained unless the Director of the Seattle Department of Transportation approves their removal. The Director, in consultation with the Director of the Seattle Department of Transportation, shall determine the number, type, and placement of additional street trees to be provided in order to:
 - improve public safety;
 - promote compatibility with existing street trees;
 - match trees to the available space in the planting strip;
 - maintain and expand the urban forest canopy;

- encourage healthy growth through appropriate spacing;
- protect utilities; and
- allow access to the street, buildings and lot.
- Exemptions. The following are exempt from the street tree requirements in this section:
 - Lots that border an unopened right-of-way may request an exemption from the requirement to plant street trees;
 - Changing a use or establishing a temporary/intermittent use;
 - Additions to an existing structure of 1,000 square feet or less; or
 - Expansion of surface area parking by less than 10 percent in area and less than 10 percent in number of parking spaces.
- **Screening and Buffering**
 - Purpose
 - Minimize or eliminate adverse impacts between adjoining uses. The buffer is intended to protect the lower intensity use from the higher intensity use and provide an aesthetically attractive barrier between the uses. For purposes of this section, adjoining means lots/parcels that share a common property line. It does not include lots/parcels separated by a public right-of-way.
 - Exemptions
 - Development of a less intensive use;
 - Between uses located on the same lot/parcel
 - Between uses on adjoining lots/parcel, if under the same ownership
 - Standards. Buffers shall be provided according to the following standards, which are based on the character of the adjoining land uses:
 - Residential
 - Residential and non-residential
 - Heavy commercial and industrial
 - General commercial
 - Other non-residential
 - No existing use. For the purposes of buffering, where no use exists on adjoining land and none is proposed by a valid permit application, the use of the adjoining land will be assumed to be the most intensive use allowed by the existing zoning.
 - Location. Where a use is required to provide buffering for adjoining uses, the buffering must be along all side and rear lot lines where the use abuts the other use. No buffers are required along front property lines unless buffering is included in screening requirements for outdoor storage or other conditions described in this chapter.
 - Composition
 - Types. Where buffering is required, the following buffer types define the minimum width and plants required per 100 linear feet of buffer:

Buffer Type	Buffer Width	Canopy Trees	Understory Trees	Shrubs
A	12 feet	2	1	10
B	16 feet	2.5	2	20
C	20 feet	3	3	30

- Plants. The prescribed buffer plants may be existing natural vegetation, existing vegetation supplemented with additional plantings, or entirely new plantings. The suitability of existing vegetation to provide adequate buffering will be evaluated based on the minimum plants required. For effective buffering year-round, at least 50 percent of buffer trees shall be evergreen species. The selection and installation of buffer plants and buffer maintenance shall be according to the provisions in this chapter.
- Supplemental structures.
 - If an opaque fence or wall is required to supplement the plants within a buffer, it must be a minimum of six feet in height. Where an existing fence or wall on abutting property meets these requirements, no additional structure is required within the buffer. The existing fence or wall must be in good condition.
 - For new fences or walls, all support posts must be on the side of the developing property so that the more finished appearance faces the abutting property.
 - Existing natural vegetation, or existing vegetation supplemented with additional plantings, may be approved by the City Planner for use instead of the fence or wall.
- Refuse Containers and areas. Trash and garbage areas, including dumpsters, must be screened on a minimum of three sides.
- Service and Off-street loading areas. Screening with a continuous row of evergreen trees must be provided such that the service and off-street loading areas may not be viewed from adjacent streets.
- Mechanical and Electrical equipment. All ground level equipment must be screened with landscaping or a combination of decorative fencing and landscaping that screens the equipment from view from adjacent streets.
- **Treatment of Blank Facades**
 (Add language requiring at least 50 percent of the façade of the building facing the street that is wider than 35 feet must be “broken up” with landscaped areas that include trees, shrubs, flowers, and boulders)

● **INSPECTION**

- A landscape plan showing the actual landscaping installed on the site must be submitted to the Planning department for final approval and inspection. The inspection will determine whether it complies with all applicable landscaping requirements for the permit.

- **MAINTENANCE AND REPLACEMENT**

- It is the duty of the owner of the lot/parcel to maintain all required landscaping. If any required landscaping dies, becomes damaged, or destroyed, it must be replanted in a similar manner within the same growing season it occurs or mid-July of the following year, whichever is earliest.
- Grassy areas shall be maintained according to standard practices, which include regular mowing, weeding, fertilizing, and watering.
- All required buffering must be maintained by the landowner proposing the more intensive use.

- **HARDSHIP WAIVER/VARIANCE** (Use existing language in Title 16)

- **VIOLATIONS/PENALTIES**

All applicable tree protection and preservation standards of this chapter must be documented on City-approved development permits/plans. Failure to comply with such standards will subject the development to stop work orders, code enforcement citations, and/or financial penalties.

- Tree removal. The penalty for the unauthorized removal of a protected tree, including its effective removal by irreparable injury causing an unnatural decline, will be the cost necessary to replace the total tree trunk diameter (DBH) inches removed with the same total caliper inches of standard replacement trees. Where the actual DBH of the removed tree cannot be directly measured, city officials may estimate the size from any tree remains, photographs, or other reliable evidence.
- Tree damage. If a protected tree has sustained irreparable damage to its normal growth character by topping, “hat racking,” or other pruning exceeding 30% of the total canopy, the fine may be based on the total caliper inches of limbs removed, up to the trunk diameter (DBH) and full tree replacement may be required.
- Protection barriers. The penalty for the failure to install or maintain one or more tree protection barriers required by city development/permit approval will be the cost of one standard replacement tree. Subsequent citations on the same site for failure to install or maintain the required barriers will be the cost of a standard replacement tree for each uninstalled or unmaintained barrier.

- **DISCLAIMER.** Nothing in this chapter may be understood to impose any liability for damages or a duty of care or maintenance upon the city or any of its employees, nor to relieve the owner of any private property from the duty to keep any tree, shrub, or other plant on their property under their control in such a condition as to prevent it from constituting a hazard or an impediment to travel or vision along any street or public place.

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PERMIT INFORMATION 2017

PERMIT #	APPLICANT	SUBDIVISION	SITE ADDRESS/APPLICATION RCVD	APPROVAL DATE	TYPE	PROJECT TYPE/NEW ADDITION SQ FTG ZONE	TAX ID
ADMINISTRATIVE APPROVAL							
AA17-01	GRiffin, JANA		251 W PARKS HWY	01/03/17 01/05/17	TURF	FOOD CART	17N01W09A006
AA17-02	DC.907 DIESELS, INC	FLOYD RESUB	567 S DENALI S	01/03/17 01/05/17	TENANT SPACE	MECHANIC SHOP (DIESEL)	4893B04L009A
AA17-03	NORTHERN QUALITY HOMES LLC	ENDEAVOR POINTE	1225 W BOYD CIR	01/05/17 01/06/17	SFD	SFD	RR
AA17-04	MILLER, GARY	IDITAPARCEL ADD 1	469 W PARKS HWY	01/12/17 01/12/17	TENANT SPACE	LITTLE MILLERS COFFEE & ICE CREAM	5797000L002A
AA17-05	FERGUSON-WHEELER, DIANA	WASILLA CENTER CONDQS	619 S KGB RD	01/13/17 01/13/17	TENANT SPACE	RAVENS SONG REHAB	9108000L006
AA17-06	S VALLEY FARM LLC	THEO AC		01/13/17 01/27/17	TENANT SPACE	RETAIL SALES - FARM ANIMAL FEED	7297000L001
AA17-07	TROY DAVIS HOMES INC	HOME DEPOT	1301 E PALMER WASILLA HWY	01/20/17 01/24/17	TENANT SPACE	LAND FAMILY DENTAL	5769000L002
AA17-08	TROY DAVIS HOMES INC	HOME DEPOT	1301 E PALMER WASILLA HWY	01/20/17 01/24/17	TENANT SPACE	NORTHWOODS FAMILY MEDICINE	5769000L002
AA17-09	TROY DAVIS HOMES INC	HOME DEPOT	1301 E PALMER WASILLA HWY	01/20/17 01/24/17	TENANT SPACE	ENVY SALONG	5769000L002
AA17-10	TROY DAVIS HOMES INC	HOME DEPOT	1301 E PALMER WASILLA HWY	01/20/17 01/24/17	TENANT SPACE	TCN EXTREME CONSULTING	5769000L002
AA17-11	AGEN, JORDAN	NELSON AVE COM#1	189 E NELSON AVE	01/23/17 01/24/17	TENANT SPACE	JUICE JUNKIEZ - JUICE BAR	9089000L003
AA17-12	LANGILL, FRANK SR & K	CONDOS WASILLA AC	1524 W VALUNDA AVE	01/24/17 01/24/17	HOME OCCUPATION	FDL WOODWORKINS	1113B04L009
AA17-13	TD INVESTMENTS LLC		1050&1150 E HORVATH DR	01/25/17 01/25/17	SUBD	SUBD	17N01W10A014
AA17-14	CHURCH ON THE ROCK DR THRIFTERS ROCK	FRED NELSON	290 N YENLO ST	01/27/17 01/27/17	TENANT SPACE	THRIFT STORE	17N01W10A015
USE PERMITS							
UP17-01	WILSON, DAVID	SOUTHVIEW EXT	3001 E DANNY'S AVE	01/09/17 01/27/17	2 BEE HIVES	FARM ANIMAL	2377B02L014
UP17-02	K&H CIVIL CONTRACTORS LLC		1614 S CLAPP S	01/09/17 PENDING	GRAVEL EX	GRAVEL EXTRACTION	17N02W13A004
CONDITIONAL USE PERMITS							
PLANNED UNIT DEVELOPMENT (PUD)							
1. ZONE							
2. LEGAL NON-CONFORMING USE							
3. SHORELINE SETBACK							
4. AMNESTY							
5. VARIANCE							
LANDSCAPE WAIVERS							

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**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION AGENDA**

Vern Halter, Mayor

PLANNING COMMISSION
Mary Anderson, District 1
Thomas Healy, District 2
VACANT, District 3
Colleen Vague, District 4
Michael Kish, District 5
Stafford Glashan, District 6
Vern Rauchenstein, District 7



John Moosey, Borough Manager

PLANNING & LAND USE
DEPARTMENT
Eileen Probasco, Director of Planning &
Land Use
Sara Jansen, Planning Services Chief
Alex Strawn, Development Services
Manager
Fred Wagner, Platting Officer
Mary Brodigan, Planning Clerk

*Assembly Chambers of the
Dorothy Swanda Jones Building
350 E. Dahlia Avenue, Palmer*

**February 6, 2017
REGULAR MEETING
6:00 p.m.**

- I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PLEDGE OF ALLEGIANCE
- IV. CONSENT AGENDA

Items on the consent agenda are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

 - A. MINUTES
 1. September 19, 2016, regular meeting minutes
 - B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS
 1. **Resolution 17-03**, a Conditional Use Permit (CUP) in accordance with MSB 17.60; Conditional Uses for the operation of a marijuana retail facility, located at 1150 N. Helen Lane; MSB Tax ID# 1068000L020; within Township 17 North, Range 1 West, Section 2, Seward Meridian. Public Hearing: March 6, 2017. (*Applicant: Peter Zell dba Bad Gramm3r, Staff: Mark Whisenhunt*)
 2. **Resolution 17-08**, a Conditional Use Permit (CUP) in accordance with MSB 17.60; Conditional Uses for the operation of a marijuana retail facility, located at 4901 E. Blue Lupine Drive, Suite E; MSB Tax ID# 1027000L005; within Township 17 North, Range 1 East, Section 17, Seward Meridian. Public Hearing: March 6, 2017. (*Applicant: Caleb Saunders of Green Jar, Staff: Mark Whisenhunt*)

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution 17-06**, a resolution recommending Assembly approval of the Talkeetna Community Council boundary revision. Public Hearing: March 6, 2017. *(Staff: Pamela Graham and Taunnie Boothby)*
2. **Resolution 17-01**, a resolution recommending Assembly approval of an ordinance amending Title 43 Subdivisions, to address the substantial issues in the staff memorandum dated March 1, 2013. Public Hearing: March 6, 2017. *(Staff: Fred Wagner)*

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

VII. LAND USE CLASSIFICATIONS

VIII. AUDIENCE PARTICIPATION *(three minutes per person, for items not scheduled for public hearing)*

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS *(Public Hearings shall not begin before 6:15 p.m.)*

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

The Planning Commission members may submit questions to the Planning Commission Clerk concerning the following matters or request for more information from the applicant at the time of the introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing.

X. PUBLIC HEARING: LEGISLATIVE MATTERS

- A. **Resolution 16-42**, a resolution recommending the Assembly adopt the update to the Borough Recreational Trails Plan. Public hearing continued from December 19, 2016. *(Staff: Emerson Krueger)*
- B. **Resolution 17-02**, a resolution recommending assembly approval of the Fishhook Community Council Comprehensive Plan. *(Staff: Sara Jansen)*

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

- A. Planning Commission Election of Chair and Vice Chair
- B. Planning Commission Election of PC Representative 1 and PC Alternate Representative to the Borough Area Schools Site Selection Committee
- C. Upcoming Planning Commission Agenda Items (*Staff: Sara Jansen*)

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (Mandatory Midnight)

In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.39.010 for definition of "Interested Party." The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on the Borough Internet home page, <http://www.matsugov.us>, in the Borough Clerk's office, or at various libraries within the Borough.

Disabled persons needing reasonable accommodation in order to participate at a Planning Commission Meeting should contact the borough ADA Coordinator at 861-8432 at least one week in advance of the meeting.