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| <b>Applicant:</b><br><br>City of Seattle<br>Department of Construction and Inspections  | <b>Page</b><br><br>1 of 3  | <b>Supersedes:</b><br><br>2-95            |
|   | <b>Publication:</b><br><br>June 25, 2015                                       | <b>Effective:</b><br><br>January 20, 2016 |
| <b>Subject:</b><br><br><b>OFF-PREMISE ADVERTISING SIGNS</b><br>(a.k.a. Billboard Signs): RELOCATING<br>SIGNS FROM ALLOWABLE ZONES | <b>Code and Section Reference:</b><br><br>SMC 23.55.014                        |   |
|   | <b>Type of Rule:</b><br><br>Code Interpretation                                |   |
|   | <b>Ordinance Authority:</b><br><br>SMC 3.06.040                                |   |
| <b>Index:</b><br><br>LAND USE CODE  | <b>Approved</b><br><br>(Signature on file)<br>Nathan Torgelson, Director, SDCI | <b>Date</b><br><br>January 20, 2016       |

**BACKGROUND:**

The Seattle Sign Code (SMC 23.55) is a portion of the Land Use Code and distinguishes between on-premises business signs which directly benefit a business on the site and off-premises advertising signs which are commonly known as billboards. The regulations for each type of sign are different.

In 1993, Ordinance 116780 was passed to limit and gradually reduce the number of off-premises signs within the City by regulating spacing, dispersion, height, size, location and relocation of off-premises signs. The ordinance required, beginning in 1994, that each off-premises sign-face be registered with the City before July 1<sup>st</sup> each year. Legally installed and registered off-premises signs may continue to operate in their original location until the owner of the sign obtains a permit to demolish the sign and sign structure. Off-premises sign owners may obtain permits to move a sign-structure out of a zone or location where an off-premise sign is no longer allowed. However, when a billboard is removed from a zone or location where the sign is allowed, the off-premises sign-face registration number is deleted and the total number of registered sign-faces is reduced.

The Sign Code allows, once a year, for the relocation of one off-premise sign-structure from an allowable zone at the request of an individual. This process is known as an individual relocation request. Part One of this rule describes the process for requesting relocation of a sign-structure.

The Sign Code also allows off-premises sign owners to obtain permits to change the use of a sign from off-premise to on-premise while retaining the ownership right to relocate the registered off-premises sign-face. The change of use requirements are described in Part Two of this rule.

## **RULE**

### **Part One – Relocating Off-premises Signs from Allowable Zones**

- A. Citizen request for relocation.** Individuals may, between January 1 and March 1 of each year, submit a written request to the Director of the Seattle Department of Construction and Inspection (SDCI) proposing the relocation of a specific off-premises sign-structure.
- B. DPD review and selection.** In March, SDCI will review the submitted relocation requests to verify that each proposed sign-structure meets the zoning criteria of this rule. Then, SDCI will use a lottery system to select one of the sign-structures to be relocated. If the owner of the selected sign structure is not willing to relocate SDCI will repeat the selection process until the owner of one of the proposed structure agrees to relocation. If one of the proposed sign structures is not accepted, then there will not be a citizen's relocation for that calendar year.
- C. Relocation.** To relocate the selected sign-structure, the sign-structure owner must apply for a SDCI demolition permit for each existing registered off-premises sign face on the structure. DPD must receive a Master Use permit application for a new location within 9 months of the demolition application date for the relocation request to be considered active. If the Land Use reviewer denies the use permit at the proposed location, then the sign owner may submit another proposed-location application within 30 days after the denial notification or within 30 days of a decision resulting from an appeal of the denial. In addition, an off-premises sign construction permit is required for each sign face to be installed on a sign structure at the approved location. Sign permits must comply with Chapter 31 of the Seattle Building Code for sign permit requirements and with all Land Use Code requirements in order to be approved.
- D. No relocation.** If the sign-structure owner does not apply for a Master Use permit by the end of the 9 month acceptance period there will be no relocation of an allowable sign-face under this rule. New relocation requests will be accepted beginning January 1 of the next year. Off-premises wall signs may not be relocated and are not subject to this rule.

## Part Two – Changing the Permitted Use of an Off-premises Sign

- A. Changing copy.** A registered off-premises sign (billboard) may display a variety of messages. The sign may be used to display off-premises, on-premises and non-commercial speech copy. The owner does not need to obtain a new permit to change copy when the sign remains intact, the size, height and dimensions of the sign are not changed, and the off-premises registration and annual report to SDCI are completed and submitted by July 1<sup>st</sup> of each year.
- B. Change-of-use from off-premises advertising signage.** If an off-premises sign owner no longer wishes to use an existing sign-structure for off-premises advertising and the structure and sign face is intended to be used by others, then permits to change-the-use must be obtained. A sign permit is required to establish the use of the structure and sign face as an on-premises sign structure. The on-premises business establishment taking ownership and responsibility of the sign must be identified on the permit application. Obtaining demolition permits for the existing off-premise sign-face (one permit for each sign face) begins the approval process for either:
1. Demolition - removing the sign face from the off-premise registration program; or
  2. Relocation - moving the off-premise sign face with the same registration number to a new approved location. (Each registration number must continue to be registered during the pendency of the demolition permit).
- The demolition permit is valid for 18 months and may be renewed one time while a new location is sought and Master Use Permit approval is obtained. The new location and design for the off-premises sign must comply with all Building and Land Use code requirements for off-premise advertising signage. An off-premises sign face can only be relocated if it was located on a site or in a zone where it is no longer allowed by the Code.
- C. Change-of-use from off-premises to on-premises signage.** The change-of-use permitting process may require changes to the existing sign structure in order to comply with current code requirements for the on-premises business sign. The existing sign structure will require a permit to establish the use of the structure even if alteration or reconstruction of the sign structure is not required. When current codes require alterations, such as size or height, the existing condition and the proposed condition must both be shown on the plans submitted with the sign permit application. See Sign construction regulations in Chapter 31 of the Seattle Building Code and regulations by zone in the Land Use Code (SMC Title 23).
- D. Retaining status.** If SDCI does not approve the change-of-use permit, the existing sign may retain its status as an off-premises sign at the existing location and must continue to be registered annually. No changes may be made to an existing sign or structures without an approved permit.