AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, ESTABLISHING A PILOT PROGRAM TO ALLOW ELECTRONIC READER BOARD SIGNS AT HIGH SCHOOLS LOCATED ADJACENT TO 228TH AVENUE

WHEREAS, the City Council adopted the City’s Comprehensive Plan on September 16, 2003, and the City has enacted zoning regulations consistent with the comprehensive plan; and

WHEREAS, the Sammamish Comprehensive Plan’s Land Use Element recommends that the City development regulations to foster a sense of community; and

WHEREAS, several high schools located on residentially zoned property have expressed interest in making use of electronically controlled reader board signs, also known as changing message center signs, to promote school events to the community at large; and

WHEREAS, the Sammamish Municipal Code limits the placement of such signs to commercially zoned properties; and

WHEREAS, the City has no experience with electronically controlled signs located in residential zones, and at high schools, and their use in these circumstances may result in traffic safety and other impacts; and

WHEREAS, it is in the public interest to adopt appropriate standards for implementing the use of such signs including, but not limited to, identifying design specifications, location limitations, the manner and timing of text displayed, and the impacts that may be created by light and glare; and

WHEREAS, the City Council wishes to establish a pilot program to allow for the study and evaluation of the feasibility of placing electronic reader board signs in residential zones; and

WHEREAS, the City Council will use the information gathered from the pilot program to determine whether permanent regulations should be adopted for such signs; and

WHEREAS, the Planning Commission and staff held a public meeting on April 2, 2009, and a public hearing on May 7, 2009 that was continued to July 2, 2009, that addressed issues related to City high schools implementing electronic signage; and
WHEREAS, the public process has provided for public participation opportunities and included a presentation and a public hearing before the Sammamish City Council on October 6, 2009 and October 20, 2009; and

WHEREAS, the City issued a SEPA Determination of Non Significance for proposed code amendments on October 1, 2009; and

WHEREAS, the Growth Management Services Review Team of the Washington State Department of Commerce granted expedited review and approval of the proposed code amendments on September 29, 2009.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Pilot Program Established - Applicability. A pilot program is hereby established to allow high schools located on the east side of 228th Avenue, between the intersections of SE 13th Way and 228th Avenue SE and NE 8th Street and 228th Avenue NE, to install one freestanding electronic reader board sign as provided in the following sections of this Ordinance.

Section 2. Definition of “Electronic reader board sign”. For the purposes of this ordinance, “electronic reader board sign” means an electronically controlled sign that contains temporary text messages that can be changed from time to time.

Section 3. Location of electronic reader board signs. Any electronic reader board sign located on a street corner or driveway shall conform with Chapter 14.01 SMC, Public Works Standards, and SMC Section 21A.25.220, sight distance requirements.

Section 4. Specifications of electronic reader board signs. Electronic reader board signs authorized by this Ordinance may be attached to the school wall or be freestanding signs, subject to the following design specifications:
   A. All signs shall be limited to an area of 32 square feet;
   B. Freestanding signs shall not exceed a height of 10 feet;
   C. Signs shall be designed to prevent light and glare from being visible to adjacent residential properties;
   D. Signs shall automatically dim during hours of darkness;
   E. Signs shall be turned off between the hours of 10 PM and 6 AM except during emergencies;
   F. Signs shall not contain moving graphics, text, or video;
   G. Sign messages shall not change more than once every 60 seconds;
   H. The interval between successive messages shall be 0 seconds;
   I. Message sequencing is prohibited;
   J. Telephone numbers, website addresses, and instructions are prohibited;
   K. Letter height on the signs shall be between 10 and 24 inches;
   L. Freestanding signs shall be located within 50 feet of the school entrance on 228th Avenue;
M. Sign messages shall be limited to providing school related information, announcing or promoting a school or community fair, festival, event, or in the case of emergencies, emergency information; and,
N. If the City Public Works Department determines that a sign constitutes a health and safety hazard, additional conditions may be imposed to address the hazard(s).

Section 5. Pilot Program monitoring. The Department of Community Development shall monitor the effect of any sign installed pursuant to the provisions of this pilot program. Such monitoring may include tracking any increase in traffic incidents, citizen comments or complaints, and any other information related to the viability of long term authorization of the electronic signs.

Section 6. Duration of Pilot Program. The duration of the pilot program shall be five (5) years from the effective date of this ordinance, or as otherwise may be established by City Council. Electronic reader board signs constructed in compliance with this Ordinance shall be considered legally established, non-conforming signs subject to the provisions of Sammamish Municipal Code Chapter 21A.70.

Section 7. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 8. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 20th DAY OF OCTOBER 2009.

CITY OF SAMMAMISH

[Signature]
Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

[Signature]
Melanie Anderson, City Clerk
Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: September 30, 2009
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