

(DRAFT) AGENDA
Regular Meeting – Bremerton Planning Commission
(Subject to PC approval)
July 19, 2016
5:30 P.M.
345 – 6th Street
Meeting Chamber – First Floor

- I. CALL TO ORDER**
 - II. ROLL CALL (quorum present)**
 - III. APPROVAL OF THE AGENDA**
 - IV. APPROVAL OF MINUTES:**
 - o June 21, 2016 meeting.
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V. PUBLIC MEETING

- A. Call to the Public:** Public comments on any item not on tonight’s agenda
 - B. Public Workshop:**
 - 1. Bremerton Municipal Code Sign Regulations (BMC 20.52)
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VI. BUSINESS MEETING

- A. Chair Report:** Nick Wofford
 - B. Director Report:** Andrea Spencer
 - C. Old Business:**
 - D. New Business:**
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VII. ADJOURNMENT:

The Planning Commission Meeting for August 16, 2016 is CANCELLED

The next regular meeting of the Planning Commission is September 20, 2016

Planning Commission meeting packets are available on-line at
<http://www.BremertonWA.gov/AgendaCenter/Planning-Commission-4>

DRAFT

Subject to July 19, 2016 Approval

CITY OF BREMERTON

PLANNING COMMISSION MINUTES OF REGULAR MEETING June 21, 2016

CALL TO ORDER:

Chair Wofford called the regular meeting of the Bremerton Planning Commission to order at 5:30 p.m.

ROLL CALL

Commissioners Present

Chair Wofford
Commissioner Goodnow
Commissioner Nerf
Commissioner Tift

Staff Present

Andrea Spencer, Director, Department of Community Development
Allison Satter, Senior Planner, Department of Community Development
Kylie Purves, Assistant City Attorney

Commissioners Absent

Vice Chair Nethery (excused)
Commissioner Strube (excused)

Quorum Certified

APPROVAL OF AGENDA

COMMISSIONER TIFT MOVED TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER GOODNOW SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

APPROVAL OF MINUTES

COMMISSIONER TIFT MOVED TO APPROVE THE MINUTES OF APRIL 19, 2016 AS PRESENTED. COMMISSIONER GOODNOW SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

PUBLIC MEETING

Call to the Public (public comments on any item not on the agenda)

Chair Wofford asked if there were any comments from citizens. Seeing none, he closed the public portion of the meeting.

Public Workshop: Bremerton Municipal Code Sign Regulations (BMC 20.52)

Director Spencer introduced Kylie Purves, who joined the City staff earlier this year as the Assistant City Attorney.

Ms. Purves provided an overview of a recent Supreme Court Case (Reed vs. Town of Gilbert), which came out in June of 2015, and involves signs. The purpose of her presentation is to explain the decision's implications on jurisdictions

throughout the United States, and particularly the City of Bremerton. The case claimed that the City of Gilbert, Arizona, had enacted sign regulations that impacted the First Amendment rights of a citizen's group that was active in the municipality. The plaintiff in the case, Clyde Reed, the pastor of Good News Community Church, placed temporary signs in the public right-of-way to direct people to Sunday services. The church did not have a permanent home, and they met in various locations throughout the City, depending on where they were able to use space. The Town of Gilbert's sign code attempted to regulate signs in a way that was content neutral. For example, it allowed non-political, non-ideological, non-commercial "qualifying event" signs, and the church service was considered a qualifying event. However, the signs could not exceed six square feet and they could only be up 12 hours before and one hour after the event. On the other hand, political signs were allowed a maximum of 32 square feet and could be up 60 days before and 15 days after any election. Also, ideological signs were allowed a maximum of 20 square feet and could be displayed for an unlimited amount of time, but they could not be located in the right-of-way. This provision was intended to be a catch all for the First Amendment.

Ms. Purves advised that the intent of Gilbert's sign code is similar to sign codes in other communities throughout the country: ensuring there are not too many signs to distract drivers and to maintain the aesthetics of the community. The Town of Gilbert did not intend to give anyone special treatment. They thought their sign code was good and they were trying to enforce it uniformly across the board. They thought that because the sign regulations did not distinguish between different opinions or parties, the regulations were content neutral. However, if the intent is to keep signs out of the right-of-way because they are distracting and cause clutter, the Supreme Court questioned why the city allowed larger signs to remain in place longer than smaller signs. They determined that the regulations implied that it is more important to talk about politics than where to meet for church, which meets the definition of a content-based regulation.

Ms. Purves explained that content-based restrictions have to survive strict scrutiny in order to be upheld, and this standard is rarely met. The Town of Gilbert was unable to meet the standard, as their sign code required the code enforcement officer to read the sign content in order to know where to put it in the framework of the code. The majority opinion was that because it singled out for differential treatment, even if it didn't target viewpoints, it was a content-based regulation that did not pass constitutional analysis. The court's decision explained that if the reason for the code is beautification of the town and concern over confusing drivers by having too many signs, the regulations must line up with what that intent. Because political signs would be just as distracting as directional signs, the regulations did not add up. They basically placed arbitrary restrictions on different signs based on what they perceived as a value judgement on what people needed to hear. She emphasized that the town's motives were considered innocent, and they didn't find any evidence of the town engaging in any sort of discrimination or bad faith. It was simply found unconstitutional because it was a content-based restriction.

Ms. Purves advised that the majority opinion, issued by Justice Thomas, was accompanied by three concurring opinions in which the other justices agreed with the result of the majority opinion but for different reasons. Justice Alito provided guidance in his concurring opinion. He suggested that rather than message, signs should be regulated based on size and location standards, lighting, fixed vs. changing, commercial vs. residential, on-premise vs. off-premise, etc. He summarized that if cities make sure their restrictions are tailored narrowly with their reasons for regulating in the first place, they should be okay.

Ms. Satter reminded the Commission of the Comprehensive Plan, which sets the goals, policies and objectives going forward. She specifically noted the following:

Economic Development Element

- Goal ED2 calls for "revitalizing Bremerton's commercial districts by upgrading and enhancing the aesthetic quality of existing building and street frontages.
- Policy ED2(A) calls for encouraging upgrades and rehabilitation of exiting commercial development through a wide variety of means, including the recognition and preservation of historical storefronts and signage.
- Policy ED2(B) calls for ensuring new commercial development promotes street level activation to encourage walkability and social interaction through site and façade design.

Land Use Element

- Goal LU1 calls for planning for Bremerton's population and employment growth.
- Policy LU2(E) calls for promoting exposure of City businesses and community events by signage that is proportional to the intensity of the land use designations while recognizing the existing character of the

neighborhood. It also calls for discouraging off-premise signage throughout the City, including billboards, with exceptions for special events to be considered.

Ms. Satter summarized that the current sign code (BMC 20.52) is concise and relatively straight forward. Most requested signs are approved through the current code; and for the most part it is already separated by zoning districts and is not content-based. The City has the ability to regulate the size and number of signs, as well as the materials allowed. However, if the code requires the City to read what a sign says to administer the provisions, it will not pass the “strict scrutiny” requirement. The City cannot regulate based on content. Staff recognizes that some provisions in the existing regulations will not pass the strict scrutiny test and improvements are needed. These will be noted, but staff is not promoting suggestions for updates at this time. The Supreme Court decision also makes portions of the code difficult to enforce and administer and changes are needed to bring it into compliance. She pointed out that many of the updates will make the code more generalized, which creates more potential for loopholes. A lot of work will be needed on certain sections to get all the provisions to the same place.

Ms. Satter said the purpose of tonight’s workshop is for staff to present the current sign code regulations (BMC 20.52), identify areas that will be impacted by the Supreme Court decision, and propose some additional amendments. Staff will also discuss the reasoning behind the current regulations. As the discussion moves forward, she invited the Commissioners to provide feedback on anything that needs to be added to the record on history or objectives or other revisions that may be needed. Staff will pose questions throughout the presentation for the Commission to respond to, and the questions will be revisited at the end of the discussion. Public testimony will also be considered as part of the discussion. The goal is for the Planning Commission to provide direction on how to draft the sign code regulations. Any feedback will be incorporated into the next workshop.

Ms. Satter advised that staff already knows that the following sections will need to be updated due to the Supreme Court decision: exempt signage, temporary signage, political signage, auto-dealership signage, and special purpose signage. There will likely be minor amendments for the majority of other sections, as well. Staff would specifically like feedback from the Planning Commission relative to the non-conforming sign regulations that were adopted in 2014 before the Comprehensive Plan was updated. She reviewed each section of the sign code as follows:

- **BMC 20.52.010 – Intent.** The intent of the sign code is to protect the public from damage or injury attributable to distractions and obstructions and to stabilize or enhance the overall appearance of the community and protect property values. Staff is primarily happy with this section, as written. The sign code is intended to regulate the number, size, placement and physical characteristics of signs and sign structures, but they are not intended to restrict, limit or control the content of any sign message.
- **BMC 20.52.020 – Applicability.** This section identifies what areas in the City have applicable sign regulations. The sign code applies everywhere in the City.
- **BMC 20.52.030 – Sign Permit.** This section outlines when a permit is required and what makes a complete application.
- **BMC 20.52.040 – Exempt Signage.** This portion of the code regulates exempt signs that do not require a permit. Signs that are non-commercial, incidental or temporary in nature (i.e. traffic signals, traffic signs, flags, incidental signs, directional signs, etc.) do not require a permit, but the sign code provisions still apply. Several items in this section need to be reviewed for consistency with the Supreme Court’s decision including permanent plaques, incidental signs, real estate signs, temporary signs, public information signs, wall graphics and political signs. For example, before the Supreme Court decision, the City could allow an exemption for “for sale” or “for rent” signs. Rather than limiting the exemption to what the sign says, the code will need to be changed to allow an exemption for an extra sign on a property that is currently for sale or rent.
- **BMC 20.52.040 – Prohibited Signs.** This portion of the code prohibits certain signage due to safety concerns. It also limits the placement and location of the sign. Other items in this section will need to be reviewed based on the current Supreme Court decision. For example, the City code prohibits lights or other flashing, moving or animated features. In addition, reader board signs cannot change copy more frequently than 2-second intervals, but there is an exemption for time and temperature that will need to be removed. Product signs, other than those at a franchise business identifying the

franchise product, are currently prohibited, and this may be a problem based on the Supreme Court decision. Staff is particularly seeking feedback on whether or not the 2-second interval for flashing signs is appropriate. Many jurisdictions have increased the intervals to something greater than 2. Because reader boards are allowed in every zoning district in the City, this is an opportunity to have them flash less frequently.

- **BMC 20.52.060 – Sign Measurements.** This portion of the code regulates how sign area is calculated as many sign regulations are based off of square footage of a sign. This section of the code is not content based, so there will likely be only minor revisions.
- **BMC 20.52.070 – Sign Placement Requirements.** This portion of the code regulates the placement of signs on properties. It addresses the clear vision triangle and signs allowed in the right-of-way. This section of the code is not content based, so there will likely be only minor revisions.
- **BMC 20.52.080 – Temporary Signs.** Any property in the City can get a temporary sign that is subject to the placement, size and height requirements of the chapter. Temporary signs can be used when a permanent sign is destroyed or a starter business may put up a temporary banner until permanent signage is complete, and 60 days should be sufficient time to obtain a permanent sign. Based on the Supreme Court decision, the City will have to revisit the provisions in the section. Currently, temporary signs can be up for 60 days and then must be removed for 90 days. Businesses can put up another temporary sign for another 60 days. Currently, temporary signs can be up to 32 square feet in size, and banners can be 100 square feet. The maximum height from the ground is 6 feet for a sign and 20 feet for a banner. A permit is required for the signs. Temporary signs that are displayed for less than 7 days, are less than 24 square feet in size, and are less than 6 feet high are exempt from the permit requirement.
- **BMC 20.52.085 – Political Signs.** This portion of the code regulates political signs that are defined as noncommercial speech signs (religious, political, social, or other philosophical message). The content of these signs is not regulated, but they are subject to additional requirements. No permit would be required as long as the sign does not exceed 32 square feet or 6 feet in height (same as for temporary signs). Political signs that advertise a candidate or issue of an upcoming election must be removed within 14 days after a general election. This is not consistent with the temporary sign requirements, so changes will need to be made to be compliant with the Supreme Court decision.
- **BMC 20.52.090 – General Sign Regulations.** This portion of the code provides general overall sign regulations that apply to all zoning districts. It requires vision clearance for all signs and allows signs to expand beyond the rooftop in commercial and center zones. Window signs are allowed if they can be seen from outside, but they count towards the total area of signage allowed. Landscaping is required for freestanding (pole or monument) signs.
- **BMC 20.52.100 – Commercial District Signs.** This portion of the code regulates all signs located within a commercial zone (not including centers). Currently, every parcel is allowed one freestanding sign, and large parcels (over 500 feet of continuous frontage) are allowed an additional sign. Co-Op signs are allowed as discussed by the Commission in September and October of 2014. This allows non-fronting parcels on Wheaton Way and Kitsap Way to work with their fronting neighbors to place co-op signs on the fronting road. Building signs are allowed, but the size is limited to 2 square feet of sign area for every 1 lineal foot of frontage. Building signs cannot exceed 100 square feet unless the sign is less than 10% of the façade. Industrial uses in commercial zones are allowed a maximum 100 square feet of aggregate sign area. Something to review under the Supreme Court decision is whether regulating signs at shopping centers and professional complexes is too specific.
- **Figure 20.52(A).** Many provisions in the sign code lead to Figure 20.52(A), which identifies the allowed type of freestanding signage and design size requirements. Freestanding signs can be either pole or monument signs. The size of the sign is based on the intensity of the zoning district. The majority of the commercial districts allow monument signs up to 60 square feet, but the Freeway Corridor and Industrial Zones allow monument signs up to 100 square feet. High-density urban areas tend to have more foot traffic, so there is typically more demand for small-scale and sidewalk signs. High-traffic streets and highways require larger and taller signage for good visibility, which leads to a demand for larger signs that are visible to drivers rather than pedestrians. Pole signs are only allowed within the Freeway Corridor.

- **BMC 20.52.110 – Auto Dealership Signs.** This section applies within the Freeway Corridor zone, which allows the majority of commercial uses, including light industrial (outright) and heavy industrial (conditionally) uses. Auto dealerships are allowed additional signage based on how many franchises are located on site. Currently, 50 square feet is allowed per franchise, not to exceed 150 square feet for a pole sign or 200 square feet for a monument sign. Based on the Supreme Court decision, staff does not believe it is appropriate to allow auto dealerships more signage than other businesses in the Freeway Corridor zone. She asked the Commission to provide feedback about whether or not the entire Freeway Corridor should be allowed to have the larger size.
- **BMC 20.52.120 – Residential District Signs.** This section regulates signs located within residential zones. Currently, the code allows up to 50 square feet of signage at entrances to neighborhoods, apartments and subdivisions. Multi-family development (four or more units) is only allowed to have four square feet of signage. Individual property owners can have 2 square feet of signage. This allows for signage for home occupations, but keeps the residential neighborhood aesthetics intact. The provision does not regulate non-commercial speech signs. Based on the Supreme Court decision, staff has some concerns about regulating entrance signs differently than multi-family signs.
- **BMC 20.52.120 – Special Purpose Signs.** This section regulates signs for non-residential uses that are located within residential zones (i.e. churches, parks, or non-conforming commercial uses). Currently, the code allows one freestanding sign per street frontage, and the maximum size is 50 square feet. The maximum area allowed for building signs is 100 square feet. Commercial uses may be more restrictive on sign size as it is based off lineal store frontage but is only allowed one sign per street frontage. Signs within residential zones can only be illuminated between the hours of 7 a.m. and 10 p.m. so they do not conflict with their residential neighbors.
- **BMC 20.52.140 – Downtown and Centers Signs.** This section of the code regulates signs located within a Center (Downtown Center, Wheaton/Riddell and Wheaton/Sheridan District Centers, Charleston and Manette Neighborhood Centers). Freestanding signs of up to 60 square feet are allowed, but a wide lot may have a sign that is up to 100 square feet. However, the code does not currently define “wide parcel.” This section also includes a provision that signs shall be no closer than 25 feet from adjacent properties, which may be difficult in the downtown where some parcels are small. The code allows the Director to modify the requirement where factors such as width of lot, driveway access or site configuration makes compliance impossible. Building signs must comply with the Commercial District regulations, and moving, flashing or animated signs are prohibited. As centers promote both housing and jobs, the moving signs would distract drivers and could impact the neighboring residents.
- **BMC 20.52.150 – Variations to Sign Regulations.** This portion of the code authorizes the Director to allow minor departures from the code. Currently, the code allows the Director to approve a larger sign that is within 10% of the basic requirement based on a hardship or problem with the site, existing building placement, or poor site visibility. However, the variance cannot be based on economic factors or personal design preferences. A request beyond 10% must be processed as a variance.
- **BMC 20.52.150 – Portable Signs.** Portable signs on the sidewalk are allowed, but the City does have a policy to minimize off-premise signage. Currently, a portable sign must have 4 feet of unobstructed sidewalk in front of the property. One per business is allowed, but it must be immediately adjacent to the main entrance. The maximum size is 32 inches wide and maximum height is 36 inches. The signs must be professionally lettered, neatly painted or assembled, and remain in good repair. The signs should be structurally sound to avoid being blown away or over. Landscaping areas should not be affected by the portable signs. Per Washington State Department of Transportation (WSDOT) regulations, portable signs are not allowed on SR-3, SR 303, SR 304 and SR 310.
- **BMC 20.52.180 – Non-Conforming Signs.** This portion of the code regulates signs that do not comply with the City’s current regulations. The non-conforming sign provisions were revised in February of 2014 to remove amortization of non-conforming signage. To accommodate the removal of signs, more detailed non-conforming provisions were adopted to try to reduce the non-conforming signage over time (as a building goes through substantial repair vs. a citywide compliance through amortization). In October of 2014, the 1-year provision for non-conforming signs was removed due to the acknowledgement of the impacts from the recession. Rather than requiring businesses that had been closed for more than one year to remove the non-compliant sign, the provision was changed to require businesses to bring signs

into compliance if they are proposing to do more than \$50,000 in improvements. Several examples were provided to illustrate the outcome of the non-conforming sign regulations.

- **BMC 20.52.190 – Government Acquisition of Property for Right-of-Way.** This portion of the code regulates the protocol when the government acquires land and existing signs become non-conforming. The current code allows a sign to be placed near the property line provided the location does not impact sight distance from the intersections and is consistent with the public health, safety and welfare.
- **BMC 20.52.200 – Removal of Signs.** This portion of the code applies to signs that are dangerous, illegal, prohibited, defective or abandoned. As written, it requires that all components of the signs must be removed, and failure to comply may result in a penalty.

Ms. Satter advised that, moving forward, the staff will be being preparing the draft sign regulations after receiving direction from the Commission. Staff is proposing to keep the majority of the current sign code objectives intact, but make the provisions more content neutral. This includes:

- Allowing all businesses to have signage.
- The maximum size of a sign would be based on the intensity of the zone and the anticipated target audience.
- No off-premise signage would be allowed, except for co-op signs or portable signs.
- Freestanding monument signs would be allowed in all commercial zones, but pole signs would only be allowed in Industrial and Freeway Corridor zones.
- The non-conforming sign requirements have resulted in getting more signage into conformance with the City’s regulations.

Chair Wofford opened the floor for public comment. No one indicated a desire to comment, and the public comment period was closed.

Commissioner Tift asked how real estate signs are currently regulated and if there are size limitations. **Ms. Satter** answered that real estate signs are regulated as on-premise signs, which are exempt based on the provision that allows an extra sign on a property that is currently for sale or rent. There are no size limitations at this time, but off-premise real estate signs that are located in the right-of-way are regulated. The City has not received any complaints about real estate signs.

Commissioner Tift asked if single-family residential property owners are allowed to place large signs on their homes, such as welcome signs. **Ms. Satter** said signage that is incorporated into the building and is less than 2 square feet in size is exempt from the sign code provisions. While this is definitely something that needs to be considered as part of the Commission’s review, the provisions cannot be content based.

Commissioner Tift inquired if there are size limits for political signs in addition to time limitations. **Ms. Satter** said the current code limits political signs to a maximum of 32 square feet or 6 feet in height, which is the same as for temporary signs. Larger political signs are allowed but require a permit.

Commissioner Goodnow asked if there are time limits for when a property owner must bring a sign into compliance when more than \$50,000 of improvements are made to the property. **Ms. Satter** said sign compliance is usually tied to the building permit. Typically, it will be a condition of approval and the sign must be compliant before occupancy.

Chair Wofford asked how the City’s parks signs are regulated. **Ms. Satter** answered that a permit is required, and the signs must be compliant. Park signs are considered “special purpose signs,” which are allowed to be a maximum of 50 square feet and are limited to one per frontage. **Director Spencer** pointed out that all of the City’s parks are zoned residential, and most are located in the R-10 Zone. The City must be careful when writing sign code regulations because the R-10 zone will likely have one size listed and it will be applicable to areas such as parks to home-based businesses. Most of the City’s current code is based on zoning district and not on the specific user of the site.

Chair Wofford asked how the municipal court sign would be regulated. **Ms. Satter** answered that this sign was approved before the non-conforming sign provisions were adopted. Therefore, they were not required to remove the existing pole sign as part of the remodel work.

Chair Wofford referred to a comment the Commission received via email relative to enforcement. Currently, aside from the initial application, there is no follow-up or penalty for non-compliance. He recalled Ms. Satter's earlier comment that state routes are governed by WSDOT and asked if the moving sign on Kitsap Way is under State rather than City regulation. **Ms. Satter** clarified that signs located within the City's jurisdiction are regulated by the City. They try not to have codes in place that conflict with the State regulations, but the City does not enforce State rules. **Director Spencer** recalled that when the City's codes are changed, the amendments must be put out for public agency comment. WSDOT asked the City to add regulations relative to portable signs into its codes, and the City is responsible for enforcement. Enforcement is complaint-based, and staff responds when complaints are received. **Commissioner Goodnow** asked if the portable air-filled sign on Kitsap Way (waving man) is covered in the current sign code regulations. **Director Spencer** answered affirmatively; but said that, oftentimes, the property owners do not approach the City for a sign permit. **Commissioner Goodnow** suggested that these types of signs could be regulated as temporary signs, which have specific time limitations.

Commissioner Goodnow asked how human signs at intersections are currently regulated. **Ms. Satter** answered that human spinning signs are regulated by the current code. However, they are not allowed if they are located off-premise and within the right-of-way.

Commissioner Tift referred to the comment letter from Ms. Bailey, which talks about the Swing Set Mall. **Ms. Satter** explained that the co-op provision allows signage for fronting parcels, and one parcel back. The Swing Set Mall is actually multiple parcels back, and they don't have the location that allows them a co-op sign on Wheaton Way. They may have requested an additional sign up front, but off-premise signs are not allowed. Expanding the co-op sign provisions could be something the Commission considers as it moves forward with the sign code review. **Chair Wofford** suggested that businesses with an address on the street should be allowed to have a sign on that same street. **Ms. Satter** agreed that is one way the code could be written.

The Commissioners reviewed the questions posed earlier by staff and provided the following direction:

- **With reader board signs allowed in every zoning district, is the current 2-second interval appropriate?** **Commissioner Nerf** expressed his belief that 2-second intervals are too fast, and 5-second intervals might be more appropriate. **Commissioner Goodnow** said he would also prefer longer intervals. **Ms. Satter** agreed to provide a proposal, as well as examples of how other jurisdictions regulate reader board signs, when the Commission continues its discussion at the next meeting.
- **Should the City have timelines on non-commercial temporary signage?** **Ms. Satter** said these signs include political signs, philosophical signs, religious signs, etc. **Chair Wofford** said he would like the City to limit all non-commercial temporary signage to just seven days after the event has occurred. **Ms. Satter** cautioned that the City cannot regulate based on event. **Director Spencer** suggested that the signs be allowed to go up for a total of 60 days, and the sign owner could decide when those 60 days will be. **Ms. Purves** said this particular type of signage is the most problematic to regulate in a content-neutral yet sensible manner. Staff is reviewing what other jurisdictions are doing, but no other jurisdiction in Kitsap County is as far along as the City of Bremerton in updating sign codes. However, the Association of Washington Cities has provided a model code. Assuming that most temporary non-commercial signs are for an event, **Chair Wofford** suggested that the time limitation could include a time after the event that the sign must be removed. **Ms. Purves** responded that this type of limitation could be a problem because the City would have to look at the sign to know when the event is over. She commented that because temporary signs tend to be more cheaply made and located in the rights-of-way, some jurisdictions are looking at regulating the types of material and where the signs are placed. Staff will continue to look at case law and provide more information as it becomes available.

Commissioner Tift pointed out that temporary construction signs are used when buildings are being developed, and these will be followed by temporary "for rent" signs. **Ms. Satter** advised that, currently, temporary signs for construction, real estate marketing and real estate are exempt from the sign code. She acknowledged that some changes will be needed. **Ms. Purves** said one solution put forward by lawyers is to categorize the sign limitations based on the

use of the property. For example, instead of allowing one sign for each house that is for sale, the code could say houses that are for sale are allowed one additional sign.

Commissioner Nerf asked if it would be possible to issue a tag for each sign that is permitted that identifies the date by which the sign must be removed. **Ms. Satter** said that is one option that some jurisdictions are considering. However, it would require more staff time to permit and monitor the signs. **Commissioner Tift** cautioned that the tighter the regulations, the more work is created for staff. Political signs that are up two months after the election is more a reflection on the candidate than it is a nuisance. He recommended that signs not be limited such that they become an enforcement problem for the City.

- **Should auto dealerships get more than 100 square feet of signage, which would allow all Freeway Corridor zoning to get more signage?** **Ms. Satter** explained that dealerships were very influential when the sign code was significantly updated about 12 years ago, and that is why there are specific provisions for car dealerships in the current code. Making changes to reduce the signage they are currently allowed could have significant political ramifications. She commented that the current code language is unusual, since sign code provisions are typically based on zoning rather than use. The Commission discussed existing businesses that currently have more than 100 square feet of signage. **Commissioner Goodnow** suggested that this is an opportunity to use the Supreme Court decision to reel in sign allowances within the Freeway Corridor zone. Another option would be to address it by allowing additional signage based on the number of franchises operating on the site.

Ms. Satter pointed out that, based on the Supreme Court decision, changes are needed to this section of the code. That means they must either reduce the sign area allowed for auto dealerships to be consistent with what is allowed for other businesses in the Freeway Corridor zone or increase the sign area for all businesses to be consistent with what is allowed for auto dealerships. **Commissioner Tift** said he would prefer to increase the sign area allowed for all businesses within the zone than try to reel back in the auto dealerships.

Commissioner Goodnow suggested that perhaps the franchise signs used by auto dealerships could be regulated similar to co-op signs. **Director Spencer** said she likes the notion of using the co-op sign code regulations as the model. Co-op signs combine the development rights of several parcels into one place. Administering this approach would not require staff to read the sign to make sure it meets the code. However, she is somewhat concerned the City has to read the separate signs to determine that they are separate franchises.

Ms. Purves pointed out that jurisdictions did not immediately start amending their signs codes because they wanted to see how the lower courts would interpret the decision. Staff will continue to watch as case law is developed further, particularly relative to the distinction between commercial and non-commercial speech. If the 9th Circuit and other courts start leaning the direction of reading the decision to be limited to only non-commercial speech, jurisdictions can continue to regulate commercial speech in the way they did before. Jurisdictions are taking a slow, measured approach as they collect input from stakeholders and review their codes. Political signs are very analogous to the court decisions and everyone knows they need to comply, but whether it will extend to commercial speech is another issue.

- **Should residential signs at neighborhood entrances be regulated different than entrances to apartment complexes?** **Commissioner Goodnow** asked staff to explain the disparity between the two uses. **Director Spencer** said she does not know why the disparity was created in the code, but staff believes the requirement for both should be the same. **Commissioner Goodnow** asked if the provision would apply to large apartment complexes, as well. **Ms. Satter** answered that it would only apply to signs in residential zones, and the large, multi-family projects will be developed in the downtown or center zones where a 60 square foot sign area is allowed. **Commissioner Nerf** commented that it is unlikely that the owner of a 4-unit residential building would want to put up a large sign. The Commissioners generally concurred that the allowable sign area should be consistent for both neighborhood and apartment entrances in residential areas.

Director Spencer explained that the intent is to take a slow approach to the sign code update. The workshop is intended to introduce the Commissioners to the concept, and staff's intent is to come back with preliminary code changes in July for another workshop discussion. Notices were sent to the City's development partners, realtors, Master Builders Association, etc., and realtors have volunteered to serve on a committee as the amendments move forward. A public hearing on the sign

code amendments is anticipated in September. This will allow staff time to collect more case law and provide additional examples for the Commission's consideration. **Ms. Purves** noted that Harvard Law just did a review of all of the cases that have happened since the Supreme Court decision, and their position is that it is being applied to both commercial and non-commercial signs.

Director Spencer announced that the City would create a website specific to the sign code update, which will be available to both the Commission and the public.

BUSINESS MEETING

Chair Report

Chair Wofford did not provide any additional comments.

Director Report

Director Spencer announced that since the Commission's last meeting in April, the City Council has adopted the Comprehensive Plan Update, the Zoning Code Update, minor amendments to the Shoreline Master Program, and expansion of the Multi-Family Tax Incentive target areas. A lot of kudos were shared about the Planning Commission during the City Council's work. She specifically referred to the Comprehensive Plan and Zoning Code Update and noted that there were only minor changes to the Planning Commission's recommended draft:

- The Commission's motion relative to allowing automobile sales in the District Center failed, and the City Council did not accept the change, either. When having their debate, the Commission zoomed in tight on the map of the Wheaton/Sheridan District Center, and the City Council had the same debate and agreed that it may not make sense to allow automobile sales in the District Centers given that it was allowed in General Commercial. However, when they zoomed out on the map, they realized that automobile sales would be allowed in many more areas of the City if the recommendation to allow automobile sales in the General Commercial Zone was adopted. They decided to prohibit automobile sales in the General Commercial zone, as well, and this eliminated the conflict on the Wheaton Way and Kitsap Way Corridors where some parcels would be allowed to have automobile sales and other would not.
- Originally Staff had recommended a requirement of 1 parking space for each multi-family unit in the District Centers, and the Commission received testimony requesting that the parking requirement be reduced to .5 spaces per unit to be consistent with the Downtown Plan. The Council reviewed the Downtown Subarea Plan in detail and found out that only a portion of the downtown had this low standard. The City Council reversed the Commission's recommendation to reduce the parking requirement to .5 spaces per unit in all centers and went back to staff's original proposal of 1 space per unit. Testimony at the City Council hearing was primarily in favor of the 1-per-unit requirement.

Director Spencer advised that the next step is to get plan certification from the Puget Sound Regional Council (PSRC) so the City is eligible to receive funding going into the future, and Ms. Satter has completed the certification application. The Department of Ecology must also approve the Shoreline Plan Limited Amendments, which may take three to six months to complete.

Old Business

Chair Wofford asked if there are applicants to fill the vacant Commission position. **Director Spencer** answered that there are at least three applicants, and staff will schedule interviews in the near future.

New Business

The Commissioners commended staff for the quality of their work and the products the Commission has received for each item.

ADJOURNMENT

The meeting was adjourned at 7:08 p.m.

Respectively Submitted by:

Andrea L Spencer, AICP
Executive Secretary

Nick Wofford, Chair
Planning Commission

**CITY OF BREMERTON, WASHINGTON
PLANNING COMMISSION AGENDA ITEM**

AGENDA TITLE:	Workshop: Discussion on the Bremerton Municipal Code Sign Regulations (BMC 20.52).
DEPARTMENT:	Community Development
PRESENTED BY:	Allison Satter, Senior Planner, (360) 473.5845 Kylie Purves, Assistant City Attorney, (360) 473.2345

TOPIC OVERVIEW

This month’s workshop will be discussing proposed revisions to the Sign Code provisions (Bremerton Municipal Code (BMC) 20.52 and a sign definition within BMC 20.42).

ATTACHMENT

- **Attachment A:** Bremerton Municipal Code Sign Standards (BMC 20.42 and 20.52) proposed revisions in legislative mark-up.



TOPIC OVERVIEW

The Planning Commission’s previous workshop (June 2016) discussed the current sign code provisions, objectives and goals, and the impacts to our sign code from the Supreme Court decision: *Reed v. Town of Gilbert*. To summarize, *Reed v. Town of Gilbert* was a case in which the United States Supreme Court clarified when municipalities may impose content-based restrictions on signage. The case also clarified the level of constitutional scrutiny that should be applied to content-based restrictions on speech. The Court’s decision in *Reed* presents a marked change and restriction on how cities may regulate signs. The regulation of signs should be viewed not as a land use regulation, but rather a regulation of speech, and under that framing the Court’s decision in *Reed* arguably becomes exponentially more palatable to implement and enforce.

In addition the revisions required by the court decision, Staff reviewed this code and are proposing additional amendments that will update the code and will provide clarification. Those amendments can be seen in **Attachment A**, which will be discussed in greater detail within this Staff Report.

BASICS OF SIGN CODE

As Staff is reviewing the sign code in its entirety, it is important to understand the basics on how the City regulates signs. As shown in BMC 20.52.010 the Intent section of the sign standards, it clearly identifies the objectives of the sign code as follows:

- Recognize the importance of signs in the community and establish regulations to protect the public from damage or injury attributable to distractions and obstructions caused by poorly designed or improperly located signs;
- To stabilize or enhance the overall appearance of the community, and to protect property values; and
- Regulate the number, size, placement and physical characteristics of signs and sign structures and are not intended to and do not restrict, limit or control the content of any sign message.

With the intent of the sign code laid out, the City is recognizes that the neighborhood and street context drives the types of signs used or desired by businesses. When reviewing and creating the sign regulations, Staff considers the different characteristics of our community's residential and business activity areas to define the types and sizes of signs allowed within the zoning districts. Here is a summary of the findings:

- Building signs are the same throughout the commercial zones and are directly associated to the size of the building (the larger the building facade, the more square footage of building sign allowed; however typically not allowed to exceed 100 square feet or 10% of the building facade).

Summary of signs that are allowed by Zoning District:

- **Freeway Corridor and Industrial zones**, or high-traffic streets and highways, those businesses are typically located on busier higher speed roadways and need larger and taller signage for good visibility, so there tends to be more demand for larger signs that are clearly visible to drivers, rather than pedestrians. In these zones the City allows larger size area and height (35' tall and 100' to 150' in sign area allowed). This is the only zone that allows pole signs (all other commercial zones only allow monument signage).
- **Downtown and District Centers** are the City's high-density urban areas and tend to be walkable and pedestrian access is high, so there is typically more demand for sidewalk signs (such as portable A-frame signage) or building signage including overhanging signs (that are allowed per our existing code). As for freestanding signs within the City's centers, those sign dimensions are set to be proportionate to the zone to allow for visibility but not to allow large signs to clutter the street and impact the citizen's mobility. Portable signs are highly used in the centers zones, and sign code provisions exist to ensure that sufficient sidewalk access is maintained. The City allows an 8' tall freestanding size with 60 square feet maximum which is consistent with the other commercial zones as the roadways are similar throughout the City's commercial zones (except Neighborhood Business zone as discussed later in this staff report). District Centers along major corridors, such as Wheaton Way, receive an exception for taller signs to address the visibility of the sign along that higher speed vehicular dominated roadways (up to 15' tall).
- **General Commercial** is intended for a wide range of commercial activities that targets both the vehicle and the pedestrian. General Commercial zone parcels are typically located on a major corridor (such as Kitsap or Wheaton Way), however the zone does extend into neighboring areas with lower speed traffic and pedestrian access from the residential neighbors. As such the Code allows the typical size signage (same as Downtown: 8' tall with 60 square feet maximum) with the exception that along Kitsap and Wheaton Way, taller signs are allowed to correlate with the speed of the traffic (and targeted audience of the car) along those corridors only.

- **Neighborhood Commercial** is intended for commercial nodes within residential neighborhoods, thus targeting pedestrians or slower speed roadways. The Haddon area, with Hi-Lo’s Restaurant, is an example of a Neighborhood Center zone. The freestanding sign size is the same as General Commercial (as the speed of traffic is similar) but the height has been reduced by 2’ from General Commercial zone to ensure the proportionality of the sign to the intensity of the zone.
- The **Institutional zone** is the area in and around Olympic College. This zone is comparable to General Commercial, including that it is located on a major corridor (Warren Avenue) the district has similar allowed uses plus those that support the college. This area tends to have both foot and vehicular traffic, and thus the provisions are the same as the General Commercial zone.
- The **Residential zones** are areas that the City is trying to protect or encourage residential neighborhoods. As such, the proposed signage is the smallest allowed within the City to limit the visual impacts of signage to the neighborhoods.

AMENDMENTS TO THE SIGN CODE

Now that you have the background on the sign provisions, Staff is proposing revisions to the BMC 20.52, Sign Standards (as seen in **Attachment A**) in the following manner:

- **BMC 2.42 Definitions**
 - Included a provision about mobile signage as it is becoming more prevalent. The picture to the right is an example of the signage that Bremerton now regulating as a portable sign pursuant to BMC 20.52.160.
- **BMC 20.52.040 Exempt Signs:**
 - Revisions to Real Estate, temporary construction signage and renaming “Political Signs” to “Noncommercial Speech” signs to comply with the Supreme Court decision on being content-neutral.
- **BMC 20.52.050 Prohibited Signs**
 - Staff is proposing that readerboard signs to be allowed to change copy/text at eight seconds intervals versus the current two seconds. Readerboards can be distracting to drivers, thus movement should be limited. The following table is how other jurisdictions regulate the time for readerboard signs to change copy:



City	Time Limit to Changing of copy/text/image to a Readerboard
Kitsap	8 seconds
Port Orchard	5 seconds
Poulsbo	No electronic readerboards allowed
Everett	2 seconds
Tacoma	12 seconds
Seattle/Bellevue	Not identified

- **BMC 20.52.070 Sign Placement Requirements**

- Proposing to revising subsection (a)(2) for Temporary Banner Signs, to be content neutral but still allow the City to erect banner signs, such as the Blackberry Festival Sign, off-site (over Pacific Avenue).

- **BMC 20.52.085 Political Signs**

- Revise this portion of the code from “Political Signs” to “Noncommercial Speech Signs.” This included removal of the timeframe to remove the signs 14-days after the general election.

The Noncommercial Speech Signs are very similar to the allowed Temporary Sign provisions. The reader may ask why two categories of sign types if the codes are so similar. The “Temporary Sign” code per BMC 20.52.080 is targeted towards Commercial development, but any business or property owner that can comply with these provisions could have a temporary sign after applying for a permit. The Temporary Sign code permits small (32 square feet freestanding signs) and larger signs (100 square feet banners) with shorter duration of display time and must be removed after 60-days. The City requires a permit for the Temporary signage so Staff can review the larger signs for structural support, assure it is secure and won’t harm the public, and is located properly (outside the clear vision triangle). The Noncommercial Speech signs allows the only the smaller freestanding sign (less than 32 square feet) that may stay up for an unlimited duration. As the Noncommercial Speech signs are limited to the smaller sign option (thus less impacts to the visual distractions), they do not have to go through a permitting process, thus promoting free (noncommercial) speech of our citizens and business owners without an onerous permitting process.

The proposal amendment ensures consistency throughout the regulations and the City’s code is not based on the content of the sign.

- **BMC 20.52.090 General Sign Regulations**

- Added provision regarding illumination. As more signs are being converted to LED message boards, Staff is proposing a provision in the code to limit the brightness of the signs that could impact the passing motorist or neighboring home or business.

- **BMC 20.52.100 Commercial Districts Sign Regulations**

- Rename “Shopping Center or Professional Complex” to “Large Multiple Occupant Development”
- Revise Co-op Signs to help provide further clarification. This include only allow signs utilizing Co-op signage to get larger signs. A Co-op sign is intended to allow businesses that do not have street frontages on Kitsap Way or Wheaton Way a reasonable opportunity to advertise by sharing a sign with a business that has street frontage. As the way the Code is currently written, Wheaton Way and Kitsap Way get a larger sign than their underlying Zoning District regardless if they utilize the Co-op sign or not. As the City is trying to incentivize sharing of signage (and the reducing the cluttering of signage), the proposed code revisions still allows for Co-op sign, but only allows an increase in maximum sign size if the Co-op sign is utilized by both businesses. In addition, after considering public comment received in June 2016, Staff is proposing to extend the eligible parcels that can participate in Co-op signage beyond the “must share a property line,” to parcels that may be farther off of Wheaton or Kitsap Way (such as the Swing Set Mall location).

- **BMC 20.52.110 Auto Dealerships Sign Regulations**
 - As the Supreme Court decision identifies that the sign code should be content neutral, Staff is proposing to remove this section. As the use of auto dealerships are only allowed within the Freeway Corridor, Staff is proposing to remove this section, but offset the potential impacts to the businesses within the Freeway Corridor and allow the maximum size of the sign to be revised from 100 square feet maximum to 150 square feet maximum. This is consistent with the permitting of signage for auto dealerships as their business are typically three or less franchises, which would allow 150 square feet maximum.

- **BMC 20.52.120 Residential District Sign Regulations**
 - Revised this section to remove “Multiple-Family Developments” signs and revise this portion of the code to be more content neutral. This revision treats all residential development (subdivision or apartment complex) that would like an identification sign the same.

- **BMC 20.52.180 Nonconforming Signs**
 - Revised subsection (b) to add the provision that regulates maintenance and repair to off-premise signs. The provision was copied from BMC 20.52.180(c)(2). This will add consistency between “on-site” and “off-site” maintenance and repair of nonconforming signs.

- **Figure 20.52(a)**
 - Revised Freeway Corridor to 150 square feet maximum size (please see the previous section regarding BMC 20.52.110 Auto Dealership Signs for clarification)
 - Revised the “Downtown and Centers Zones” to consolidate all Center designations as they have the same provisions and added the “Puget Sound Industrial Center-Bremerton” to the table. The PSIC-B maximum sign size matches the PSIC-B Subarea Plan regulations on signage.

NEXT STEPS: AMENDMENTS TO BMC 20.52 – SIGN PROVISIONS

Staff will continuing to research this topic as more information comes available and continue outreach into the community. Planning Commission should accept and consider all public comments, deliberate and provided Staff direction on any modifications or additional information that should be included into **Attachment A**, the proposed revisions to BMC 20.52 Sign Standards. Public Hearing is tentatively scheduled for September.

Chapter 20.42 DEFINITIONS

"Portable sign" means any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building. A-frame or sandwich board signs, ~~and~~ movable readerboard signs, ~~and signs that are mounted, attached or painted on a trailer, boat or motor vehicle, which is parked, stored or displayed conspicuously in a manner intended to attract the attention of the public~~ are examples.

Chapter 20.52 SIGN STANDARDS

Sections:

[20.52.010 INTENT.](#)

[20.52.020 APPLICABILITY.](#)

[20.52.030 SIGN PERMIT.](#)

[20.52.040 EXEMPT SIGNS.](#)

[20.52.050 PROHIBITED SIGNS.](#)

[20.52.060 SIGN MEASUREMENTS.](#)

[20.52.070 SIGN PLACEMENT REQUIREMENTS.](#)

[20.52.080 TEMPORARY SIGNS.](#)

[20.52.085 ~~POLITICAL NONCOMMERCIAL SPEECH SIGNS.~~](#)

[20.52.090 GENERAL SIGN REGULATIONS.](#)

[20.52.100 COMMERCIAL DISTRICTS SIGN REGULATIONS.](#)

[20.52.110 ~~AUTO DEALERSHIP SIGN REGULATIONS.~~](#)

[20.52.120 RESIDENTIAL DISTRICT SIGN REGULATIONS.](#)

[20.52.130 SPECIAL PURPOSE SIGN REGULATIONS.](#)

[20.52.140 DOWNTOWN AND CENTERS SIGN REGULATIONS.](#)

[20.52.150 VARIATIONS TO SIGN REGULATIONS.](#)

[20.52.160 PORTABLE SIGNS.](#)

[20.52.180 NONCONFORMING SIGNS.](#)

[20.52.190 GOVERNMENT ACQUISITION OF PROPERTY FOR RIGHT-OF-WAY.](#)

[20.52.200 REMOVAL OF SIGNS.](#)

20.52.010 INTENT.

The intent of the sign requirements chapter is to recognize the importance of signs in the community and establish regulations to protect the public from damage or injury attributable to distractions and obstructions caused by poorly designed or improperly located signs. These regulations are also intended, in part, to stabilize or enhance the overall appearance of the community, and to protect property values. This chapter is intended to regulate the number, size, placement and physical characteristics of signs and sign structures. These regulations are not intended to and do not restrict, limit or control the content of any sign message.

20.52.020 APPLICABILITY.

These regulations shall apply in all zoning districts and may be subject to additional requirements of certain districts, or to state regulations. In cases of conflict, the most stringent requirement shall prevail.

20.52.030 SIGN PERMIT.

- (a) Permit Required. No sign shall be placed, erected, or displayed without first obtaining a sign permit unless exempt under BMC [20.52.040](#).
- (b) Removal of Nonconforming Signs. A property containing a nonconforming sign shall not be allowed a new or additional sign on the property until the nonconforming sign is removed or brought into conformance with the requirements of this chapter and the underlying zone.
- (c) Permit Application. An application for a sign permit shall include the following:
 - (1) Signature of the property owner or their designated agent;
 - (2) Site plan drawn to scale showing existing buildings, streets, freestanding and building signs, utility poles, and other structures within fifty (50) feet of the proposed sign;
 - (3) Elevation drawings of the structural details of the proposed sign including dimensions, height, illumination methods and structure supports; and
 - (4) Landscaping plan showing planting materials and patterns.

20.52.040 EXEMPT SIGNS.

The following signs are exempt from the provisions of this chapter, but may be subject to other provisions of the zoning code or building code:

- (a) Traffic signs, signals, wayfinding signs, and other traffic control devices erected by the City or other public authority.
- (b) Public notices pertaining to public health or safety issues, or for notification of legal or legislative action erected by the City or other public authority, of a temporary nature.
- (c) Permanent plaques, cornerstones, nameplates, and other building identification markings attached to or carved into the building materials and which are integral parts of the structure.
- (d) Signs within buildings, provided they do not include moving, flashing or animated signs that are visible from any private or public roadway, or from adjacent properties.
- (e) Legal nonconforming signs.
- (f) Incidental signs intended for public information or convenience and which consist of no more than ten (10) square feet for a combination of such signs. These may include restroom signs, hours of operation signs, address numbers, help wanted, credit card signs, and similar.
- (g) The American flag, State of Washington flag, and other political or special purpose flags that are not intended to contribute to a commercial advertising display.
- (h) Wall graphics of an artistic nature and that do not conform to the definition of "sign."
- (i) Public information/identification approved through a conditional use permit process pursuant to BMC [20.58.020](#).
- (j) ~~Real estate signs for sale of single-family dwelling units. Signs displayed on a lot with a property for sale or rent.~~
- (k) ~~Temporary construction and on-site real estate development marketing signs. Signs displayed on a lot where construction is taking place,~~ provided they are removed prior to occupancy approval of the building.
- (l) ~~Political-Noncommercial speech~~ signs meeting the provisions in BMC ~~20.52.090~~[20.52.085](#).
- (m) Signs not readable from public or private right-of-way or waterway.
- (n) Signs intended to for general public information, such as bulletin board/kiosk, that accommodates changeable copy such as private or public notices, special event information, and other short-term messages, at a scale suitable for pedestrians and not intended to be read by passing motorists, and not for commercial advertising purposes.

20.52.050 PROHIBITED SIGNS.

The following signs are prohibited within the City limits of Bremerton and shall be subject to removal through amortization or other means:

- (a) Strobe lights or any other flashing, moving, video or animated features that are visible beyond any property line. Readerboard or message center signs that change copy no more frequently than at ~~two~~ (2) eight (8) second intervals are exempt from this provision.
- (b) Pole signs in all zones except the freeway corridor (FC) zone and the industrial (I) zone.
- (c) Private signs placed within a public right-of-way, except a projecting sign may be permitted over a sidewalk if a clearance of at least eight (8) feet is maintained between the sidewalk and the bottom of the sign.
- (d) Any sign that is determined by the City Engineer to be a hazard to public safety due to its design, materials, physical condition, or placement.
- (e) Signs painted, attached to, or otherwise supported by rock formations, utility poles, trees or other plant materials.
- (f) Bench signs, when installed within the public right-of-way. When on private property, the size of a bench sign will be counted toward the total allowable sign area.
- (g) Portable signs within the public right-of-way except portable signs per BMC [20.52.160](#).
- (h) Off-premises signs including billboards, but not including co-op signs ~~or~~, portable signs, or noncommercial speech signs where permitted.

20.52.060 SIGN MEASUREMENTS.

- (a) The area of sign faces shall be measured as the area bounded by any six (6) straight lines intersecting at right angles, and shall include any surrounding frames or cabinet edges.
- (b) Sign area does not include supports, foundations or structures that are not part of the sign.
- (c) Only one (1) side of a double-faced sign is counted in the sign's total area.
- (d) Multiple copy signs or shopping center signs consisting of several individual signs on the same support structures are calculated as the total of all individual sign components.
- (e) A round or cylindrical sign is calculated as the maximum area that can be seen at one (1) time from one (1) position, or fifty (50) percent of the total area, whichever is greater.
- (f) The height of a sign is measured from grade, as defined, to the highest point of the sign.
- (g) Sign clearances are measured from grade directly below the sign to the bottom of the sign or sign frame.
- (h) Street corner signs (at an intersection) shall be assigned to one (1) of the frontages by the applicant and shall conform to the requirements of that frontage only.
- (i) Portable signs shall be calculated as part of the total freestanding sign area available to the site.

20.52.070 SIGN PLACEMENT REQUIREMENTS.

- (a) All signs, including supporting structures, shall be erected or placed totally within the boundaries of the site and not within any public right-of-way, except for the following:
 - (1) Public authority and other traffic-related signs;
 - (2) Temporary banner signs erected by the City advertising a public event, which meet City approval;
 - (3) Approved signs overhanging public walkways; and
 - (4) Approved portable signs per BMC [20.52.160](#).
- (b) Intersections standard. A vision clearance setback shall be maintained of at least fifteen (15) feet from the edge of all private and public roadways, alleys and driveway intersections.
- (c) General road standard. A vision clearance setback shall be maintained of at least ten (10) feet from the edge of existing or planned roadways. Signs may be allowed within the clear-vision setback if:
 - (1) A pole sign is allowed by the zone;

- (2) The top of the sign is three (3) feet or less above the grade;
 - (3) The bottom of the sign is eight (8) feet or greater above the grade; or
 - (4) The posts and support structure have a diameter no greater than twelve (12) inches within this area.
- (d) A pedestrian clearance is required for any projecting sign (8) feet above grade or sidewalk as measured to the bottom of the sign.
- (e) A projecting sign may extend over a public right-of-way or public pedestrian walkway up to six (6) feet past the property line, but in no case shall the sign extend over a street or other area used by motor vehicles.
- (f) The setbacks for freestanding signs may be reduced to zero (0), provided the applicant provide justification and documented proof that the sign's placement will not hinder vision clearance for existing and future development on the site.
- (g) Freestanding signs shall not extend beyond property lines.

20.52.080 TEMPORARY SIGNS.

All temporary signs are subject to the placement, size, and height requirements of this chapter, and the requirements set forth in the underlying zone. Additionally, the following requirements shall apply:

- (a) The sign area of individual temporary signs shall not exceed thirty-two (32) square feet; except a banner may be permitted with a sign area of up to one hundred (100) square feet.
- (b) The maximum height of a temporary sign is six (6) feet, except a banner may be allowed a maximum height of twenty (20) feet.
- (c) Signs may be displayed for a period not to exceed sixty (60) days. Any time a temporary sign is removed by a business, it shall not be replaced by the same or other temporary sign for a period of not less than ninety (90) consecutive days.
- (d) Temporary signs meeting the following standards are exempt from the requirements of BMC [20.52.030](#) and BMC [20.52.090](#) through [20.52.140](#):
 - (1) The sign is displayed for a period of seven (7) days or less;
 - (2) The area of the sign is twenty-four (24) square feet or less; and
 - (3) The height of the sign is six (6) feet or less.
- (e) Temporary signs shall not be permanently attached to the ground, a building, or to any other structure, other than what is necessary to secure it to prevent theft, wind damage or safety problems.
- (f) Advertising wind signs or devices that flutter, wave, sparkle, or otherwise move from the pressure of the wind are permitted for specific promotions or events but shall not be permanently displayed.

~~**20.52.085 POLITICAL SIGNS.**~~

~~Political signs identify candidates or issues in upcoming elections and/or they may express noncommercial speech such as religious, political, social, or other philosophical messages. The content of such signs are not regulated, but are subject to the following requirements:~~

- ~~(a) The sign area of political signs shall not exceed thirty two (32) square feet.~~
- ~~(b) The maximum height of a political sign shall be six (6) feet.~~
- ~~(c) Political signs advertising a candidate or issue in an upcoming election shall be removed within fourteen (14) days after the general election.~~
- ~~(d) Political signs that do not comply with the requirements of this section shall be subject to the permit requirements, sign area, setback and other provisions of this chapter.~~

20.52.085 NONCOMMERCIAL SPEECH SIGNS

Noncommercial speech signs express noncommercial speech such as public community events, religious, political, social, or other philosophical messages. Noncommercial speech signs do not promote commercial products or services. The content of such signs are not regulated, but are subject to the following requirements:

- (a) The sign area of noncommercial speech sign shall not exceed thirty-two (32) square feet.
- (b) The maximum height is limited to six (6) feet.
- (c) Noncommercial speech signs that do not comply with the requirements of this section shall be subject to the permit requirements, sign area, setback and other provisions of this chapter.

20.52.090 GENERAL SIGN REGULATIONS.

The following regulations apply to signs in all zone districts:

- (a) Vision Clearance. Signs shall conform to the clearance requirements of BMC [20.52.060](#).
- (b) Extension Above Rooftop. No sign that is attached to a building shall extend above the highest point of the roof except for commercial and center zones up to fifty (50) percent of the area of a wall sign that is integrated into an architectural facade design element to define the primary entry to the premises may project above the parapet of a flat roof; provided, that all components of the sign are only visible to public view on the primary entry side of the building.
- (c) Window Signs. Signs placed on the inside of windows and directed toward the outside of a building shall be included in the total sign area calculations.
- (d) Canopies and Awnings. Signs placed on projecting canopies and awnings, whether lighted or not, shall be calculated only for the area of the canopy or awning taken up by the sign itself.
- (e) Landscaping. All freestanding signs shall have a landscaped island at the base of the sign equal to, or greater than, the sign area.
- (f) Illumination. In order to avoid unreasonably distracting pedestrians or motorists, nearby residents, and to protect marine life, illumination from or upon any sign shall be shielded or directed so as to avoid undue brightness, glare or reflection of light on private or public property and waterways. During hours of darkness, the illumination shall be adjusted to ensure there is no undue brightness. "Undue brightness" is illumination in excess of that which is necessary to make the sign reasonably visible to the average person.

20.52.100 COMMERCIAL DISTRICTS SIGN REGULATIONS.

The following standards shall apply to signs placed on property zoned commercial:

- (a) Freestanding Signs.
 - (1) No use or combination of uses on a single lot or building shall have more than one (1) freestanding sign per street frontage, with the following exceptions:
 - (i) Parcels with five hundred (500) feet of continuous frontage may have one (1) additional sign.
 - (ii) Co-Op Signs. See subsection (d) of this section.
 - (2) Maximum Height and Design. Freestanding signs shall comply with the height and design requirements set forth in Figure 20.52(a).
- (b) Building Signs.
 - (1) Commercial Uses. The building sign standards shall be in accordance with the following:
 - (i) Sign Area. Signs attached to a building may have an aggregated area that shall not exceed two (2) square feet for each one (1) lineal foot of building facade width.
 - (ii) Maximum Sign Size. A building sign attached individually shall not exceed one hundred (100) square feet in area, except it may exceed the maximum if the total sign area is less than ten (10) percent of the total building facade area of the side with the signage.
 - (2) Industrial Uses. The building sign standards for industrial uses and other uses not engaged in the sale of goods or services to the public shall be in accordance with the following:
 - (i) Sign Area. The maximum aggregated area for all building signs attached to a single building shall be one hundred (100) square feet.

(3) Number of Signs. There is no limit to the number of individual building signs, provided the maximum aggregated sign area is not exceeded.

(4) Illumination. Signs may be illuminated directly, indirectly, or internally, provided the lighting is directed away from other land uses, and away from oncoming traffic.

(c) ~~Shopping Center or Professional Complex~~Large Multiple-Occupant Development. A shopping center, professional office complex, or similar large multiple-occupancy development may have an identification sign to a maximum size of three hundred (300) square feet placed along one (1) street frontage, provided the parcel has an area of at least eight (8) acres, and the sign is no closer than one hundred (100) feet from an adjacent property on the same side of the street.

(d) Co-Op Signs. A co-op sign is intended to permit businesses that do not have street frontages on Kitsap Way or Wheaton Way a reasonable opportunity to advertise. Co-op signs are an incentive for the consolidation of signage. A co-op sign transfers the right to place a freestanding sign from a non-fronting parcel to a parcel with street frontage on Kitsap Way or Wheaton Way.

(1) Co-op sign eligibility. Co-op signs may be permitted along Wheaton or Kitsap Way provided all the following are met:

(i) At a minimum, two parcels are coordinating to create consolidated signage to reduce visual clutter and limit distractions to pedestrians and motor vehicles. It will be required for the non-fronting parcel to transfer the right to develop an on-site-freestanding-sign to the parcel fronting Kitsap Way or Wheaton Way. The owners of both the fronting parcel and the non-fronting parcel(s) shall record a "Notice to Title" prepared by the Department recognizing the presence of a Co-op sign with the Kitsap County Auditor. The notice shall be notarized and the applicant must submit proof that the notice has been legally recorded before the sign permit is issued.

(ii) The non-fronting business shall not have a property line fronting Wheaton Way or Kitsap Way.

(iii) The parcel where the Co-op signage is installed shall have at least seventy-five (75) feet of continuous street frontage on Wheaton Way or Kitsap Way.

(iv) The parcels (fronting and non-fronting) must share a property line, or for non-fronting businesses that do not have a shared property line with the fronting business, a Co-op signage may be allowed if all of the following are met:

a. The structure containing the non-fronting businesses is within eight hundred (800) feet of Wheaton or Kitsap Way; and

b. The non-fronting parcel is within four hundred (400) feet from the fronting parcel where the Co-op sign is to be installed; and

c. There is no public right-of-way between the non-fronting and fronting parcel where the Co-op sign is to be installed; and

d. Vehicle or pedestrian access to the non-fronting business is adjacent to, or is in close proximity to, the fronting business.

(v) Any existing freestanding sign(s) on the fronting and non-fronting business should be removed prior to installation of the Co-op sign, unless allowed elsewhere in the code.

(2) Size and Quantity. Cop-op signs shall be in accordance with the following standards:

(i) A parcel may only participate in one (1) co-op sign.

a. The non-fronting parcel may place a directional sign at each entrance, not to exceed ten (10) square feet in size.

(ii) The Co-op sign is the only permitted freestanding sign on the participating parcels, except as provided above.

(iii) The sign does exceed the maximum height limit as identified in Figure 20.52(a).

(iv) A Co-op sign shall not to exceed one hundred (100) square feet, except for the following:

a. When a Co-op sign has multiple non-fronting parcels, a twenty-five (25) percent bonus in square footage is permitted (for a maximum sign area of one hundred and twenty-five (125) square feet).

~~(d) Co-Op Signs. A co-op sign is intended to permit businesses that do not have street frontages on Kitsap Way or Wheaton Way a reasonable opportunity to advertise. A co-op sign transfers the right to place a freestanding sign from the nonfronting parcel to the parcel with street frontage on Kitsap Way or Wheaton Way. Co-op signs may be permitted in the following circumstances:~~

~~(1) The parcel fronting Wheaton Way or Kitsap Way shall have at least one hundred (100) feet of continuous street frontage on Wheaton Way or Kitsap Way; and~~

~~(2) The parcels (fronting and nonfronting) must share a property line; and~~

~~(3) The nonfronting business shall not have a property line fronting Wheaton Way or Kitsap Way; and~~

~~(4) A parcel fronting Kitsap Way or Wheaton Way shall be permitted one co-op sign, not to exceed one hundred (100) square feet; however, the co-op sign may contain signage for more than one (1) nonfronting business; and (5) In the event that the fronting and nonfronting parcel(s) elect to share a single freestanding sign, a twenty-five (25) percent bonus in square footage is permitted, provided:~~

~~(i) The shared sign is the only permitted freestanding sign on the fronting and nonfronting parcels, except as provided in subsection (d)(7)(i) of this section.~~

~~(ii) The sign does not exceed the fifteen (15) foot maximum height.~~

~~(6) The nonfronting parcel is limited to one (1) co-op sign on Kitsap Way or Wheaton Way; and~~

~~(7) The nonfronting parcel will transfer the right to develop a freestanding sign on the nonfronting parcel to the parcel fronting Kitsap Way or Wheaton Way;~~

~~(i) The nonfronting parcel may place a directional sign at each entrance, not to exceed ten (10) square feet in size.~~

~~(8) The owners of both the fronting parcel and the nonfronting parcel shall record a "Notice to Title" prepared by the Department recognizing the presence of a co-op sign with the Kitsap County Auditor when required by the Department. The notice shall be notarized and the applicant must submit proof that the notice has been legally recorded before the sign permit is issued.~~

20.52.110 AUTO DEALERSHIP SIGN REGULATIONS.

This section applies within the freeway commercial zone designation.

~~(a) No provisions under this section shall be interpreted to preclude other provisions of this chapter that are applicable to a given property or proposal.~~

~~(b) In addition to the other standards prescribed in this chapter, a dealership group may erect one (1) automobile dealership district sign subject to the following requirements:~~

~~(1) A dealership group is two (2) or more franchises under common ownership;~~

~~(2) The automobile dealership district sign shall be limited to identifying the dealership group and the brands of vehicles sold in the group;~~

~~(3) The total area of the sign shall not exceed fifty (50) square feet for each dealer franchise in the group (example: a dealership group with two (2) dealer franchises would be allowed an automobile dealership district sign of up to one hundred (100) square feet);~~

~~(4) The maximum total sign area in no case shall exceed one hundred fifty (150) square feet if the sign is a pole sign, or two hundred (200) square feet if it is a monument sign;~~

~~(5) The square footage of the sign shall be deducted from the total aggregated signage allotted to the parcel on which the sign is placed;~~

~~(6) The sign can only front on a City arterial street;~~

~~(7) A master signage plan is required to be submitted prior to issuance of the sign permit showing the location and area of all signage of all the dealerships within the dealership group.~~

20.52.120 RESIDENTIAL DISTRICT SIGN REGULATIONS.

The following regulations apply to properties in residential zones:

- (a) Freestanding Signs.
 - (1) ~~Entrance Signs.~~ One (1) freestanding sign may be permitted at each street entrance to a neighborhood, subdivision, manufactured park, apartment/condominium complex, or other homogeneous residential area, provided:
 - ~~(i) The sign specifically identifies the development only;~~
 - (ii) The sign area is fifty (50) square feet or less.
 - ~~(2) Multiple Family Developments. A residential development having four (4) or more dwelling units may have one (1) permanent freestanding sign per street frontage, provided the total sign area does not exceed four (4) square feet.~~
 - ~~(3) Individual Properties.~~ Each residential property may have one (1) freestanding permanent sign that shall not exceed two (2) square feet in sign area.
 - ~~(4) Height.~~ Freestanding signs shall have a maximum height of six (6) feet as measured from grade directly below the sign to the highest point on the sign or its support structure.
- (b) Building Signs.
 - (1) The freestanding sign limitations prescribed in subsections (a)(1) through (3) of this section may be applied to building signs in lieu of freestanding signs.
- (c) Resident name plaques and address numbers shall not be included in total sign area calculations, but shall be limited to a size and character of other such signs in the immediate neighborhood.
- (d) Advertising wind signs or devices that flutter, wave, revolve, or sparkle, or are otherwise moved by the wind are prohibited.

20.52.130 SPECIAL PURPOSE SIGN REGULATIONS.

When a sign that is not otherwise regulated by this title and is located in a residential zone, the special purpose sign regulations shall apply. Specifically, special purpose signs are signs located in a residential zone that are for either (1) commercial uses, such as an adaptive reuse, or legally established nonconforming commercial use, or (2) noncommercial signs such as signs for churches, schools and parks. The following shall apply:

- (a) Freestanding Signs.
 - (1) Sign Area. The maximum area of a freestanding sign shall be limited to fifty (50) square feet.
 - (2) Number of Signs. Only one (1) freestanding sign is allowed per each street frontage.
 - (3) Height. The height of a freestanding sign shall not exceed six (6) feet.
- (b) Building Signs.
 - (1) Sign Area. The aggregate area of all building signs, projecting signs, and other signs attached to buildings shall not exceed one hundred (100) square feet.
 - (2) Number of Signs. There is no limit to the number of individual building signs, provided the maximum aggregated sign area is maintained.
- (c) Illumination. When located within a residential zone, the sign shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m.

20.52.140 DOWNTOWN AND CENTERS SIGN REGULATIONS.

The following standards shall apply to signs located in a center:

- (a) Freestanding Signs.
 - (1) Sign Area. The requirements prescribed in BMC [20.52.100\(a\)\(1\)](#) shall apply, except wide parcels shall be limited to only one (1) freestanding sign not to exceed one hundred (100) square feet.

- (2) Spacing. Freestanding signs shall be no closer than twenty-five (25) feet from adjacent properties, except this may be modified by the Director where such factors as the width of the lot or the driveway access makes compliance impossible.
- (3) Maximum Height and Design. Freestanding signs shall comply with the height and design requirements set forth in Figure 20.52(a).
- (b) Building Signs. The requirements prescribed in BMC [20.52.100](#)(b) shall apply.
- (c) Moving, flashing, or animated signs are prohibited in downtown and centers zones.

20.52.150 VARIATIONS TO SIGN REGULATIONS.

- (a) The Director shall have the authority to grant administrative approval for minor adjustments to sign heights, numbers of signs, sign placement, and sign size, provided:
 - (1) The adjustments do not exceed ten (10) percent of the basic requirement; and
 - (2) The adjustment is based on a hardship or problem with the site, existing building placements, or poor site visibility, and not based on economic factors or personal design preference.
- (b) A request for adjustments beyond ten (10) percent shall be processed as a variance pursuant to BMC [20.58.030](#).

20.52.160 PORTABLE SIGNS.

Portable signs may be placed on sidewalks or portions of the pedestrian public right-of-way subject to the following conditions:

- (a) A minimum four (4) feet of unobstructed sidewalk or pedestrian path must be maintained. A portable sign shall not be allowed on sidewalks with less than four (4) feet in width.
- (b) Portable signs may not be placed in the driving lanes of a public street or in parking stalls on the public right-of-way.
- (c) One (1) portable sign is allowed for any licensed business. The sign must be displayed immediately adjacent to the main entrance of the business employing the sign.
- (d) Portable signs shall not exceed thirty-two (32) inches in width or thirty-six (36) inches in height as displayed.
- (e) Portable signs shall be professionally lettered, neatly painted or assembled, and remain in good repair.
- (f) Portable signs shall be constructed to avoid being blown from their intended location and to avoid tipping or falling.
- (g) Portable signs shall not be internally lit, not have moving parts, nor shall any attachment or portion of the sign extend beyond the thirty-two (32) by thirty-six (36) inch maximum dimensions established in subsection (d) of this section.
- (h) Portable signs shall be displayed during daylight hours only and shall be removed by the business owner immediately after dusk each day.
- (i) Any site landscaping required by the City shall not be altered to accommodate a portable sign.
- (j) Portable signs shall not block intersections or otherwise constitute a public safety hazard.
- (k) Pursuant to Chapter [47.42](#) RCW and Chapter [468-66](#) WAC, placement of portable signs on the public right-of-way of SR 3, SR 303, SR 304, and SR 310 is prohibited.
- (l) Placement of portable signs on the public right-of-way in violation of this section will result in immediate removal of the sign from the public right-of-way by City personnel.

20.52.180 NONCONFORMING SIGNS.

- (a) Applicability. This section applies to the maintenance, repair, as appropriate, and removal of nonconforming signs. "Nonconforming sign" means a sign that was legally established, but no longer conforms to the current sign standards of this title.

(b) Maintenance and Repair of Off-Premises Signs. Any nonconforming off-premises sign shall immediately lose its legal nonconforming designation, and be removed or brought into conformity with the provisions of this chapter, when one (1) or more of the following events occur:

(1) Alterations to Sign.

- (i) Any structural alteration to an off-premises sign shall result in the loss of its nonconforming status. This does not include replacing the sign's message or painting.
- (ii) In no case shall an off-premises sign be permitted to be expanded or enlarged. Adding electronic components that move, flash, or change copy is not permitted.

(2) Alteration to Associated Business or Site. Should a business or site with an off-premise nonconforming sign undergo remodel or site improvements the sign shall lose its nonconforming status under any of the following circumstances:

- (i) The on-site renovation, construction, or other site improvements exceed seventy-five (75) percent of the assessed improvement value of the site; or
- (ii) On-site construction/improvements costs exceed fifty thousand dollars (\$50,000); or
- (iii) Unless the structure was damaged by fire or other casualty not intentionally caused by the owner and tenant and a permit is applied for within one (1) year of such fire or casualty

(c) Maintenance and Repair of On-Premises Signs. Any nonconforming on-premises sign shall immediately lose its legal nonconforming designation, and be removed or brought into conformity with the provisions of this chapter, when one (1) or more of the following events occur:

(1) Alterations to Sign.

- (i) If alterations are made to the sign that exceed twenty-five (25) percent of the replacement cost of the sign, it shall lose its nonconforming status; or
- (ii) For freestanding signs, refacing the sign with a new message is permitted; however, if the cabinetry housing the sign is removed, or is intended to be replaced, the sign shall lose its nonconforming status; or
- (iii) In no case shall an on-premises sign be permitted to be expanded or enlarged.

(2) Alteration to Associated Business or Site. Should a business with a nonconforming sign undergo remodel or site improvements, ~~unless the structure was damaged by fire or other casualty not intentionally caused by the owner and tenant and a permit is applied for within one (1) year of such fire or casualty,~~ the sign shall lose its nonconforming status under any of the following circumstances:

- (i) The on-site renovation, construction, or other site improvements exceed seventy-five (75) percent of the assessed improvement value of the site; ~~or~~
- (ii) On-site construction/improvements costs exceed fifty thousand dollars (\$50,000); ~~or-~~
- (iii) Unless the structure was damaged by fire or other casualty not intentionally caused by the owner and tenant and a permit is applied for within one (1) year of such fire or casualty.

20.52.190 GOVERNMENT ACQUISITION OF PROPERTY FOR RIGHT-OF-WAY.

(a) A sign that becomes nonconforming with respect to its setback from the edge of a public right-of-way as a result of a local, state, or federal government acquisition of property for right-of-way expansion shall be characterized as a legal nonconforming sign and shall be allowed subject to the requirements of this section.

(b) The City may allow, by a Type II permit as prescribed in Chapter [20.02](#) BMC, the placement of a new sign or relocation of an existing sign within a required setback if it meets all of the following criteria:

- (1) The enforcement of this code would result in substantial hardship to the applicant because no feasible location exists to place a sign on the subject property other than in a required setback, and such hardship was created solely by local, state, or federal government acquisition of property for right-of-way expansion and not by any action of the applicant.

- (2) The sign is not prohibited by BMC [20.52.050](#) and, except for location within a required setback, complies with all other requirements of this chapter.
- (3) The sign complies with the City's minimum sight distance at intersection requirements pursuant to BMC [20.52.070](#).
- (4) Location of the sign within a required setback is otherwise consistent with the public health, safety, and welfare.

20.52.200 REMOVAL OF SIGNS.

The sign user, owner and/or owner of the property on which an abandoned, dangerous, defective, illegal, or prohibited sign is located shall remove or cause to be removed any such sign as required in this chapter. Failure to comply shall subject the sign user, owner and/or owner of the property on which the sign located to the remedies and penalties of BMC [20.40.200](#).

Figure 20.52(a)
Freestanding Signs: Zone-Specific Size and Design Requirements

Commercial Zones	Freestanding Sign Type	Max. Height	Max. Size^{1,3,4}
General Commercial (GC)	Monument only	8' ³	60 sq. ft.
Neighborhood Business (NB)	Monument only	6'	60 sq. ft.
Freeway Corridor (FC)	Any	35'	100-150 sq. ft.
Industrial (I)	Any	25'	-
Institutional (INST)	Monument only	8'	60 sq. ft.
Downtown and Centers Zones	Freestanding Sign Type	Max. Height	Max. Size
All Centers (except the Puget Sound Industrial Center-Bremerton)	Monument only	8'³	60 sq. ft.
Puget Sound Industrial Center-Bremerton	Any	25'	-
District Center Core (DCC)	Monument only	8'	60 sq. ft.
Downtown Core (DC)	Monument only	8'	60 sq. ft.
Downtown Waterfront (DW)	Monument only	8'	60 sq. ft.
Business Core (BC)	Monument only	8'	60 sq. ft.
Employment Center (EC)	Monument only	8'	60 sq. ft.

1. Larger signs for large multiple occupant development are allowable per BMC [20.52.100\(c\)](#).
2. Freestanding sign size for special purpose zones not listed in this table is subject to the requirements of BMC [20.52.130](#).
3. Freestanding signs fronting Wheaton Way and Kitsap Way may increase the maximum height to fifteen (15) feet, ~~and maximum area to one hundred (100) square feet per BMC 20.52.100(d), which is a permissible departure from the requirements listed in Figure 20.52(a).~~

4. Pursuant to BMC 20.52.100(d) Co-op signage may increase the maximum signage provided a transfer of development rights for the non-fronting parcel is provided (non-fronting parcel does not get a freestanding sign as the transfer of development rights were for a larger sign on the fronting parcel).