



CITY OF BLACK DIAMOND  
PLANNING COMMISSION MEETING AGENDA  
March 12, 2013 7:00 PM  
25510 Lawson Street, Black Diamond, Washington

- 1) CALL TO ORDER, ROLL CALL
- 2) APPROVAL OF MINUTES –February 12, 2013
- 3) PUBLIC COMMENTS: Individuals wishing to address the Planning Commission regarding any item not on this meeting’s agenda may do so at this time.
- 4) CONTINUED WORKSESSION ON POTENTIAL CODE AMENDMENT RE: SEPA APPEALS PROCESS
- 5) CONTINUED WORKSESSION ON POTENTIAL AMENDMENTS TO THE GATEWAY OVERLAY DISTRICT AND SIGN CODE RE: MONUMENT SIGNS
- 6) UNFINISHED BUSINESS
- 7) DEPARTMENT REPORT
- 8) PUBLIC COMMENTS
- 9) ADJOURN



CITY OF BLACK DIAMOND  
PLANNING COMMISSION  
25510 Lawson Street, Black Diamond, Washington

**MEMORANDUM**

Date: March 6, 2013  
To: Planning Commission  
From: Steve Pilcher, Community Development Director  
Re: March 14 meeting items

Two items from last meeting's discussion are being brought forward for additional discussion: potential amendments to the SEPA appeals process and possible amendments to the Code regarding signage for commercial properties (Diamond Square in particular).

SEPA Appeals process

The Commission has discussed the issues regarding the costs involved in consideration of a SEPA appeal. Currently, the City provides for an administrative appeal of an action taken by the SEPA Responsible Official. These appeals are considered by the Hearing Examiner. The fee for filing an appeal (\$250) is established in code, as opposed to the City's fee schedule.

Recent experience has shown that the costs involved are considerably greater than \$250. These costs are therefore paid out of the City's General Fund, effectively subsidizing an appeal action. The Commission was asked to consider whether it would be appropriate to amend the code to require appeals of SEPA actions to proceed directly to Superior Court, where either the City's insurance provider would be likely to cover the expense or, in the case of an action associated with the Master Planned Developments, the Master Developer could be required to pay for the City Attorney's time (the City Attorney is listed as a consultant to the Master Development Review Team).

Staff researched other communities in the area to determine how they are processing SEPA appeals. The vast majority allow for an administrative appeal to a Hearing Examiner (or in some cases, City Council), with a nominal appeal fee. Fewer require appeals to progress directly to Superior Court. One jurisdiction (Duvall) "splits" their appeal process, with appeals of minor land use actions proceeding to the Examiner and all others to Superior Court. That could be an option here in Black Diamond, although it is less likely that a minor land use action would be subject to an appeal.

At this time, staff is asking the Commission for direction on a potential code amendment that may then be advertised for a public hearing to be held next month.

### Sign Code amendments

At your last meeting, staff reviewed some possible code amendments that would allow commercial sites with multiple tenants to have larger ground/monument signs and also, for those with a large amount of street frontage, to also potentially have an additional sign. These revisions were drafted and provided at your last meeting. A copy was also provided to the owners of Diamond Square.

Per the request of the Commission, we have added a suggested "separation standard" for when an additional sign is permitted on a site. A copy is attached.

### Next steps

Staff recommends these two items and the other minor code amendments previously discussed (vesting, residential cluster district) proceed to public hearing for your April meeting.

## **Gateway Overlay District – 18.76.070 (D)**

Signage. Monument signs shall be permitted within the required development setback in accordance with provisions of this section and subject to the approval of the director. Pole signs are not permitted. Signs located beyond the setback area and not visible from the public right-of-way are not subject to the requirements of this section, but shall comply with the requirements of the underlying zone.

1. The total allowed sign area of all signage permitted within the development setback on any one lot shall not exceed ~~fifty-four square feet~~ the standards of BDMC 18.82. A double-faced sign shall be considered a single sign. No more than two signs shall be permitted within the development setback area per lot, provided that this limitation shall not apply to signs pertaining to the identification of the corridor and those signs and/or interpretive panels identifying and directing the traveling public to archaeological sites, historic sites and other similar non-commercial places and features of interest.
2. All signage shall be designed with a theme compatible with the architectural style of the development and have a brick, stone or similar masonry base. Signs should be painted a single neutral or earth tone color as determined by the director to be compatible with the architectural theme or style of the development. ~~Signs may be indirectly lit.~~
3. Internally illuminated signs are allowed, provided that no ~~In general, no internally illuminated signs shall be permitted, nor shall any~~ flashing, blinking, fluctuating or otherwise changing light source is ~~be~~ permitted. ~~Provided, an internally lit sign may be allowed if the sign face only allows light to illumine the lettering of the business or development name.~~
4. The main supporting structure of all signs shall be set back at least five feet from the edge of the public right-of-way.
5. If a business entrance opens onto the development setback, then a pedestrian oriented sign may be allowed, not to exceed twelve square feet, at the entrance to the business. These signs shall not be internally illuminated, but may be indirectly lit.

## **Sign Code – 18.82**

4. Sign area standards:  
All non-residential zone districts: ~~Fifty square feet for a single side or one hundred square feet total both sides.~~

5. Location. Ground signs shall be set back a minimum of five feet from a front property line. Placements in these locations are subject to approval by the public works director. The placement of ground signs shall be in such a fashion and location as to not obstruct the view of signs of adjacent property owners.

6. Number. One ground sign shall be permitted on each street frontage of property on which the business is located; provided that properties with more than 300 lineal feet of street frontage shall be allowed an additional ground sign. The minimum distance between ground signs on a single property shall be 150 lineal feet.

Forma  
Forma

Shopping or Business Center Identification Sign(s). Each shopping center or other commercial property having eight or more tenants may be permitted one shopping center identification ground sign, not to exceed 100 sq. ft. in area. Any shopping or business center having eight or more separate tenants may have one shopping-center identification sign that includes identification of each of the separate multiple tenants, if and only if, all of the following conditions are met:

1. No other ground signs shall be allowed.
- 1.2. All existing signs in the shopping-center must be brought into conformance with the city sign standards in effect at the time of application, prior to issuance of a sign permit for the shopping-center identification sign. Provided, however, existing roof signs shall be removed within eighteen months from issuance of the shopping-center identification sign;
- 2.3. Individual tenants/businesses within a shopping-center using a shopping-center identification sign shall only be allowed to use wall signs;
- 3.4. The shopping-center identification sign shall be consistent with the city's adopted design standards and guidelines with regard to height, size and design;
- 4.5. The sign may only contain the names of the tenant businesses, and the name of the shopping-center;
- 5.6. The tenant business names shall be of uniform type and size; and
- 6.7. The landscape requirements for ground signs shall be met.