



## **CITY OF TUKWILA**

*Department of Community Development*

6300 Southcenter Boulevard Ste 100, Tukwila, WA 98188

Telephone: (206) 431-3670

E-mail: [Planning@tukwilawa.gov](mailto:Planning@tukwilawa.gov)

# **SIGN CODE VARIANCE**

## **INFORMATION**

A sign variance is an exception to a standard in the sign code, which if granted, allows an applicant to install a sign that could not otherwise be legally built. Common examples of a variance include requesting a deviation from minimum setback provisions or the maximum height permitted for a sign. A sign variance is typically applied for due to physical constraints that make it impossible to install signage that fully complies with the terms of the sign code. Such physical constraints could include the shape of the site or the grades on the site or adjacent property.

**REQUIREMENTS:** The criteria for a Sign Code Variance are located on the back of the application. The request for the variance must meet all of the criteria in order for the hearing examiner to approve the request. Variances cannot be requested to allow a sign type that is prohibited under the Sign Code.

**PROCEDURES:** At the time you submit your application you must have all of the items listed on the attached "Complete Application Checklist." You may request a waiver from items on the checklist that are not applicable to your project. Please discuss this waiver request with City staff either at a pre-application meeting or at the time of application submittal.

Within 28 days of receiving your application, City staff will determine if it is complete based on the attached checklist. If not complete City staff will mail you a letter outlining what additional information is needed. If you do not submit requested materials within 90 days from the City's request for additional information the City may cancel your application.

The Hearing Examiner will hold a Public Hearing before making a decision. A project's hearing date is determined when all application materials have been submitted and the application is determined to be complete. Staff will review the application, meet with the applicant as needed, and formulate a recommendation to the Hearing Examiner. The Hearing Examiner will approve, deny or conditionally approve the variance request based on review criteria presented in the application packet.

If the variance is approved you must then submit for a sign permit to actually install the sign that was approved. Talk to your project planner about what is required to submit for the actual sign permit.

# COMPLETE APPLICATION CHECKLIST

The materials listed below must be submitted with your application unless specifically waived in writing by the Department of Community Development. Application review will not begin until the application is determined to be complete.

The initial application materials allow project review to begin and vest the applicant's rights. **However, the City may require additional information as needed to establish consistency with development standards.**

Department of Community Development Planning staff can help you prepare your application for submittal. Please contact (206) 431-3670 to discuss any specifics with the required application submittal.

Check items submitted with application	<b>Information Required.</b> <i>May be waived in unusual cases, upon approval of Planning</i>
<b>APPLICATION MATERIALS:</b>	
	1. Three copies of this application form, completed and signed.
	2. Three copies of a dimensioned and scaled site plan showing property lines, streets, buildings, parking areas, and the location of all existing and proposed signs on the premises, including both building-mounted and freestanding signs. Highlight the change requested through the variance. Generally, the City will not require site plans to be prepared by a licensed surveyor; however, the City shall have the authority to require a site plan prepared by a Washington State Licensed Surveyor if such site plan will assist in the City's review of the proposed application.
	3. Three copies of scaled and dimensioned drawings of the proposed sign or signs with area calculations.
	4. If building-mounted signs are proposed, three copies of a scaled elevation of the building walls where the signs will be located indicating the location and extent of the exposed building face used to calculate the sign area.
	5. If freestanding signs are proposed, scaled and dimensioned drawing with height calculations.
	6. Three copies of a scaled and dimensioned building profile, if projecting signs are proposed.
	7. Method of illumination, if proposed.
	8. Details for any dynamic portions of the proposed signs.
	9. Written narrative responding to the seven variance criteria found in Tukwila Municipal Code Section 19.28.030 (See Attached). This is your opportunity to present the merits of your request.

<b>Check items submitted with application</b>	<b>Information Required.</b> <i>May be waived in unusual cases, upon approval of Planning</i>						
	<p>10. Pay the fee as established by the <a href="#">Land Use Fee Schedule</a> for generating mailing labels; <b>OR</b> provide an excel spreadsheet of mailing labels for all <i>property owners</i> and <i>tenants</i> (residents and businesses) within 500 feet of the subject property. Each unit in multiple family buildings e.g. apartments, condos, trailer parks--must be included.</p> <p>Once your project is assigned to a planner, you will be required to provide an electronic copy of the mailing label spreadsheet in the following format: Name, Street Address, City St Zip, with each of these fields as an individual column:</p> <table border="1" data-bbox="285 625 1036 743"> <thead> <tr> <th data-bbox="285 625 469 684">Name</th> <th data-bbox="474 625 721 684">Street Address</th> <th data-bbox="725 625 1036 684">City, St, Zip</th> </tr> </thead> <tbody> <tr> <td data-bbox="285 690 469 743">Mr. Smith</td> <td data-bbox="474 690 721 743">1234 Park Ave S</td> <td data-bbox="725 690 1036 743">Tukwila WA 98188</td> </tr> </tbody> </table>	Name	Street Address	City, St, Zip	Mr. Smith	1234 Park Ave S	Tukwila WA 98188
Name	Street Address	City, St, Zip					
Mr. Smith	1234 Park Ave S	Tukwila WA 98188					
	<p><b>PLEASE NOTE:</b> Regardless of whether you pay the City to generate the mailing labels or you provide them, there is an additional fee for postage and material as listed under <b>Public Notice Mailing Fee</b> on the <a href="#">Land Use Fee Schedule</a>. Payment of this fee is due prior to issuance of the decision and you will receive a separate bill for this fee</p>						
	<p>12. Payment of application fee as established in the City's current fee schedule. The applicant is also responsible for paying the Hearing Examiner costs before issuance of the decision.</p>						
	<p>13. One copy of the attached affidavit signed and notarized by owner or agent.</p>						



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# SIGN CODE VARIANCE

## APPLICATION

FOR STAFF USE ONLY	
Planner	File
Application Complete Date:	Project File Number:
Application Incomplete Date:	Other File Numbers:

NAME OF PROJECT/DEVELOPMENT: \_\_\_\_\_

LOCATION OF PROJECT/DEVELOPMENT: *Give street address or, if vacant, indicate lot(s), block and subdivision, access street, and nearest intersection.*

LIST ALL TAX LOT NUMBERS (*this information may be found on your tax statement*).

### DEVELOPMENT COORDINATOR:

The individual who:

- has decision making authority on behalf of the owner/applicant in meetings with City staff,
- has full responsibility for identifying and satisfying all relevant and sometimes overlapping development standards, and
- is the primary contact with the City, to whom all notices and reports will be sent.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# REVIEW CRITERIA

The Hearing Examiner will base a decision on the specific Sign Code variance criteria shown below. Please respond to these criteria on a separate sheet.

## CRITERIA FOR SIGN CODE VARIANCE (TMC 19.28.030)

1. The variance as approved shall not constitute a grant of special privilege, which is inconsistent with the intent of this Sign Code.
2. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.
3. Granting of the variance will not be materially detrimental to the public welfare or injurious to property, improvements or environment in the vicinity and in the zone in which the subject property is located.
4. The special conditions and circumstances prompting the variance request do not result from the actions of the applicant.
5. The variance as granted represents the least amount of deviation from the prescribed regulations necessary to accomplish the purpose for which the variance is sought and which is consistent with the stated intent of this code.
6. The variance request is not inconsistent with any other adopted City plan or policy, including the Zoning Code, Walk and Roll Plan and/or Shoreline Master Program.
7. Granting of the variance shall result in greater convenience to the public in identifying the business location for which a Sign Code variance is sought.



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## AFFIDAVIT OF OWNERSHIP AND HOLD HARMLESS PERMISSION TO ENTER PROPERTY

STATE OF WASHINGTON

COUNTY OF KING

The undersigned being duly sworn and upon oath states as follows:

1. I am the current owner of the property which is the subject of this application.
2. All statements contained in the applications have been prepared by me or my agents and are true and correct to the best of my knowledge.
3. The application is being submitted with my knowledge and consent.
4. Owner grants the City, its employees, agents, engineers, contractors or other representatives the right to enter upon Owner's real property, located at \_\_\_\_\_ for the purpose of application review, for the limited time necessary to complete that purpose.
5. Owner agrees to hold the City harmless for any loss or damage to persons or property occurring on the private property during the City's entry upon the property, unless the loss or damage is the result of the sole negligence of the City.
6. Non-responsiveness to a City information request for ninety (90) or more days, shall be cause to cancel the application(s) without refund of fees.

EXECUTED at \_\_\_\_\_ (city), \_\_\_\_\_ (state), on \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone Number)

\_\_\_\_\_  
(Signature)

On this day personally appeared before me \_\_\_\_\_ to me known to be the individual who executed the foregoing instrument and acknowledged that he/she signed the same as his/her voluntary act and deed for the uses and purposes mentioned therein.

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of Washington  
residing at \_\_\_\_\_

My Commission expires on \_\_\_\_\_