

ORDINANCE NO. 2011-08-042

AN ORDINANCE AMENDING BMC 20.08.020 TO PROVIDE A DEFINITION OF "MEDIAN STRIP" AND "ROUNDAABOUT", AND BMC 20.12.040 TO PROHIBIT PLACEMENT OF SIGNS IN MEDIAN STRIPS AND ROUNDAABOUTS LOCATED WITHIN A CITY RIGHT-OF-WAY.

WHEREAS, placement of signs in median strips and roundabouts in rights-of-ways obstructs visual sightlines necessary for safe operation of vehicles of all types; and

WHEREAS, the activity of placing signs in median strips and roundabouts itself may be a hazardous activity, frequently requiring movement across traffic lanes not managed via traffic control devices; and

WHEREAS, median strips and roundabouts have not been continually used as forums for public or commercial communication nor are they intended by the City to be used as such; and

WHEREAS, numerous and plentiful venues remain for public communication of all types, including rights-of-ways immediately adjacent to City streets; and

WHEREAS, a review of the ordinance by the City's SEPA official has resulted in a Determination of Non-Significance (SEP2011-00017); and

WHEREAS, a public hearing was held before the Planning Commission on June 2, 2011, and this ordinance has been reviewed by the Planning Commission and the Planning Commission has recommended approval; and

WHEREAS, the City Council held a public hearing on this proposed amendment to the City's sign code on July 11, 2011;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. Bellingham Municipal Code 20.08.020 shall be amended as follows.

20.08.020 - SPECIFIC DEFINITIONS

Section A. 1. to Section L. 12. -- UNCHANGED

M. 1. Main Building: The principal building on a lot designed or used to accommodate the primary use. When more than one building on the lot is devoted or used for the primary use each such building shall be considered a main building.

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2. Maneuvering Area: The area located behind a parking space and meant to be used to accommodate the automobile in entering, turning around and exiting the parking lot.

3. Manufactured Home: A residential structure built in one or more sections for towing to the use site which is not built to Uniform Building Code Standards, but which may be built to other state or federal construction standards for manufactured housing, and has a minimum living area of 320 square feet. See also "Manufactured Home - Designated."

4. Manufactured Home - Designated: A single family dwelling unit constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

a. Is comprised of at least two fully enclosed parallel sections each of not less than 12' wide by 36' long;

b. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof with not less than a 3:12 pitch; and

c. Has exterior siding similar in appearance, as determined by the Director, to siding materials commonly used on conventional site-built single-family dwellings built under the Uniform or International Building Code.

5. Median Strip: A paved or planted strip dividing a highway into lanes according to direction of travel.

6. Medical Care Facility: Establishments, licensed by the State of Washington, which provide care to the elderly, sick, and disabled. These centers include hospitals, sanitariums, nursing homes, congregate care facilities, extended care centers, convalescent homes and similar institutions. Doctor and dentist offices, day care and service care facilities are explicitly not permitted under this definition.

7. Mini-Storage: A building or group of buildings which contain individual, compartmentalized and controlled access stalls and lockers for the self service of nonutilized storage of the customer's goods or wares.

8. Mini-Center: See Day Care ... Mini-Day Center.

9. Mixed Use:

a. **Use Qualifier:** The term when used as a use qualifier shall indicate a use that is permitted outright when included in a neighborhood plan's land use classification system.

b. **Generally:** When there are two or more main uses operating on one building site.

10. Motel: A building or group of buildings containing rooms where lodging with or without meals is provided for compensation. Cooking facilities may be installed provided no more than 10% of the motel units contain complete cooking facilities, and cooking facilities in the remaining units are limited to a 'countertop range' with

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no oven. Motels shall be designed to accommodate the automobile tourist or transient; daily maid service shall be provided, and parking facilities must be provided convenient to each guest room.

11. Multiple Family Dwelling Unit: A building or portion thereof, designed for or occupied by 3 or more families living independently in separate dwelling units.

Section N. 1. to Section P. 11.— UNCHANGED

R. 1. Recreational Vehicle: A residential structure, under 320 sq. ft. in area, designed for recreational camping or travel uses, built on a single chassis and designed for highway travel on its own running gear, with or without motive power. Included are camping trailers, travel trailers, truck campers and motor homes.

2. Recreational Vehicle Storage Lot: A lot designated and approved as such by the City Council, pursuant to subdivision approval, used for the storage of boats, trailers and recreational vehicles owned by inhabitants of the subdivision.

3. Recycling Collection Center: A premise used for the collection of bottles, cans, newspapers and other small recyclable materials normal to residential waste. Processing, other than preparation of the materials for transportation to a processing center is prohibited.

4. Reduced Parking Overlay District: An area of modified parking requirements as specified in BMC 30.12.010 B. (2). (See [Figure 1.](#))

5. Restaurant: See **Eating Establishment** and/or **Drinking Establishment**.

6. Riding Academy: A use devoted to the training, and/or exercise of horses.

7. Right of Way: Land dedicated to the City for purposes of public circulation and/or utilities.

8. Roundabout: A road junction at which traffic streams circularly around a central island.

Section S. 1. to Section Z. 1. — UNCHANGED

Section 2. Bellingham Municipal Code 20.12.040 shall be amended as follows.

20.12.040 - Signs

- A. **Development Handbooks.** [NO CHANGE]
- B. **Off-Premise Signs.** [NO CHANGE]
- C. **Nonconforming Signs.** [NO CHANGE]
- D. **Non-commercial Messages.** [NO CHANGE]
- E. **Billboard Standards.** [NO CHANGE]

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F. Signs Prohibited in Median Strips and Roundabouts.


1. Signs are prohibited citywide within any median strip or roundabout located within the City right-of-way, regardless of use type, zoning, or neighborhood.
2. Traffic signs installed by a government agency, and directional, wayfinding program signs installed by a government agency, are exempt from this provision if the signs are consistent with the provisions of any applicable neighborhood plan.

PASSED by the Council this 1st day of August, 2011.



Council President

APPROVED by me this 3rd day of August, 2011.

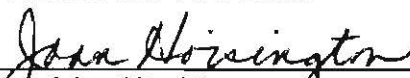


Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

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