



**King County**  
**Department of Development and Environmental Services**  
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## **REGULATORY REVIEW COMMITTEE**

**- MINUTES -**

**MEETING DATE: April 24, 2002**

**TO:** Building Services Division Staff  
Chris Ricketts  
Jim Chan  
Pam Dhanapal  
Ken Dinsmore

Land Use Services Division Staff  
Joe Miles  
Greg Borba  
Lisa Pringle

Caroline Whalen, Deputy Director  
Harry Reinert, Special Projects Manager  
Tim Barnes, Prosecuting Attorney's Office

**FM:** Harry Reinert, Co-Chair

Present: Greg Borba, Ken Dinsmore, Pam Dhanapal, Jim Chan, Lisa Pringle, Caroline Whalen, Tim Barnes, and Harry Reinert

Issue:

**1. K.C.C. 21A.06.1105 defines "directional signs" and allows the sign to include "incidental graphics, such as trade names or trademarks." What are the limits on the incidental graphics? A percentage of the sign?**

Background:

The conditions on a rezone limit signs on a shopping center to directional signs. An issue has arisen concerning signs attached to the building and whether they comply with the requirements of a directional sign.

Discussion:

K.C.C. 21A.06.1105 defines a directional sign as "a sign designed to guide or direct vehicular traffic to an area, place or convenience, and may include incidental graphics such as trade names and trademarks." An off-premise directional sign is a sign that "contains no advertising of a commercial nature which is used to direct pedestrian or vehicular traffic circulation to a facility, service or business located on other premises ..." K.C.C. 21A.06.1135.

The King County Code does not include a definition of "incidental" or of "graphic." The American Heritage College Dictionary (Third Edition) defines incidental to mean "2. Of a minor,

casual, or subordinate nature: *incidental expenses.*” Graphic is defined as “1.b. Of or relating to pictorial representation.”

The provision of K.C.C. 21A.06.1105 permitting the inclusion of incidental graphics on directional signs does not lend itself to any limitations based on percentage or area. The determination of whether the graphic is “incidental” must be determined on a case-by-case basis, requiring a determination of whether the graphic is a minor or subordinate feature of the sign.

K.C.C. 21A.06.1105 limits directional signs to directing traffic to an “area, place or convenience.” None of these terms are defined in the King County Code. For purposes of the present discussion, the question is whether a business name is included in the incidental graphic limitation. Graphic elements are generally pictorial or other similar representations and would include a logo, such as the McDonalds’ arches or the Starbucks’ siren. However, the name of the business itself or a generic description of the business, such as “drug store” or “gas station,” if shown in type, is not a graphic. Thus, the portion of a directional sign that directs traffic to a particular business by name or by generic description, if displayed as type, is not limited by the requirement that graphics be incidental to the directional purpose of the sign.

Conclusion:

Under K.C.C. 21A.06.1105, graphics on directional signs must be incidental to the sign. There is no specific percentage limitation on the amount of the sign that the graphic may cover. Rather, the graphic must be minor relative to the main purpose of the sign, which is to direct traffic to a place, area, or convenience. A business name or generic business description included on a directional sign is not a graphic if the name is in type and not in a pictorial representation, such as a logo or other image.

Issue:

**2. Does Code Interpretation Request L02CI001 meet the requirements of K.C.C. 2.100.030C.2 to set forth the section of King County Code for which an interpretation is requested?**

Background:

The above referenced code interpretation request was submitted on behalf of Rainier Ridge Association on April 17, 2002. The interpretation request was submitted on the required form, included the required fee, and is accompanied by a five page letter. The letter includes the following request for interpretation:

Classify the proposed structures under the King County Zoning Code, specifically identifying whether the proposed student housing is 1) a dormitory, 2) an apartment, or 3) an organization lodging house.

Letter from Theodore Paul Hunter to Greg Kipp, April 15, 2002, page 2. The request concerns a proposal by Green River Community College to construct student housing.

Discussion:

K.C.C. 2.100.030 establishes the requirements for a code interpretation request. The request must: (1) be in writing; (2) identify the person requesting the code interpretation; (3) identify the specific code sections for which an interpretation is requested; (4) if the request relates to a specific parcel, identify that parcel; and (5) be limited to a single subject. The department must

acknowledge the request within fifteen days. If the director determines that a required element of the request has not been satisfied, further action on the request is not required and the applicant must be notified of the deficiencies.

Code Interpretation Request L02CI001 describes a variety of descriptions that the property owner has given in public settings for the proposed student housing. The Request does make reference to specific code sections. However, there is no request that the department interpret any specific code sections. K.C.C. 2.100.010 states the purpose of the code interpretation chapter to be “clarifying conflicting or ambiguous provisions” of King County Code. The Code Interpretation process is not intended to be a substitute for the permitting process. This is highlighted by the fact that K.C.C. 2.100.040E provides that if a code interpretation relates to a specific development project, it does not become final until the department makes its decision on the underlying development proposal.

Conclusion:

Code Interpretation Request L02CI001 does not meet the requirements of K.C.C. 2.100.030C.3 to set forth the sections of King County Code for which the interpretation is requested.

**[Note: Subsequent to the RRC meeting, the Director concluded that the request contained sufficient information to allow the Department to proceed. The applicant has been so notified. The letter to the applicant restates the code interpretation request with appropriate references to the code sections the Department believes the applicant wants to be interpreted.]**

HR:sm