



**ADMINISTRATIVE DETERMINATION 2019-02
Sign Lettering Height**

PURPOSE:

The purpose of this Administrative Determination is to clarify a provision of the City’s Sign Code related to the size of lettering on signs adjacent to State Route 410 East (SR-410 E.). The specific language codified in BLMC 15.28.090.H.6 states that “[T]he minimum lettering height shall be two feet, if the sign is adjacent to SR 410.” The code does not specifically define “adjacent,” which has resulted in ambiguity as to how this provision is applied.

AUTHORITY:

The authority to interpret the Development Code is provided for in Bonney Lake Municipal Code (BLMC) 14.10.140. For consistent interpretations of the Development Code, the Director shall render code interpretations in writing. Such interpretations shall include at a minimum the BLMC citation, the context, the interpretation, and the reasoning for the interpretation.

CITATIONS:

BLMC 15.28.090.H.1

Signs shall have a setback of ten (10) feet from the SR 410 E. right-of-way. Signs shall have a setback of five feet from all other rights-of-way and be subject to required sight distance criteria.

BLMC 15.28.090.H.6

The minimum lettering height shall be two feet, if the sign is adjacent to SR 410.

Merriam-Webster Dictionary

Adjacent: immediately preceding or following

Google Dictionary:

Next to or adjoining something else

CONTEXT:

The ambiguity with the sign lettering requirements results from the word “adjacent,” which is not defined in the code. This ambiguity results in the following question: How far does the sign need to be setback from SR-410 E to no longer be considered adjacent?

INTERPRETATION:

While the sign Code does not define “adjacent,” it does require that signs be setback a minimum of ten (10) feet from the SR-410 E. right-of-way (BLMC 15.28.090.H.1). In order to give meaning to the provisions of BLMC 15.28.090.H.1 and BLMC 15.28.090.H.6, signs are considered adjacent if the sign is setback between ten and eleven feet from SR-410 E. In this case, **BLMC 15.28.090.H.6** applies. If the edge of the sign nearest to SR-410 E. is setback eleven or more feet from the right-of-way edge, the sign is not considered “adjacent” and **BLMC 15.28.090.H.6** does not apply. Monument signs that are not “adjacent” to SR-410 E. are required to have twelve inch tall lettering. If the sign uses a mix of capital letters and lower case letters, the initial capital letter shall be a minimum of twelve (12) inches and the subsequent lower case lettering maybe a minimum of nine (9) inches. The lettering height identified above is based on standards found in the Manual on Uniform Traffic Control Devices (MUTCD) for roadway signs.

REASONING:

As the code does not define “adjacent,” the City is required to rely on the standard use of the word as defined in the dictionary. The term “adjacent” is used to refer to something that is immediately preceding or adjoining something else. Based on this definition, “adjacent” to SR-410 E. would mean that the sign is adjoining or immediately preceding the required ten foot setback. Therefore, if the sign is setback a distance of eleven (11) feet or more it is no longer “adjacent” as it is not adjoining or immediately preceding the required setback. If the sign is not “adjacent” the requirement to have two foot lettering would no longer apply. However, in order to ensure that drivers can still safety read signs visible from SR-410 E. the City will require the sign lettering to be consistent with the largest sign lettering required in the MUTCD.



Ryan Johnstone, P.E., Interim Director

October 4, 2019

Date

FINAL ACTION:

All final actions of the Director, including code interpretations shall be final and conclusive unless the applicant, a department of the city or county, or other party of record or agency with jurisdiction files a written appeal with the Public Services Department within 15 days following the decision. BLMC 14.120.020(A). Appeals shall contain all grounds on which error is assigned to the decision and shall be accompanied by the appropriate fee. BLMC 14.120.020(C); 3.68.010(D)(1) (stating that the cost of an appeal of an administrative decision is \$750.00).

Following the timely filing of an appeal, notice of the date, time and place for the Hearing Examiner’s consideration shall be mailed to the applicant and to all other parties of record. BLMC 14.120.020(E).