

**CITY OF SNOHOMISH  
Snohomish, Washington**

**ORDINANCE 2258**

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, AMENDING THE CITY'S DEVELOPMENT CODE, AS SET FORTH IN TITLE 14 OF THE SNOHOMISH MUNICIPAL CODE, BY AMENDING CHAPTER 14.245 SMC RELATING TO SIGNS IN RESIDENTIAL LAND USE DESIGNATIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the City of Snohomish has adopted regulations for signs in residential land use designations, which are set forth in Chapter 14.245 of Snohomish Municipal Code (SMC); and

**WHEREAS**, the sign standards for residential designations currently differentiate between public and private land uses and provide greater allowance for public use signs; and

**WHEREAS**, the primary beneficiaries of the public use sign standards in residential designations are public schools, which need to communicate with parents of students and the surrounding community; and

**WHEREAS**, representatives of churches and private schools in residential designations have expressed a similar need to communicate with parishioners, parents of students, and the surrounding community through signage; and

**WHEREAS**, the City Council finds no justification to differentiate between public uses and certain non-commercial, private uses such as churches and schools for the purposes of sign regulation; and

**WHEREAS**, regulation of signs in residential areas should provide reasonable accommodation of the needs of community-based uses organizations to communicate with the public and to identify facilities while preserving the comfort, repose, and character of residential neighborhoods; and

**WHEREAS**, it is appropriate for the City Council to review and amend the City's regulations from time to time to ensure the intent of the regulations is achieved; and

**WHEREAS**, the current sign regulations for residential designations permit public uses to display electronic changing message signs; and

**WHEREAS**, the only electronic changing message sign currently approved for use in a residential designation is located at Snohomish High School; and

**WHEREAS**, citizens have expressed concern regarding the impacts of electronic changing message signs on surrounding residential uses and on the character of the City in general; and

**WHEREAS**, reader boards are currently allowed only for public uses and are limited to the commercial standard of 35 percent of the allowed sign area, which does not provide adequate opportunity to communicate with the community; and

**WHEREAS**, in many cases, churches, schools, and public uses need to provide more changing, textual, public information and are allowed a smaller total sign area within which to accomplish it than many commercial uses; and

**WHEREAS**, the current height allowance of six feet for public use freestanding signs limits the visibility of such signs from the adjacent street; and

**WHEREAS**, the current height allowance of six feet for public use freestanding signs limits the distance from which such signs may be viewed; and

**WHEREAS**, the impact on adjacent properties and residential areas in general of sign area and illumination is mitigated by the size of a site and separation of signs from property lines; and

**WHEREAS**, Chapter 14.245 SMC currently permits grand opening/special event banners for businesses within residential areas without limitations on the period of display or the size of the sign, which is a greater allowance than in commercial designations and may result in impacts to the character of residential neighborhoods; and

**WHEREAS**, on September 4, 2013, a public hearing on the proposed amendments was held by the Planning Commission, and all persons wishing to be heard were heard; and

**WHEREAS**, consistent with SMC 14.15.090, the Planning Commission issued written findings and recommendation to the City Council regarding the proposed Development Code amendments in which the Planning Commission found that the proposed amendments were internally consistent with the Comprehensive Plan, the Growth Management Act, and the State Environmental Policy Act, and were in the interest of the public health, safety, and welfare of Snohomish residents; and

**WHEREAS**, pursuant to SMC 14.15.070 and RCW 36.70A.106, the City has notified the Washington State Department of Commerce of the City's intent to adopt the proposed amendments to the City's Development Code; and

**WHEREAS**, the City Planner, acting as the City's SEPA Responsible Official, evaluated the proposed code amendment and on September 13, 2013, issued a Determination of Non-Significance (DNS) and the associated comment period has closed; and

**WHEREAS**, on October 15, 2013, following public notice provided in accordance with applicable law, the City Council conducted a public hearing regarding this draft legislation and all persons wishing to be heard were heard; and

**WHEREAS**, the City Council finds that the amendments contained herein and adopted by this ordinance are: a) internally consistent with the Comprehensive Plan; b) consistent with the Growth Management Act and the State Environmental Policy Act; and c) in the interest of the public health, safety, and welfare of Snohomish residents;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. SMC section 14.245.115 entitled “Signs in Residential Land Use Designations” is amended to read as follows:

**14.245.115 Signs in Residential Land Use Designations.**

A.—Signs in residential land use designations shall be as set forth in the following chart:

	Churches, private schools, and public uses		Other uses
	Sites under 1 acre	Sites 1 acre and greater	
<b>Freestanding signs</b>			
Maximum sign area	12 sq. ft.	24 sq. ft.	12 sq. ft.
Maximum sign height	5’	8’	5’
Maximum number of signs	One per frontage with 150’ separation	One per frontage with 150’ separation	One per frontage 150’ separation
Minimum setback from internal property line	10’	10’	10’
Minimum setback from right-of-way	6’	6’	6’
Changeable messages	Yes	Yes	No
<b>Building signs</b>			
Maximum sign area	12 sq. ft.	20 sq. ft. or 5% of one street-facing façade up to 60 sq. ft.	12 sq. ft.
Maximum number of signs	One per frontage	One per frontage	One per frontage
Changeable messages	Up to 80% of allowable sign area	Up to 40% of allowable sign area	No
<b>General</b>			
External illumination and halo lighting	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>
Internal illumination	No	Yes <sup>1,2</sup>	No
Electronic signs	No	No	No
A-frame signs	No, except as allowed for special events	No, except as allowed for special events	No
Signs identifying occupants of individual dwelling or home occupation			One freestanding or building sign not to exceed 2 sq. ft.

1. Signs shall not be illuminated between ten p.m. and six a.m.
2. Subject to the following:
  - a) Sign shall be no closer than 50 feet from an internal property line and 20 feet from right-of-way;
  - b) Either background or foreground type and images shall be opaque; and
  - c) No light source shall be visible, including neon and bare bulbs.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such a decision or preemption shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other persons or circumstances.

Section 3. Effective Date. This ordinance shall be effective five days after adoption and publication by summary.

**ADOPTED** by the City Council and **APPROVED** by the Mayor this 15<sup>th</sup> day of October, 2013.

CITY OF SNOHOMISH

By \_\_\_\_\_  
KAREN GUZAK, MAYOR

ATTEST:

APPROVED AS TO FORM:

By \_\_\_\_\_  
TORCHIE COREY, CITY CLERK

By \_\_\_\_\_  
GRANT K. WEED, CITY ATTORNEY