

**ORDINANCE 1280**

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, RELATING TO THE CITY'S ZONING CODE (STANWOOD MUNICIPAL CODE (SMC) TITLE 17) AND THE REGULATION OF SIGNAGE; AMENDING SUBSECTION 17.110.080(1)(A)(III) OF SMC CHAPTER 17.110; AND AMENDING SUBSECTION 17.110.080(6) OF SMC CHAPTER 17.110.**

**WHEREAS**, the City has established sign regulations and standards SMC Chapter 17.110; and

**WHEREAS**, a purpose of the sign regulations and standards is to balance the right of individuals to identify their businesses and convey their messages and the right of the public to be protected against the unrestricted proliferation of signs; and

**WHEREAS**, further purposes of the sign standards are to facilitate the creation of an attractive and harmonious community, and provide for economic development; and

**WHEREAS**, Ordinance 1262 amended municipal sign regulations, but erroneously deleted certain sign landscape standards for monument and freestanding signs; and

**WHEREAS**, Ordinance 1262 retained certain sign landscape requirements for monument and freestanding signs; and

**WHEREAS**, implementation of the retained sign landscape requirements without the other standards is impractical and does not provide reasonable predictability to the business community; and

**WHEREAS**, sign standards that provide flexible implementation support the economic development objectives of the City;

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

**Section 1.** Subsection 17.110.080(1)(a)(iii) of SMC Chapter 17.110 is amended to read as follows:

(iii) Landscaping. All landscaping shall utilize shrubs, flowers, other plantings, and/or other features such as decorative concrete, wood or brick bases, planter boxes, benches, or ornaments expressing the sign theme, but not containing advertising copy. Landscape improvements

shall be installed and inspected in six months. All freestanding and monument signs shall include at a minimum 0.5 square foot of landscaping for each square foot of sign face (as measured from one side).

**Section 2.** Subsection 17.110.080(6) of SMC Chapter 17.110 is amended to read as follows:

**(6) Temporary signs.**

(a) Standards

(i) Area Limitations. No temporary sign shall exceed four feet in one of its dimensions or 60 square feet in area.

(ii) Weight Limitation. Temporary signs weighing in excess of 50 pounds must be approved by the building official or designee as conforming to the safety requirements of the building code of the city of Stanwood.

(b) Location – Projection Over Public Property. No temporary sign shall extend over or into any street, alley, sidewalk, or other public thoroughfare more than four inches from the wall upon which it is erected, and shall not be placed or project over any wall opening. A temporary banner would be allowed to extend across a roadway if it is at least 16 feet above the road surface.

(c) Construction, Anchorage, and Support. Every temporary sign shall be attached with wire or steel cables. No strings, ropes, or wood slats for anchorage or support purposes shall be permitted.

(d) Duration Temporary Signs. Temporary signs shall be allowed one time only for a period not to exceed 45 days provided that the community development director or designee may extend a temporary sign permit for a period of up to 45 days subject to the following criteria:

(i) The applicant has a permanent sign permit application pending or the business has a special event that will last longer than 45 days; and

(ii) The applicant has a new business and/or remodeled business and has a reasonable need for temporary signage exceeding 45 days; and

(iii) The temporary sign does not replace permanent signage.

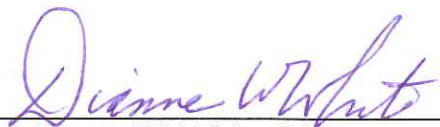
(e) Advertising Permitted. The advertisement contained on any temporary sign shall pertain only to the business, industry, or pursuit conducted on or within the premises on which such sign is erected or maintained. This requirement for on site signage shall not apply to signs of a civic, political, or religious nature..

**Section 3.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

**Section 4.** Having reviewed all of the record made before the Planning Commission and the record before the City Council, the Findings of Fact and Conclusions attached hereto as Exhibit A are hereby adopted and incorporated by this reference.

**Section 5.** This ordinance shall take effect and be in force five (5) days after its passage, approval and publication as provided by law.

PASSED by the City Council and signed by the Mayor this 29<sup>th</sup> day of November, 2010.

By:   
Dianne W. White, Mayor

Attest:

Approved as to form:

By:   
Melissa A. Collins, City Clerk

By:   
Grant K. Weed, City Attorney

## FINDINGS OF FACT AND CONCLUSIONS

### Findings of Fact:

1. The Planning Commission held a pre-application meeting to consider regulations for sign maintenance standards and temporary signs definition and duration on September 23, 2010.
2. The work program was processed by the Department as file # LZCA 10-10.
3. The Commission held a duly noticed public hearing on September 27, 2010, and recommended amendments to various provisions of SMC Title 17.
4. The staff report issued September 23, 2010, included review of existing Sign Code regulations and definitions.
5. At its November 29, 2010 City Council meeting, after review of the application, staff report, and Planning Commission recommendation and after consideration of the public testimony submitted at or as part of the public hearing, the City Council held first and second reading of Ordinance No. 1280.
6. Pursuant to RCW 36.70A.106, the City has notified the Washington State Department of Commerce of the City's intent to adopt the proposed change in zoning text amendments.
7. The decision criteria for amending the Chapter 17 zoning are the following (SMC 17.155.090 (2)):
  - a. *The purpose and desired effect of the proposed zoning code amendment are consistent with the Stanwood Municipal Code. The proposed landscape standards amendment restores language that was erroneously removed from the code when Ordinance 1262 was adopted. The proposed temporary sign code amendment codifies an existing interpretation of the duration allowed for temporary signage.*
  - b. *There is a positive relationship to the public health, safety and welfare of the community. The proposed sign code standards protect the public welfare by implementing the purpose and intent sections of the SMC 17.110.010 "(1) Balance the right of individuals to identify their businesses and convey their messages and the right of the public to be protected against the unrestricted proliferation of signs", and "(5) Facilitate the creation of an attractive and harmonious community".*
  - c. *The proposed amendment is consistent with the Stanwood Comprehensive Plan. Landscape standards and temporary sign*

regulations implement Goal LU-7 *“Develop a vital attractively designed Downtown Center”*, and Policies LUP 7.1 *“Support adoption of design/development guidelines that address facades, signage and site planning”*, and Policy LUP 7.5 *“Regulate signage in downtown to address pedestrians and contribute to quality downtown atmosphere.” Landscape standards improve site plan aesthetics and temporary sign standards implement the sign code and promote a quality atmosphere by eliminating clutter.”*

Conclusions/Decision:

Based upon the entire record in this matter, which is incorporated by reference, the Stanwood City Council adopts the following conclusions and decisions.

1. Sign landscape standards are re-adopted for Freestanding and Monument Signs.
  - *All freestanding and monument signs shall include at a minimum 0.5 square foot of landscaping for each square foot of sign face (as measured from one side).*
2. Temporary signs may be displayed one time for 45 days subject to an administrative extension for maximum of an additional 45 days. Criteria are adopted to guide review of extensions.