

CITY OF STANWOOD
Stanwood, Washington

ORDINANCE NO. 1311

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, RELATING TO THE REGULATION OF SIGNS AND BANNERS; AMENDING SECTION 3.30.070, SIGN FEES OF SMC CHAPTER 3.30 FEE SCHEDULE; AMENDING SUBSECTION (8) OF SMC 17.110.060 EXEMPTIONS OF SMC CHAPTER 17.110 SIGN STANDARDS; AND ADOPTING NEW SECTION 17.110.085 BANNERS ON OR WITHIN THE PUBLIC RIGHT OF WAY.

WHEREAS, a number of community and business groups contacted the City to promote community involvement and activity by organizing special events; and

WHEREAS, special events sponsors desire signage to promote these activities; and

WHEREAS, some community events that fall outside the City's special events regulations also desire signage; and

WHEREAS, the Planning Commission held a pre-application meeting on special event related sign code amendments to address these concerns on March 12, 2012; and

WHEREAS, the Community Development Department filed a zoning text amendment, Application LZCA 12-02, on March 16, 2012; and

WHEREAS, the City Council referred a work program for consideration of special event related municipal code and zoning regulations to the Planning Commission on March 22, 2012; and

WHEREAS, consistent with the State Environmental Policy Act, RCW Chapter 43.21C (SEPA), the Responsible Official issued a SEPA Determination of Non Significance on March 22, 2012; and

WHEREAS, pursuant to RCW Chapter 36.70A.106, the City has notified the Washington State Department of Commerce of the City's intent to adopt the proposed zoning text amendments; and

WHEREAS, the Planning Commission held a duly noticed public hearing on Application LZCA 12-02 on April 9, 2012.

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

Section 1. The Findings of Fact and Conclusions attached hereto as Exhibit A are hereby incorporated by this reference.

Section 2. SMC 3.30.070 Sign fees of SMC Chapter 3.30 Fee Schedule is amended to read as follows.

Type of Sign	Building Permit Fee Per Application	Sign Permit Fee Per Sign
Monument	\$50.00	\$50.00
Freestanding	\$100.00	\$100.00
Gable	\$100.00	\$100.00
Wall and projecting	\$60.00	\$60.00
Marquee, awnings and canopies	\$100.00	\$100.00
Variance process for any signage		\$65.00
“A” board and other portable signs		\$10.00
Sign modification		\$10.00
<u>Banner/Encroachment over city right of way</u>		
(1) <u>Banners processed with a special event permit or city sponsored</u>		<u>None</u>
(2) <u>Banners for events not requiring a special event permit/not city sponsored</u>		<u>\$150</u>

Section 3. Subsection (8) of SMC 17.110.060 Exemptions of SMC Chapter 17.110 Sign Standards is amended to read as follows.

(8) Signs for community and special events.

(a) Eligible signs include temporary signage for events, including philanthropic campaigns, festivals, community events, volunteer based youth activities, or other similar community activity when located on private property with the property owner’s consent.

unimproved or non-traveled portions of city right of way or approved with a special event permit.

- (b) Banners hung within the public right of way are excluded from this category.
- (c) Exempted signage is limited to events located within the Stanwood city limits or located at the Stanwood /Camano Fairgrounds.
- (d) Sign Standards:
 - (i) Portable "A" board or "stick in the ground" signs limited to a maximum size of 4 square feet per sign
 - 1. 20 signs per event when no wall/fence signs are used.
 - 2. 10 signs per event when 1 wall/fence sign is used.
 - 3. 5 signs per event when 2 wall/fence signs are used.
 - (ii) A maximum of either two wall/fence signs or banners per event up to a maximum of 60 square feet in area for each sign.
 - (iii) Signs shall display the date of the event.
 - (iv) Signs shall not be erected more than 14 days in advance of the event, and shall be removed within three days after the termination of the event.
 - (v) Signs shall be located 10 feet from driveway entrances.
 - (vi) Signs are prohibited on sidewalks.

~~Temporary signs in conjunction with special events, such as a philanthropic campaign or church, circus, carnival, or other community activity. Such signs shall not exceed 60 square feet in area, shall not be erected more than 14 days in advance of the event, and shall be removed within three days after the termination of the event.~~

Section 4. A new Section 17.110.085 Banners on or within the public right of way is adopted as part of SMC Chapter 17.110 Sign Standards and shall read as follows:

17.100.85 Banners on or within the public right of way.

- (1) Horizontal over the right of way banners are permitted for non-commercial messages for the following events:
 - (a) Special events as defined in SMC Chapter 5.06 when located within the city;
 - (b) Community events which are excluded from the definition of special events when located on school district property, within "meeting halls" within the city as defined in SMC 17.20.1622, or located at

the Stanwood/Camano Fairgrounds or at Warm Beach Camp and Convention Center.

(2) City sponsored vertical and horizontal banners are permitted within city and state right of way for seasonal promotion, city marketing, city sponsored farmers market, and city wayfinding and gateway promotion.

(3) Application shall be made for city installation and removal of banners over or within the public right of way on a form provided by the city and according to administrative procedures published by the city. Application shall be made a minimum of 14 days prior to the event.

(4) Banners that are displayed on or over the public right of way require a sign permit and a temporary encroachment permit. Review of sign and encroachment permits may be combined and issued with one permit and fee.

(5) Sign Standards for Banners.

(a) Banners shall meet the minimum standards in Section 17.110.060, including but not limited to windload.

(b) Banners shall be 3 feet high and 20 feet wide and shall not exceed 60 square feet.

(c) Materials shall be resistant to ultraviolet rays, mold and mildew and have sewn loops or equivalent for attachment.

(d) Banners shall not be erected more than 14 days in advance of the event, and shall be removed within three days after the termination of the event. Vertical banners on light poles used for city marketing may be exempted from this requirement.

(e) A temporary banner shall hang a minimum of least 16 feet above the road.

(6) The applicant shall maintain general liability insurance for property damage and bodily injury or death throughout the term the banner is in place over the roadway in an amount and terms determined by administrative procedures published by the City.

Section 5. 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 6. 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 24th day of May, 2012.

By: 
Dianne W. White, Mayor

Attest:

Approved as to form:

By: 
Melissa A. Collins, City Clerk

By: 
Grant K. Weed, City Attorney