

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2204

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,
AMENDING CHAPTER 14.245 OF THE SNOHOMISH MUNICIPAL
CODE, “SIGN REGULATIONS,” AND ADDING A NEW SECTION
14.245.082 RELATING TO “OFF-SITE HIGHWAY SIGNS”**

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

WHEREAS, the City of Snohomish does not presently allow off-site signs due to community preference that signs located in Snohomish identify and promote local businesses, and thereby support the Snohomish economy which provides local jobs, income for local persons and corporations, sources of locally-needed and desired goods and services, and sources of revenue for locally-desired public services, infrastructure, and programs; and

WHEREAS, the City of Snohomish intends to allow a reasonable, but not excessive, number of freestanding signs within the community in order to limit sensory distractions for users of public rights-of-way, to minimize visual and light pollution that can occur from sign proliferation, and to help ensure signs in Snohomish are of a size or scale that is consistent and compatible with the size and scale of Snohomish’s corporate limits, structures and streets; and

WHEREAS, State Route 9 (SR-9) and United States Highway 2 (US-2) traverse or abut the City of Snohomish and carry large numbers of vehicles that pass through or along the City of Snohomish; and

WHEREAS, within the City of Snohomish there are numerous existing and planned commercial properties that support and benefit the City, its residents, and other businesses; and

WHEREAS, due to topographical and similar geographical conditions, many of the commercial properties within the City of Snohomish have little or no visual presence to motorists traveling on SR-9 and US-2 and therefore receive diminished benefit from the economic markets that highway vehicular traffic affords; and

WHEREAS, increased public awareness of commercial resources within the City will further the City’s goal of promoting vitality as outlined by the City’s adopted strategic plan, *Imagine Snohomish: Promoting Vitality and Preserving Character*; and

WHEREAS, the City Council desires that promotion of local economic vitality through the amendments contained in this Ordinance not diminish, degrade, or detract from the aesthetic and cultural character of Snohomish—consistent with the City’s adopted strategic plan, *Imagine Snohomish: Promoting Vitality and Preserving Character*; and

WHEREAS, Chapter 47.42 RCW and Chapter 468-66 WAC regulate signs located along State highways, and any off-site highway sign permitted by the Snohomish Municipal Code must be consistent with applicable State regulations; and

WHEREAS, on March 2, 2010 and July 6, 2010, the City Council discussed this matter and directed the Economic Development Committee (EDC) and staff to prepare draft legislation allowing a limited number of off-site signs; and

WHEREAS, the City Council, under limited and specific circumstances, wishes to allow the installation of a relatively small number of off-site signs oriented to SR-9 and/or US-2 that will enhance motorists' awareness of commercial enterprises located within the City of Snohomish; and

WHEREAS, on November 30, 2010 the City Planner provided notification of, and requested expedited review for, the proposed amendment to the Washington State Department of Commerce as required by RCW 36.70A.106; and

WHEREAS, the City Planner, acting as the City's SEPA Responsible Official, evaluated the proposed code amendment and on December 20, 2010 issued a Determination of Non-Significance (DNS) and the associated comment and appeal periods have closed; and

WHEREAS, on January 4, 2011, 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. Chapter 14.245 of the Snohomish Municipal Code is hereby amended to read as set forth in the attached Exhibit A.

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 4th day of January, 2011.

CITY OF SNOHOMISH

By _____
KAREN GUZAK, MAYOR

ATTEST:

APPROVED AS TO FORM:

By _____
TORCHIE COREY, CITY CLERK

By _____
GRANT K. WEED, CITY ATTORNEY

EXHIBIT A

**Chapter 14.245
SIGN REGULATIONS**

Sections:

- 14.245.010 Purpose and Intent
- 14.245.020 Definitions
- 14.245.030 Sign Permit Required
- 14.245.040 Sign Permit Fees
- 14.245.050 Sign Permit – Historic District
- 14.245.060 Signs Exempt from Permit Requirements
- 14.245.065 Freestanding Signs
- 14.245.070 Building Signs
- 14.245.075 A-Frame Signs
- 14.245.080 Prohibited Signs
- 14.245.082 Off-Site Highway Signs
- 14.245.085 Electronic Changing Message Signs
- 14.245.090 Illumination of Signs
- 14.245.100 Grand Opening and Special Event Signs
- 14.245.110 Political Signs
- 14.245.115 Signs in Residential Land Use Designations
- 14.245.120 Maintenance of Signs
- 14.245.130 Non-Conforming Signs

14.245.010 Purpose and Intent. The City of Snohomish believes it is important to encourage business owners to advertise their businesses, products and/or services to potential customers in an effective and appropriate manner that helps the businesses to thrive.

It is also recognized that unregulated signing of the City may result in the following problems: accidents resulting from visual confusion between advertising and traffic-control signs; the collapse of improperly constructed signs; distracting demand for attention, which may cause accidents and be injurious to health; creation of urban blight; destruction of natural beauty; loss of property values; and loss of character in the City’s Historic District.

The intent of this chapter is to regulate the number, size, location, height, illumination, character, and other pertinent features of signs, in order to provide adequate identification and advertising for business, and access to advertising signage in a manner that will promote fair economic competition and at the same time protect the public health, safety, and welfare in the City. Except where sign regulations are provided specifically for other land use designations, this chapter applies to properties within a commercial or industrial designation. (Ord. 2109, 2006)

14.245.020 Definitions.

- A. Balloon Sign: An inflated sign that is attached to the ground or some other anchor and is not a free-floating conveyance.
- B. Building sign: Any sign that is painted on, or attached directly to or supported by, an exterior building wall, including facade signs, awning signs, canopy signs, and marquees, but excluding window signs.
- C. City: The City of Snohomish.
- D. Color, lightness: The degree to which a color appears to emit or reflect light. Lightness ranges from black (dark) to white (light). Sometimes referred to as "brightness" or “value”. Lightness is one of the three standard measures of color appearance.
- E. Directional sign: A sign designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience and may include incidental graphics such as trade names and trademarks.

- F. Electronic changing message sign: An electronically activated sign whose message content, either in whole or in part, may be changed by means of electronic or digital programming. (Ord. 2109, 2006)
- G. Freestanding sign: A sign standing directly upon the ground and being detached from any building or similar structure.
- H. Incidental sign: A sign, emblem or decal designed to inform the public of facilities or services available on the premises, and may include but not be limited to signs designating:
1. Restrooms;
 2. Hours of operation;
 3. Acceptable credit cards;
 4. Property ownership or management;
 5. Phone booths; and
 6. Recycling containers.
- I. Monument sign: A ground based freestanding sign, which is constructed or connected directly on or to a sign support consisting of a permanent solid base material foundation which is constructed with the material comprising the sign area having the same composition as the base or support of the sign.
- J. Off-site highway sign: An off-site sign located along, and oriented to, SR-9 and/or US-2 for the purpose of identifying, and providing travel information to, one or more Snohomish businesses not otherwise visible from the highway(s).
- ~~((J))~~K. Off-~~((premises))~~site sign: A sign advertising, identifying, or related to an establishment, merchandise, service or entertainment, which is not sold,

produced, manufactured or furnished at the property on which such sign is located, e.g., billboards.

~~((K))~~L. Portable Sign: A sign, such as an A-frame, which is capable of being moved and is not permanently affixed to the ground, a structure, or a building.

~~((L))~~M. Portable readerboard sign: A portable sign supported by feet or wheels, with changeable letters and generally internally illuminated.

~~((M))~~N. Sign: Any device, structure, fixture, or placard that is visible from a public right-of-way or surrounding properties and uses graphics, symbols, logos, or written copy for the purpose of advertising or identifying any establishment, product, goods, service, or event.

~~((N))~~O. Temporary sign: A display device, constructed of cloth, canvas, plastic, vinyl, light fabric, cardboard, wall board or other light materials, with or without a frame, intended to be displayed for a limited period of time only.

~~((O))~~P. Tenant: A business, governmental, or non-profit entity, which occupies a building or other real property within the City.

~~((P))~~Q. Window sign: Any sign located inside or on, affixed to, or located within the frame of a window of a building.

~~((Q))~~R. Video board: A device such as a television, computer monitor, flat panel display, plasma screen, or similar video electronic medium used as signage (Ord. 2109, 2006)

14.245.030 Sign Permit Required.

- A. Except as otherwise permitted by this chapter, no sign shall be installed, erected, altered, or relocated without applying for and receiving a sign permit issued by the City Planner.
- B. No sign permit shall be required for cleaning or other normal maintenance and repair of a sign, or for changes to tenant or business names on multi-tenant signs; provided that the original design, function and structure, and size of the sign are maintained and that they remain in compliance with this chapter.
- C. A building permit may also be required for a sign that is regulated by the City Building Code. In this event, a building permit shall be applied for and obtained from the City Building Official.

14.245.040 Sign Permit Fees.

- A. A fee will be required for the processing of all sign permit applications other than those determined to be exempt under SMC 14.245.060. The fee will be as set forth in the fee schedule adopted by resolution of the City Council.
- B. If a building permit is required, the fee for such permit shall be the amount set forth in the ~~((City's permit fee resolution))~~ fee schedule adopted by resolution of the City Council.

14.245.050 Sign Permit – Historic District.

For signs within the Historic District, no permit for the erection of a sign shall be issued pursuant to this chapter until the permit applicant has complied with the permit and approval requirements of Chapter 14.225 SMC.

14.245.060 Signs Exempt from Permit Requirements.

The following types of

signs are allowed on private property in all land use designations without a sign permit:

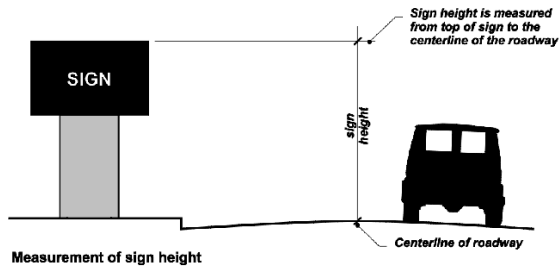
- A. Non-illuminated signs of two (2) square feet in area, or less, except in the Historic District.
- B. Window signs.
- C. Real estate signs advertising the sale or lease of the subject property.
- D. Traffic or pedestrian directional or warning signs.
- E. Memorial signs or tablets and names of buildings and dates of erection, when cut into any masonry surface or inlaid so as to be a part of the building or when constructed of bronze or other noncombustible material.
- F. Occupant signs in residential districts, the content of which is limited to the name of the occupant and/or the address of the premises.
- G. Signs required or specifically authorized for public purposes by any law, statute or ordinance.
- H. Religious symbols.
- I. Flags bearing the official emblem of a nation, state, municipality, educational institution, or non-commercial organization.
- J. Identification signs for parking lots, not advertising premises or products and having an area of three (3) square feet or less.
- K. Incidental signs.

L. Political signs, as defined and regulated under SMC 14.245.110.

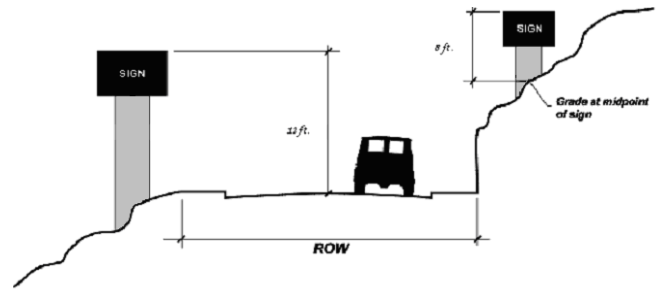
14.245.065 Freestanding Signs.

Freestanding signs shall comply with the following regulations:

A. The maximum allowable sign height is indicated in the “Freestanding signs table” below. In those instances where the roadway is depressed below or elevated above the adjacent property, adjustments in the allowed maximum height may be allowed by the City Planner in accordance with this section.



1. The maximum height of a freestanding sign is measured from the elevation of the centerline of the adjacent roadway to the top of the frame or sign structure, whichever is tallest. Refer to the “Freestanding signs table” below and the illustration above.
2. If the side slope of the property perpendicular to the street right-of-way is so steep that it does not allow the construction of a 6’ tall sign within the maximum allowable height limit, the City Planner may allow the sign to extend 8’ above the grade. Refer to the “Freestanding signs table” and the illustration below.



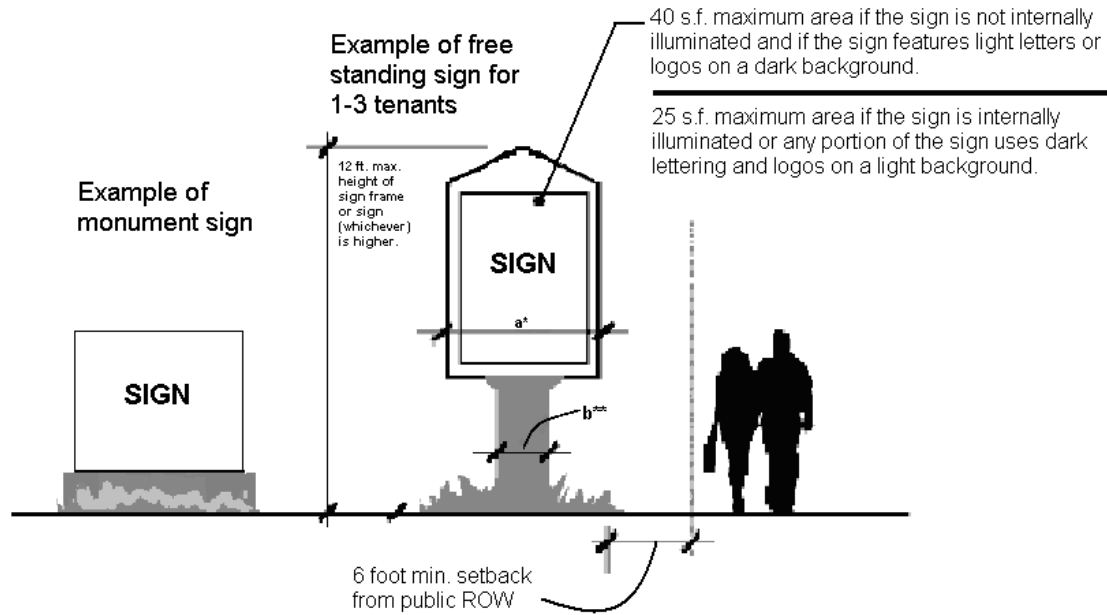
Allowable Sign Height on Steep Slopes

- B. A freestanding sign may have two faces. If the two faces are located in such relationship to each other that both cannot be viewed from any point at the same time, only one face will be counted in totaling the number of signs or sign area.
- C. The maximum allowable sign face area, excluding the frame and mounting, shall be as set forth in the following “Freestanding signs table” and as illustrated below:

Freestanding signs table

# tenants OR acreage (not both)	Square foot area of allowable text on sign	Sign height limit	Sign width limit
1-3 tenants	40 square feet if sign face is not internally illuminated and uses light lettering and logos on dark back ground 25 square feet if the sign face is internally illuminated or does not use light lettering and logos on a dark background	12'	5'
4-7 tenants	60 square feet if sign face is not internally illuminated and uses light lettering and logos on dark back ground 40 square feet if the sign face is internally illuminated or does not use dark lettering and logos on a light background	12'	6'
8+ tenants	75 square feet if sign face is not internally illuminated and uses light lettering and logos on dark back ground 50 square feet if the sign face is internally illuminated or does not use dark lettering and logos on a light background	15'	8'
7 acres or more	125 square feet if sign face is not internally illuminated or uses light lettering and logos on dark back ground AND is a non-internally illuminated monument sign with design elements related to the principal structures on site identifying the name of the development (Ord. 2109, 2006) 75 square feet if the sign face is internally illuminated or does not use light lettering and logos on a dark background In both of the above situations one additional monument sign may be installed with a maximum sign height of 5 feet above the ground and a maximum sign width of 8 feet. Said monument sign shall include design elements consistent with the principal structures on the site and shall relate to the entire site rather than an individual tenant. For commercial developments 30 acres or more in size, a second 18-foot-high freestanding sign may be installed in lieu of the 5-foot-monument sign where: 1) the commercial development has more than one driveway along that street frontage; and 2) two freestanding signs are separated by a minimum of 500 feet.	18'	--

(Ord. 2142, 2008)



** "b" must be at least 1/3 "a" or be architecturally treated to reflect the sign frame or on-site buildings.

D. In the “Freestanding signs table” above, “light” and “dark” refer to the amount of light reflected by a color. A dark color reflects less light than a light color. The City Planner shall have the authority to interpret the lightness of lettering/logos and other graphics relative to the lightness of the sign background.

E. Sign base. Freestanding signs must have a substantial base with a length of at least one third the maximum length of the sign at its maximum cross-section as illustrated above.

F. Location.

1. Any portion of a freestanding sign must maintain a six-foot minimum setback from the public right-of-way and a five-foot minimum setback from any property line.
2. Freestanding signs shall meet the sight distance requirements of the City of Snohomish Public Works Standards.

G. Number per site and minimum spacing.

1. One freestanding sign per site is allowed, except that a business with frontage on a City street and a State highway, where the building is not visible from the highway, may have an additional freestanding sign facing the highway, provided that the sign shall not exceed 18 feet in height as measured from pre-existing grade or finished grade of the sign location and shall not exceed 50 square feet in area. (Ord. 2109, 2006)

2. Sites fronting on two streets may have one freestanding sign per street, provided that these signs are at least 150 feet apart.

H. Materials used in the sign construction.

1. Sign frame construction must be durable and comply with the City Building Code. The sign and sign base should be architecturally integrated with the primary building or buildings on site.

2. Sign faces constructed of metal, wood, concrete, masonry, or rock are encouraged. Plastic is discouraged except for backlit lettering.

I. Landscaping.

1. A sufficient defined landscaped area shall be provided around the base of the freestanding sign to make the base of the sign and any ground-based lighting more attractive and deter vehicles, shopping carts, and people from contacting the base of the sign. The landscaping shall consist of a combination of ground cover materials and low growing shrubs.

J. Architectural embellishment.

1. An additional allowance of two feet in sign height and width is permitted for architectural embellishment, which shall not include any logo, writing, or other form of business identification or advertisement. (Ord. 2109, 2006)

14.245.070 Building Signs. Building signs shall comply with the following regulations:

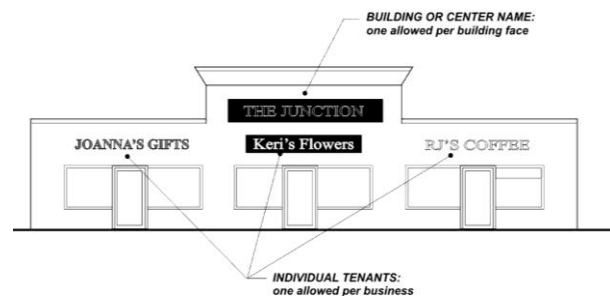
- A. Building signs must not extend higher than the building eave, parapet, roof or cornice on which they are mounted.
- B. The maximum allowable sign face area is twenty-five square feet plus 10 percent of the building facade area facing the street or main parking area, except that a business with frontage on a City street and a State highway, where the building is visible from the highway, may have an additional building sign that faces the highway, which sign shall not exceed eighty square feet in area and shall be constructed of individual, internally illuminated (or back lit) letters. This

total allowable area shall include awning and marquee signs but shall not include the area allowed for blade signs or shingle signs that are mounted perpendicular to the building façade pursuant to subsection D. (Ord. 2109, 2006)

- C. The building signs must be integrated into the architectural design of the building and must be located in a manner compatible with other signs on the same building.
- D. Each tenant may also display a single blade or shingle sign that has a face perpendicular to the building, provided that the sign is no larger than three square feet, is no less than eight feet above the ground, and does not extend more than three feet from the building or beyond an existing architectural canopy.
- E. In the case of a multi-tenant building, the owner or the management of the building is responsible for allocation of sign area among the tenants and shall be a coapplicant on all sign applications pertaining to the building and property.

- F. The illustration below depicts typical building signs as allowed by this section.

Total amount of sign: 25 s.f. + 10% of façade facing the street or main parking area.



14.245.075 A-Frame Signs. The following regulations shall apply to all A-frame signs outside the Historic District:

- A. A-frame signs shall not exceed 24” in width and 36” in height.
- B. No more than one A-frame sign shall be displayed per business.
- C. No permit fee shall be required.
- D. A-frame signs shall be for businesses located within the City and accessible to the general public but shall not be required to be located immediately in front of the premises being advertised.
- E. A-frame signs may be located on public right-of-way; however, all A-frame signs shall be located so as not to create a safety hazard to pedestrians or motorists.
- F. A-frame signs may have changeable text. (Ord. 2109, 2006)

14.245.080 Prohibited Signs. The following signs are prohibited:

- A. Signs, or sign structures, which by coloring, working or location, resemble or conflict with traffic-control signs or devices.
- B. Signs that create a safety hazard for pedestrians or vehicular traffic.
- C. All signs that rotate, move, glare, flash, change, reflect, or blink, or appear to do any of those things, including search lights, except as otherwise provided in this Chapter. (Ord. 2109, 2006)
- D. All inflatable advertising or attention getting devices, including balloon signs of all sizes.

- E. Any signs located on public right-of-way without evidence of specific approval by the City, except as otherwise provided in this Chapter. (Ord. 2109, 2006)
- F. Signs with changeable letters and numbers with the exception of gas price signs at service stations, with the exception of 35% of sign area for signs outside the Historic District, and with the exception of electronic changing message signs as provided in this Chapter. (Ord. 2109, 2006)
- G. Off-~~(premises))~~site signs, except for off-site highway signs as provided by SMC 14.245.082, and signs which advertise community events and meet the following criteria:
 - 1. Are not displayed for longer than two (2) weeks.
 - 2. Are not located in City right-of-way or are permitted by a City right-of-way use permit.
 - 3. Are allowed by the property owner.
- H. Private signs attached to municipal sign and signal poles.
- I. All portable signs, except that within the Historic District two A-frames shall be allowed for each business located on Avenues A, B, or C between First and Second Streets, on Union, Glen and Cedar Avenues between First and Second Streets, and on First Street between Union and Maple Avenues until the City has installed a wayfinder system in the Historic District, and except that A-frames shall be allowed outside the Historic District as provided in this Chapter. (Ord. 2109, 2006)

J. All electronic changing message signs, except outside the Historic District as provided herein (Ord. 2097, 2005; Ord. 2109, 2006)

District, Avenue D Business District; and the Bickford Avenue Corridor, and individual businesses therein.

14.245.082 Off-Site Highway Signs.

A. As permitted by Chapter 47.42 RCW, Chapter 468-66 WAC and this section, an off-site highway sign visible from SR-9 or US-2 may identify and provide directional information to one or more businesses in Snohomish.

4. Off-site highway signs shall identify and promote businesses actively in operation. When businesses identified on an off-site highway sign cease operation or are renamed or replaced, the corresponding message area shall be updated, revised, removed, etc. within 60 calendar days.

B. Location, number and separation requirements.

D. Off-site highway signs shall identify businesses, commercial developments, and business districts and provide a primary message area, a secondary message area, and a directional message area as set out in this section, subject to the review and approval process described herein.

1. Off-site highway signs may be located upon properties that conform to the definition of “commercial and industrial areas” provided by RCW 47.42.020.

2. Off-site highway signs shall be located within 150’ of and primarily visible from the right-of-way of SR-9 or US-2 (highway).

3. For signs on the same side of a highway, no off-site highway sign shall be located within 2,000 feet of another off-site highway sign.

1. The sole purpose of the primary message area is to identify individual businesses and commercial developments located within one commercial district.

2. The sole purpose of the secondary message area is to identify the commercial development or commercial district where the businesses identified upon the primary message area are located.

C. Eligibility requirements. Commercial developments meeting the specifications below shall be eligible for identification on an off-site highway sign:

3. The sole purpose of the directional message area is to provide driving/location information that will assist motorists in reaching the business district identified upon the secondary message area.

1. One or more individual businesses within one commercial district.

2. Multi-tenant commercial developments and individual businesses therein.

3. Business districts such as: Downtown Snohomish; Pilchuck

E. Dimensional requirements – Sign height.

1. Except where the elevation of the highway has been raised to function as a ramp, bridge, or over-pass, sign height shall be measured from the elevation of the adjacent highway travel lane(s) to which the sign is oriented.
2. Where the elevation of the highway has been raised to function as a ramp, bridge, or over-pass, sign height shall be measured from the elevation of the adjacent highway travel lane to which the sign is oriented, or the elevation of the sign location, whichever is lower.
3. Minimum sign height: 15 feet.
4. Maximum sign height: 35 feet.

F. Dimensional requirements – Primary message area.

1. Maximum vertical dimension: 12 feet.
2. Maximum horizontal dimension: 10 feet.
3. Maximum sign area, calculated as one rectangle enclosing all panels, text, logos, illuminated areas, and corporate color fields: 120 sq. ft.

G. Dimensional requirements – Secondary message area

1. Maximum vertical dimension: 18 inches.
2. Maximum horizontal dimension: 12 feet.
3. Maximum sign area: 18 sq. ft.

H. Dimensional requirements – Directional message area

1. Maximum vertical dimension: 2 feet.
2. Maximum horizontal dimension: 10 feet.
3. Maximum sign area: 20 sq. ft.

I. Design requirements – General.

1. Except where the provisions of this section conflict, the provisions of chapter applicable to all signs shall apply to off-site highway signs.
2. Off-site highway signs shall be sited and oriented to be viewed from the travel lane(s) of the adjacent highway(s). The faces of off-site highway signs shall be perpendicular to the highway to which it is oriented.
3. Off-site highway signs shall conform to the standard design for off-site highway signs adopted by the City Council by resolution.
4. Off-site highway signs shall include each of the following:
 - i. A primary message area identifying specific businesses.
 - ii. A secondary message area identifying the commercial development or business district where the businesses identified on the primary message area are located.
 - iii. A directional message area identifying the appropriate

highway exit for the commercial development or business district identified on the secondary message area.

5. In order to limit the amount of time required for a highway motorist to read and comprehend the content of an off-site highway sign, the number of letters, words, messages, symbols, and images shall be kept to the minimum amount practicable.
6. Off-site highway signs shall not identify or advertise businesses (or the goods or services offered by businesses) located on the property where the sign is located.
7. Electronic changing message signs and sign area with changeable messages, text, or images are prohibited.
8. Off-site highway signs shall not display or support temporary signs, banners, pennants, etc.
9. Structural and electrical service components shall be architecturally integrated and/or screened from view.
10. Landscaping consisting of drought-tolerant groundcover and shrubs shall be provided surrounding the base of the sign's vertical supports. The City Planner may approve alternative methods of screening or enhancing the appearance of the juncture of the sign supports and the ground.

J. Design Requirements – Primary message area.

1. Sign cabinets and sign area shall be configured so no air space appears between signs, sign panels, or sign cabinets constituting the primary message area.

2. In order to limit the amount of time required for a highway motorist to read an off-site highway sign, a maximum of six businesses, corporations, or entities may be identified within the primary sign area. Text shall be limited to the name of the development or business and words/symbols contained in a corporate logo or identifier. For example, a sign may contain the business name, "Safeway," but not the business name along with other information, such as, "Safeway – Deli Pharmacy Gas."

3. Except for text and/or symbols contained in established corporate logos, text in capital letters shall have a minimum vertical height of 12 inches. The height of rotated text shall be measured perpendicular to the line of text.

4. The primary sign area shall consist of one or more internally-illuminated sign cabinets or internally-illuminated, reverse pan-channel letters mounted upon an opaque background.

5. The panels of internally-illuminated sign cabinets shall consist of translucent text/symbols and the remainder of the sign panel, constituting the sign background or field, shall be opaque.

K. Design Requirements – Secondary message area.

1. The purpose of the Secondary message area is to identify the business district or the commercial development where the businesses identified on the primary sign area are located. Examples of business districts and commercial developments include, “Historic District,” “Historic Downtown,” “Pilchuck District,” “Second Street Shops,” “Avenue D Shops,” “Bickford Avenue,” and “Snohomish Station.” The Secondary message area shall not contain the name of a specific business.

2. The Secondary message area shall be limited to one line of text.

3. The panels of the internally-illuminated sign cabinets shall consist of translucent letters/text and background/field.

L. Design Requirements – Directional message area.

1. The directional message area shall include succinct, route information for highway motorists, such as “Next Exit” or “Next Left” and may include an arrow.

2. The directional message area shall consist of one internally-illuminated sign cabinet or internally-illuminated, reverse pan-channel letters mounted upon an opaque background.

3. The panels of an internally-illuminated sign cabinet shall consist of translucent text/symbols and the remainder of the sign panel, constituting the sign background or field, shall be opaque.

4. In order to promote safe and orderly operation of vehicles upon highways and streets, the directional message area shall not contain information unrelated to route of travel.

M. Properties with an off-site highway sign.

1. Typically, an off-site highway sign shall be regulated as an accessory rather than primary land use.

2. Electric power shall be provided by underground service line.

N. Approval process. Approval of an Administrative Development Plan as provided by Chapter 14.65 SMC is required for the construction of an off-site highway sign. The City Planner may impose conditions of approval to mitigate adverse impacts that may otherwise occur. The decision of the City Planner may be appealed pursuant to Chapter 14.75 SMC.

O. Decisional criteria. In addition to the Administrative Development Plan criteria specified by SMC 14.65020B, off-site highway signs shall satisfy the following criteria:

1. No unmitigated adverse impacts such as glare, sight obstruction, soil erosion, obstruction of public scenic views, noise, etc. will occur.

2. The overall height of the sign is no greater than necessary to facilitate visibility and readability of the sign from the adjacent highway.

3. Provision is made for regular and ongoing maintenance of the sign. The application shall specify and the decision of the City Planner shall

confirm the party or entity responsible for maintenance of the off-site highway sign.

4. Provision is made for the removal of the sign at the time there is no longer a legal or financial basis for its existence. The application shall specify and the decision of the City Planner shall confirm the party or entity responsible for removal of the off-site highway sign. The City Planner may require the owner of the property served by a sign to execute a covenant in recordable form providing assurance for the removal of the sign.

5. Written confirmation provided by the owner of the property where the sign is to be located regarding the property owner's responsibility for compliance with this Title, including but not limited to removal of abandoned off-site highway signs.

14.245.085 Electronic Changing Message Signs. The following provisions shall apply to electronic changing message signs:

- A. Only one electronic changing message sign shall be allowed per development.
- B. Electronic changing message signs shall only be allowed outside the Historic District within Commercial and Business Park land use designations.
- C. The maximum height for the electronic portion of an electronic changing message sign shall be ten feet.
- D. The maximum sign area for a changing electronic message sign, which is freestanding or wall mounted, shall be

no greater than thirty-five percent of the maximum total allowable sign area.

- E. All electronic changing message signs shall be constructed as an integral part of a permanent sign constructed on site. Integral shall be considered to be incorporated into the framework and architectural design of the permanent sign.
- F. A maximum of one color shall be used for an electronic message, which shall be on a dark background of one color.
- G. The occupant's name and address shall be provided in non-electronic format.
- H. The display shall be limited to numbers, letters, standard punctuation, and symbols. Video boards shall be prohibited.
- I. The display shall not appear to flash, undulate, pulse, blink, move closer or further from the viewer, expand or contract, bounce, rotate, twist or otherwise portray movement, except that the message may change in accordance with the following: electronic changing message signs shall maintain a 2-3-2 transition frequency. "2-3-2" means a message display time of a minimum of two seconds, a transition time between messages of a maximum of three seconds, followed by a message display time of a minimum of two seconds. Displays which scroll onto the signboard must hold for a minimum of two seconds including scrolling.
- J. Electronic changing message signs shall include internal ambient light monitors that automatically adjust the brightness level of the electronic display. (Ord. 2109, 2006)

14.245.090 Illumination of Signs.

- A. Light directed on, or internal to, any sign shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises, nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways, or parking areas. Light shall not shine or reflect on, or into, residential structures.
- B. No sign shall have blinking, flashing or fluttering lights, or other illumination devices which have a changing light intensity, brightness or color, or which are so constructed and operated as to create an appearance or illusion of writing or printing, except those showing date, time, and temperature, exclusively. However, within the Historic Business Land Use Designation, this provision shall not apply to signs which are approved consistent with the procedures set forth in Chapter 14.225 SMC. Further, nothing contained in this chapter shall be construed as preventing the use of lights or decorations relating to religious and patriotic festivities.
- C. No exposed incandescent lamps which exceed fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light, or lamp, to any public street or adjacent property.

14.245.100 Grand Opening and Special Event Signs.

Grand opening displays, temporary signs, posters, banners, strings of lights, and clusters of flags may be permitted for a period of not more than thirty (30) nonconsecutive days per year to announce the opening of a completely new business, development or special event. (Ord. 2109, 2006)

14.245.110 Political Signs.

- A. Purpose. It is the City's intention that information concerning election issues and ballot propositions, elections, and candidates be readily available to the general public. Political signs play a valuable role in conveying information. Political signs are only subject to the regulations in this Section and do not require a permit from the City, except as provided in Subsection C.2.f. below and except as provided in other City codes pertaining to structural and fire safety.
- B. Political sign. A political sign is a poster, banner, or sign that advocates voting for or against candidates, or for or against ballot issues and propositions being decided at an election.
- C. Restrictions on placement of political signs.
 - 1. Wooden or metal freestanding signs. Wooden or metal freestanding political signs may not be posted within eight feet of the paved, traveled portion of a roadway, or at any intersection where placement would reasonably impair the visibility of drivers and traffic. (Ord. 2109, 2006)
 - 2. All signs. All political signs shall be located in accordance with the following:
 - a. No political sign shall be nailed to a tree or trees.
 - b. No political sign shall block any sidewalk, road or driveway.
 - c. No political sign shall be affixed to, or be placed in or on, City property, other than City right-of-way as addressed in

Subsection C.2.vi. below, without evidence of specific approval by the City.

- d. No political sign shall be posted in any traffic median strip.
- e. If affixed to a building and projecting from the building, no political sign shall be mounted in such a manner as to be closer than nine feet to ground level.
- f. No political sign over five square feet in area shall be located in City right-of-way without evidence of specific approval by the City Engineer based on a review of the sign's effect on public safety.

D. Political sign removal. Political signs shall be removed within ten (10) working days of the most current ballot election for which they were placed. If political signs are not removed by that deadline, the City may remove the signs. Political signs also must be removed if they are located to constitute an immediate and substantial threat to the public health and safety, including but not limited to blockage of a driver's visibility. City will notify the party posting the sign of the threat to public health and safety to allow voluntary removal. If voluntary removal does not occur, the City may remove the sign and the cost of removal will be charged to the person placing the sign.

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:

	Residential designation	Public designation
Freestanding signs		
Maximum sign area	12 sq. ft.	24 sq. ft.
Maximum sign height	5'	6'
Maximum number of signs	One per frontage	One per frontage
Setback from internal property line	10'	10'
Building signs		
Maximum sign area	12'	16'
Maximum number of signs	One per frontage	One per frontage
General		
External illumination	Yes	Yes
Internal illumination	No	Yes
Changeable messages	No	Yes, subject to limitations for commercial designation
Electronic signs	No	Yes, subject to limitations for commercial designation
A-frame signs	See Below	No, except as allowed for special events
Signs identifying occupants of individual dwelling or home occupation	One freestanding or building sign not to exceed 2 sq. ft.	NA

B. For land uses requiring a conditional use permit or recorded development plan, the hearing examiner may consider and approve variations from the above provisions, if the resulting signage is appropriate for the proposed land use and no adverse impact will result.

C. In addition to the signs allowed pursuant to this section, businesses lawfully operating in residential land use

designations may be allowed either one A-frame sign in accordance with SMC 14.245.075 or one grand opening/special event sign without the 30-day time limitation specified by SMC 14.245.100 (Ord. 2109, 2006; Ord. 2180, 2009)

14.245.120 Maintenance of Signs. All signs and components thereof which are not kept in good repair and in safe, neat, clean and attractive condition are in violation of this code and shall be subject to abatement as a public nuisance.

14.245.130 Non-Conforming Signs.

A. A sign legally in existence at the effective date of this chapter that does not comply with the provisions of this chapter shall be deemed legally nonconforming and may continue to exist. For the purpose of this section, “legally in existence” shall mean:

1. Installed prior to the existence of sign regulation within the City; or
2. Installed prior to the existence of sign regulation within the County or subject to a permit issued by Snohomish County prior to annexation into the City of Snohomish; or
3. Installed pursuant to a permit issued by the City of Snohomish or pursuant to an exemption from permit requirements. (Ord. 2109, 2006)

B. Modification of a sign legally in existence on the effective date of this chapter that does not comply with the provisions of this chapter may only occur as follows:

1. As part of an action to bring the entire sign more into compliance with the sign regulations in effect at the time of the modification; or
2. Replacement of the sign face/cabinet. (Ord. 2109, 2006)

C. The non-conforming status of a sign shall not be affected by cleaning or other normal maintenance and repair including changes to tenant or business names on multi-tenant signs, provided that the original design function, operational capability, and structure of the sign are maintained and the sign is not otherwise enhanced or upgraded.

D. Abatement.

1. Signs located within the street rights-of-way that are not in compliance with this chapter and are not legally nonconforming pursuant to SMC 14.245.130(A) shall be abated in the following manner:
 - a. The property owner or business owner responsible for the sign will be contacted by certified mail from the City Building Official and/or City Planner, informed of the observed violation, and given a copy of the sign ordinance. The mailed notice will specify a reasonable time period within which the sign must be removed. If the City confirms that the sign has not been removed after the specified time period has passed, City crews will remove and impound the sign. The business or property owner will be charged one hundred dollars (\$100) per sign to recover the sign.

- b. No notice or hearing will be required to remove signs from the street rights-of-way, where the sign is determined to be an immediate danger to public health, safety or welfare, or interferes with maintenance of the right-of-way. Such determination shall be made in the sole discretion of the City Engineer.
 - 2. Signs located on private property, which are not in compliance with this chapter and are not legally nonconforming pursuant to SMC 14.245.130(A), shall be abated as provided in SMC Chapter 14.85.
 - 3. A-frame signs that are not in compliance with SMC 14.245.075 may remain in existence, and shall not be abated, until May 1, 2007. (Ord. 2109, 2006)
- E. Subject to compliance with all other provisions of this chapter, permits may be issued for new signs on property containing one or more legally nonconforming signs. (Ord. 2077, 2005, Ord. 2109, 2006)

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. (Ord. 2109, 2006)