

1 Adopted: 12/11/13
2 Effective: 12/26/13

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 ORDINANCE NO. 13-074
8

9 RELATING TO GROWTH MANAGEMENT, AMENDING CHAPTER 30.27 SCC
10 (GENERAL DEVELOPMENT STANDARDS - SIGNS) AND ADDING DEFINITIONS TO
11 CHAPTER 30.91 SCC (DEFINITIONS) RELATED TO SIGNS, INCLUDING BILLBOARDS
12

13 WHEREAS, the Growth Management Act, chapter 36.70A RCW (“GMA”), requires
14 Snohomish County (the “County”) to regulate land use and development within the County’s
15 jurisdiction; and
16

17 WHEREAS, the Highway Advertising Control Act – Scenic Vistas Act, chapter 47.42
18 RCW, regulates signs in areas adjacent to state highways of Washington State; and
19

20 WHEREAS, billboards are off premise signs and are only allowed in the General
21 Commercial (GC), Light Industrial (LI) and Heavy Industrial (HI) zones per chapter 30.22
22 Snohomish County Code (SCC) (“Uses Allowed in Zones”); and
23

24 WHEREAS, balancing the visibility and marketing of business, industry, advertisement
25 and other land uses and activities and the regulation of billboards is essential to the development
26 of an attractive, compatible and safe environment; and
27

28 WHEREAS, on December 19, 2012, at its General Legislative meeting, the Snohomish
29 County Council (“Council”) tabled proposed Motion 12-447 to increase billboard size from 500
30 square feet to 672 square feet. In lieu of proposed Motion 12-447, Council passed a motion to
31 place an item onto Planning and Development Service’s (PDS) 2013 work plan to address
32 billboard size and regulations for digital signs; and
33

34 WHEREAS, in April 2013, PDS staff met with billboard industry representatives to
35 obtain comments and feedback on this proposal; and
36

37 WHEREAS, in May 2013, PDS staff provided the billboard sign industry representatives
38 draft amendments for this proposal and apprised them of the legislative review process; and
39

40 WHEREAS, on May 9, 2013, PDS staff briefed the Snohomish County Tomorrow –
41 Planning Advisory Committee (SCT-PAC) on this proposal; and
42

43 WHEREAS, the Snohomish County Planning Commission (“Planning Commission”)
44 held a public hearing on June 25, 2013, to receive public testimony concerning the code
45 amendments contained in this ordinance; and

1
2 WHEREAS, at the conclusion of the Planning Commission's public hearing, the
3 Planning Commission voted to recommend that the Council approve Option 1 (no change to the
4 SCC), as set forth in its recommendation letter dated July 2, 2013. Option 1 would maintain the
5 maximum total sign area at 500 square feet for a billboard structure (250 square feet per face
6 when double-sided or 500 square feet single-sided), with a 1,000-foot distance between
7 billboards on the same side of the road or right-of-way; and
8

9 WHEREAS, on December 4, 2013 and December 11, 2013, the Council held a public
10 hearing after proper notice, and considered public comment and the entire record related to the
11 proposal contained in this ordinance; and
12

13 WHEREAS, following the public hearing, the Council deliberated on the code
14 amendments contained in this ordinance;
15

16 NOW, THEREFORE, BE IT ORDAINED:
17

18 Section 1. The Council adopts the following findings in support of this ordinance:
19

- 20 A. The foregoing recitals are adopted as findings as if set forth in full herein.
21
22 B. This ordinance will amend Title 30 SCC to allow a maximum total sign area for a
23 billboard structure to increase from 500 square feet to 1,344 square feet.
24
25 C. This ordinance will amend Title 30 of the SCC to add definitions that will assist in
26 calculating total sign area for a billboard.
27
28 D. This ordinance promotes consistency with the Highway Advertising Control Act – Scenic
29 Vistas Act (chapter 47.42 RCW).
30
31 E. This ordinance maintains consistency with the following GMA goals:
32
33 1. Planning Goal 5 (RCW 36.70A.020(5)): “Economic development. Encourage economic
34 development throughout the state that is consistent with adopted comprehensive plans,
35 promote economic opportunity for all citizens of this state, especially for unemployed
36 and for disadvantaged persons, promote the retention and expansion of existing
37 businesses and recruitment of new businesses, recognize regional differences impacting
38 economic development opportunities, and encourage growth in areas experiencing
39 insufficient economic growth, all within the capacities of the state's natural resources,
40 public services, and public facilities.”
41
42 2. Planning Goal 11 (RCW 36.70A.020(11)): “Citizen participation and coordination.
43 Encourage the involvement of citizens in the planning process and ensure coordination
44 between communities and jurisdictions to reconcile conflicts.”
45

- 1 F. This ordinance complies with and implements the following Snohomish County Growth
 2 Management Act Comprehensive Plan (GMACP) General Policy Plan (GPP) goals,
 3 objectives and policies:
 4
- 5 1. Objective LU 2.E “Provide for reasonable flexibility in land use regulation and planned
 6 mixing of uses, where appropriate, while maintaining adequate protection for existing
 7 neighborhoods.”
 8
 - 9 2. Goal LU 4 “In cooperation with the cities and towns, create urban developments which
 10 provide a safe and desirable environment for residents, shoppers and workers.”
 11
 - 12 3. Goal ED 1 “Promote the maintenance and enhancement of a healthy economy.”
 13
 - 14 4. Objective ED 1.A “Snohomish County shall endeavor to provide a good quality of life
 15 for its residents and business – recognizing that business can thrive only in a healthy
 16 community.”
 17
 - 18 5. Objective ED 1.C “Snohomish County shall recognize and address the needs of small and
 19 minority owned businesses as well as larger, established enterprises.”
 20
 - 21 6. Objective ED 2.A “Develop and maintain a regulatory system that is fair, understandable,
 22 coordinated and timely.”
 23
 - 24 7. ED Policy 2.A.1 “ Snohomish County shall ensure that revisions to the Snohomish
 25 County Code result in a more understandable, accessible, and user friendly document
 26 which eliminates unnecessary and clarifies confusing code provisions.”
 27
 - 28 8. Policy 1.B.5 “The county and affected cities should collaborate on the development of
 29 appropriate urban design measures, such as: pedestrian, bicycle and transit orientation;
 30 compatibility and access among adjacent developments; appropriate open spaces and
 31 gathering places; adequate landscaping; and streetscapes and parking arrangements.”
 32
- 33 G. Procedural requirements.
 34
- 35 1. The State Environmental Policy Act (SEPA) requirements with respect to this non-
 36 project action have been satisfied through the completion of an environmental checklist
 37 and the issuance of a determination of non-significance on June 20, 2013.
 38
 - 39 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
 40
 - 41 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was
 42 transmitted to the Washington State Department of Commerce for distribution to state
 43 agencies on May 29, 2013.
 44

1 4. The public participation process used in the adoption of this ordinance has complied with
2 all applicable requirements of the GMA and the SCC.

3
4 5. As required by RCW 36.70A.370, the Washington State Attorney General last issued an
5 advisory memorandum in December of 2006 entitled "Advisory Memorandum: Avoiding
6 Unconstitutional Takings of Private Property" to help local governments avoid the
7 unconstitutional taking of private property. The process outlined in the State Attorney
8 General's 2006 advisory memorandum was used by the County in objectively evaluating
9 the regulatory changes proposed by this ordinance.

10
11 H. This ordinance is consistent with the record. The Council includes in its findings and
12 conclusions the PDS staff memo dated June 11, 2013, which is hereby made a part of the
13 findings of this ordinance as if set forth herein.

14
15 Section 2. The Council makes the following conclusions:

16
17 A. The proposal is consistent with the goals, objectives and policies of the GPP.

18
19 B. The proposal is consistent with Washington State law and the SCC.

20
21 C. The County has complied with all SEPA requirements in respect to this non-project
22 action.

23
24 D. The regulations proposed by this ordinance do not result in an unconstitutional taking of
25 private property for a public purpose.

26
27 Section 3. The Council bases its findings and conclusions on the entire record of the
28 Council, including all testimony and exhibits. Any finding which should be deemed a
29 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.

30
31 Section 4. Snohomish County Code Section 30.27.010, last amended by Amended
32 Ordinance No. 06-061 on August 1, 2007, is amended to read:

33
34 **30.27.010 Signs: general requirements.**

35
36 The following regulations shall pertain to signs in all zones where signs are allowed unless
37 modified by more specific regulations within this chapter:

38 (1) Signs not exceeding 15 square feet in area for each building site may be displayed for the
39 purpose of advertising the sale or lease of the real property upon which displayed((;)).

40 (2) ~~((For signs or displays that involve moving parts or flashing or blinking lights simulating
41 traffic signals, three copies of drawings or sketches showing the proposed size, lettering,
42 and location on the ground shall be filed with the department for the approval of the state
43 highway department and/or the director of the department of public works;))~~ No sign may
44 be constructed, installed, structurally modified, converted from static to digital display,
45 expanded or displayed without first obtaining a sign permit:

- 1 (a) Application materials shall be submitted as required by the department pursuant
- 2 to SCC 30.70.030.
- 3 (b) Along with all other application materials, the director or hearing examiner, as
- 4 applicable, when making a decision, shall consider any comments received .
- 5 (3) No sign or advertising display is permitted that will:
- 6 (a) ~~((Obstruets))~~ Obstruct in any way the vision of motorists entering or leaving
- 7 public or private rights-of-way;
- 8 (b) Cause hazards for vehicular or pedestrian traffic by reason of location; or
- 9 (c) Appear in the background of a traffic signal as viewed by the driver of a motor
- 10 vehicle approaching the signal.
- 11 (4) At street intersections, signs or advertising displays shall be so located that they permit an
- 12 unobstructed sight distance of at least 300 feet along the intersecting rights-of-way.
- 13 Supports for signs or advertising displays do not constitute an obstruction~~((;))~~.
- 14 (5) Signs shall ~~((observe))~~ comply with the height regulations of the zone in which they are
- 15 located~~((;))~~.
- 16 (6) Artificial lighting shall be hooded or shaded so that direct light of lamps will not result in
- 17 glare when viewed from the surrounding property or rights-of-way~~((; and))~~.
- 18 (7) All signs must be a distance of 100 feet or more from all road crossings of railroad rights-
- 19 of-way. They must be placed in a manner that they do not block the view of the crossing
- 20 by operating personnel aboard the trains or by motorists approaching the crossing from
- 21 either direction.
- 22 (8) Where required by chapter 30.53A SCC, those areas of drive aisles where parking is
- 23 prohibited shall be designated as "no parking" areas on the approved administrative site
- 24 plan for a single family detached unit development. Designation of "no parking" areas
- 25 shall be with either striping, signage, or a combination thereof. Signs, when used, shall
- 26 not be required to be spaced closer than every 100 feet; provided, however, signs may be
- 27 required closer than 100 feet apart if necessitated by site topography. The approved
- 28 striping, signage, or combination thereof shall be installed before the first certificate of
- 29 occupancy is issued for that phase of the single family detached unit development.
- 30 Provisions for enforcement of "no parking" areas shall be included in the covenants,
- 31 conditions and restrictions for single family detached unit developments required
- 32 pursuant to SCC 30.41F.030(3).
- 33 (9) No sign or advertising display is permitted in a critical area or required buffers designated
- 34 pursuant to chapter 30.62A SCC except as provided in SCC 30.62A.160(5).
- 35 (10) Signs shall be stationary and have no moving or revolving parts except for tri-vision
- 36 billboards.
- 37 (11) All signs shall comply with chapter 47.42 RCW, Highway Advertising Control Act -
- 38 Scenic Vistas Act, and chapter 468-66 WAC, Highway Advertising Control Act.
- 39 (12) All signs shall comply with the Snohomish County Shoreline Management Program.

40
41 Section 5. A new section of Snohomish County Code is added to Chapter 30.27 to read:

42
43 **30.27.015 Message substitution clause.**

44 Signs containing noncommercial speech are permitted anywhere that signs regulated by this

45 chapter are permitted, subject to the same regulations applicable to such signs.

1
2 Section 6. Snohomish County Code Section 30.27.040, added by Amended Ordinance
3 No. 02-064 on December 9, 2002, is amended to read:
4

5 **30.27.040 Signs: NB, CB, GC, LI, HI, CRC, RB, and RI zones.**

- 6 (1) Signs for identification purposes shall be permitted to have an area not to exceed one
7 square foot for each linear foot of business property frontage. For examples of sign area
8 calculations, see Figures at SCC 30.27.090.
9 (2) Advertising displays or signs may have an area not to exceed 150 square feet in NB, CB,
10 CRC, RB, and RI zones, ~~((or 500 square feet in GC, LI, and HI zones,))~~ and may be
11 divided into not more than four single- or double-faced signs ~~((in NB, CB, CRC, RB, and
12 RI zones or not more than six single- or double-faced signs in GC, LI, and HI zones))~~.
13 (3) Signs may extend to the front property line; provided that they do not violate other
14 requirements of this chapter.
15 (4) Advertising displays or signs may have a total sign area not to exceed 500 square feet in
16 GC, LI and HI zones, and may be divided into not more than six single- or double-faced
17 signs.
18

19 Section 7. Snohomish County Code Section 30.27.080, added by Amended Ordinance
20 No. 02-064 on December 9, 2002, is amended to read:
21

22 **30.27.080 Billboards.**

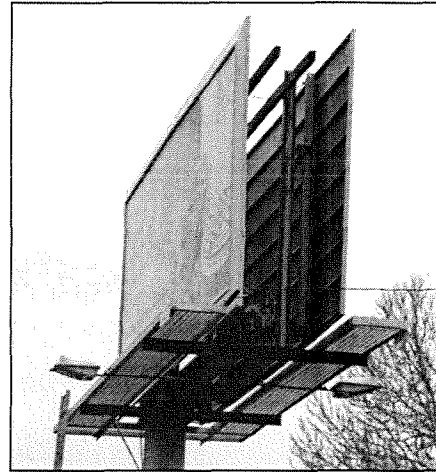
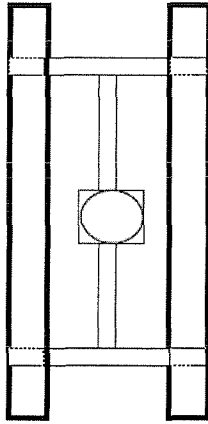
- 23 (1) In no case shall any portion of a billboard structure be located closer than 15 feet to the
24 rear and front property lines or five feet from the side property lines.
25 (2) No billboard shall be ~~((constructed closer than))~~ located within a 1,000-foot radius of
26 ((1,000 feet to)) any other billboard structure, to be measured from the main support of the
27 billboard structure ((when located on the same side of the street or right-of-way)). The
28 billboards or billboard structures for which a permit was first issued shall be used to establish
29 the initial point from which minimum distances are measured.
30 (3) For an example of billboard sign area, see Figure 30.27.090(2). For examples of v-type
31 and back-to-back billboard structure types, see SCC 30.27.095.
32 (4) Billboards shall only be located on sites as allowed in chapter 30.22 SCC.
33 (5) Billboards are prohibited in all shoreline environment designations.
34 (6) Applicants proposing a billboard shall comply with the State Environmental Policy Act
35 requirements of chapter 30.61 SCC.
36 (7) Billboards shall have a total sign area not to exceed 1,344 square feet per sign structure,
37 and are subject to the following conditions:
38 (a) Billboards may be single-faced, back-to-back, or v-type. For the purposes of this
39 subsection sign structures with single-faced, back-to-back and v-type signs are
40 considered one structure. The maximum sign area for a single sign face shall not
41 exceed 672 square feet.
42 (b) New or replacement sign faces of a billboard shall be consistent with the
43 dimensions of the other face of that billboard unless otherwise prohibited.
44 (c) New or replacement sign faces allowed under this subsection shall only contain
45 static images that are not projected by any electronic or digital means.

1 (d) The support structure (pole) and footing (base) must be demonstrated or modified
2 to have the physical structural support and the capacity to carry the proposed sign
3 face(s) and comply with applicable County building codes.
4

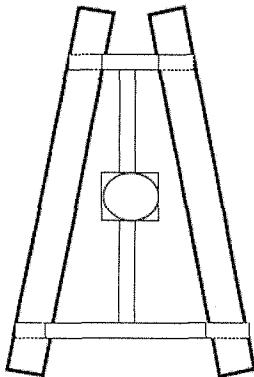
5 Section 8. A new section of Snohomish County Code is added to Chapter 30.27 to read:
6

7 **30.27.095 Sign structure examples.**

8
9 Figure 30.27.095(1)
10 Back-to-Back Sign Structure



26
27 Figure 30.27.095(2)
28 V-type Sign Structure



←————→

Interior angle not to measure > 60 degrees
pursuant to SCC 30.91V.005

Section 9. A new section is added to Chapter 30.91B of Snohomish County Code to read:

30.91B.012 Back-to-back sign structure.

“Back-to-back sign structure” means a sign structure configuration where two advertising faces or sign areas are parallel to one another and face in opposite directions, and such that the backs of the advertising or sign area (back view) face each other and are not more than three feet apart.

Section 10. Snohomish County Code Section 30.91S.310, added by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.91S.310 Sign.

“Sign” means a structure for the display of advertising or a structure that either ((identifying)) identifies the owner or occupant of or the sale of goods and services on the premises on which the structure is located. ((,but not including)) A “sign” does not include:

- (1) ~~((+))~~Real estate signs advertising the sale or rent of the property upon which ~~((it is))~~the sign is located; ((and))
- (2) ~~((p))~~Public notice signs required by law~~((:));~~and
- (3) Directional signs.

Section 11. A new section is added to Chapter 30.91T of Snohomish County Code to read:

30.91T.125 Tri-vision billboard.

“Tri-vision billboard” means a type of billboard having a series of three-sided rotating slats arranged side by side, either horizontally or vertically, which are rotated by an electric-mechanical process, capable of displaying a total of three separate and distinct messages, one message at a time.

Section 12. A new section is added to Chapter 30.91V of Snohomish County Code to read:

30.91V.005 V-type sign structure.

“V-type sign structure” means a sign structure with two sign faces, forming the shape of the letter “V,” with an angle between the two faces of not more than 60 degrees.

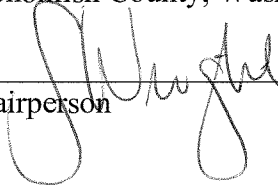
Section 13. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or by a court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and

ORDINANCE NO. 13-074
RELATING TO GROWTH MANAGEMENT, AMENDING
CHAPTER 30.27 SCC (GENERAL DEVELOPMENT
STANDARDS - SIGNS) AND ADDING DEFINITIONS TO
CHAPTER 30.91 SCC (DEFINITIONS) RELATED TO SIGNS,
INCLUDING BILLBOARDS - PAGE 8


1 effect for that individual section, sentence, clause or phrase as if this ordinance had never been
2 adopted.

3
4 PASSED this 11th day of December, 2013.

5
6
7 SNOHOMISH COUNTY COUNCIL
8 Snohomish County, Washington

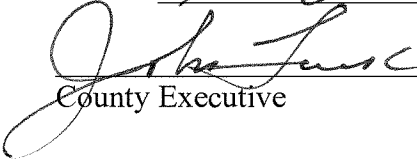
9
10 
11 _____
12 Chairperson

13 ATTEST:


14 
15 _____
16 Clerk of the Council, ASST.

- 17
18
19 APPROVED
20 EMERGENCY
21 VETOED

22 DATE: 12-16-13

23 
24 _____
25 County Executive

26
27
28
29 ATTEST:

30
31 
32 _____
33

34 Approved as to form only:

35  7/29/13
36 _____
37 Deputy Prosecuting Attorney

D-11