

CITY OF GRANITE FALLS

ORDINANCE NO. 829-2012

AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, AMENDING SECTION 19.06.010.O CHANGEABLE MESSAGE AND ELECTRONIC SIGNS REGULATIONS OF THE UNIFIED DEVELOPMENT CODE OF THE GRANITE FALLS MUNICIPAL CODE; MAKING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; REQUIRING A COPY BE PROVIDED TO THE DEPARTMENT OF COMMERCE; PROVIDING FOR SUMMARY PUBLICATION BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the requirements of the Washington State Growth Management Act, the City of Granite Falls is required to develop and adopt development regulations implementing its Comprehensive Plan;

WHEREAS, RCW 36.70A.130(2) requires the City of Granite Falls, a “fully planning” city within Snohomish County to update its Comprehensive Plan and development regulations, as necessary, to reflect local needs, new data and current laws; and

WHEREAS, the Granite Falls City Council has determined that certain amendments are necessary to keep the Comprehensive Plan and Unified Development Code contained in GFMC Title 19 updated and to accommodate the needs of its citizens; and

WHEREAS, the Granite Falls City Council has reviewed the amendments contained in this ordinance and finds that these amendments meet the required criteria in Ordinance No. 740-07 and UDC 19.4.130.D; and

WHEREAS, public hearings were held by the City of Granite Falls Planning Commission on October 25, 2011 and December 13, 2011 pursuant to GFMC 19.4.130.D.5; and

WHEREAS, a public hearing was held by the City of Granite Falls City Council on January 18, 2012 pursuant to GFMC 19.4.130.D.6; and

WHEREAS, the requirements of the Site Environmental Policy Act (SEPA) RCW Chapter 43.21C have been met;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the following findings in support of this Ordinance, together with the recitals expressed herein.

1. RCW 36.70A.470(2) stipulates that all cities planning under the Growth Management Act shall provide in its development regulations a procedure for any interested citizen or agency to suggest development regulation amendments.

2. The suggested amendments pursuant to RCW 36.70A.470(2) are to be docketed and considered on at least an annual basis.
3. On June 15, 2011, the City Council directed staff to advertise and provide for a Development Regulation (Land Use) Docket to be processed this year (2011).
4. The Docket opening was advertised in the City's newspaper of record, the Everett Herald, on June 20, 2011 and June 27, 2011.
5. Snohomish County Fire District No. 17 submitted an application proposing amendments to allow said district to have an off-premise, freestanding, outdoor electronic message sign to provide public service information of a non-commercial nature.
6. The Planning Commission reviewed the 2011 Development Regulations Annual Docket proposals on August 9, 2011 and August 23, 2011.
7. On August 23, 2011, the Planning Commission recommended the amendment to the Unified Development Code proposed by the Snohomish County Fire District No. 17 be included as part of the 2011 Development Regulations Annual Docket pursuant to GFMC 19.04.130.D.
8. On September 7, 2011, after consideration of the Planning Commission recommendation, the City Council adopted Resolution No. 2011-04 directing the Designated Official to proceed with the amendment proposed by Snohomish County Fire District No. 17 to the Unified Development Code as part of the 2011 Development Regulations Annual Docket.
9. The recommended amendments to the Unified Development Code appear to be consistent with and aid in the effective implementation of the City's Comprehensive Plan and development regulations.
10. On October 11, 2011, the Planning Commission conducted a work session to review staff analysis of subject amendment to the Unified Development Code in preparation for the 2011 Development Regulations Annual Docket public hearing scheduled for October 25, 2011.
11. On October 14, 2011, a public hearing notice in compliance with GFMC 19.4.0130.D.5 and GFMC 19.4.080.C.1.a and .2 was posted at the local US Post Office, City Hall, and Granite Falls Library notifying the public of the Planning Commission public hearing.
12. On October 14, 2011, a public hearing notice in compliance with GFMC 19.4.0130.D.5 and GFMC 19.4.080.C.1.c and .2 was published in the Everett Herald Newspaper notifying the public of the Planning Commission public hearing.
13. On October 25, 2011, the Planning Commission held a public hearing regarding the amendment to the Unified Development Code proposed by the Snohomish County Fire District No. 17.
14. On November 22, 2011, the Planning Commission deliberated and concluded it would be advantageous to hold a second public hearing to receive testimony concerning alternative amendments and an additional amendment to be proposed by the applicant (Fire District).
15. On December 2, 2011, a public hearing notice in compliance with GFMC 19.4.0130.D.5 and GFMC 19.4.080.C.1.a and .2 was posted at the local US Post Office, City Hall, and Granite Falls Library notifying the public of a second Planning Commission public hearing.

16. On December 2, 2011, a public hearing notice in compliance with GFMC 19.4.0130.D.5 and GFMC 19.4.080.C.1.c and .2 was published in the Everett Herald Newspaper notifying the public of a second Planning Commission public hearing.
17. On December 13, 2011, the Planning Commission held a second public hearing to consider additional information, alternative amendments and an additional amendment proposed by Snohomish County Fire District No. 17.
18. Following the close of the December 13, 2011 public hearing, the Planning Commission deliberated, adopted findings of fact, and recommended approval of the amendments to the Unified Development Code as proposed by the Snohomish County Fire District 17.
19. On January 4, 2012, the City Council conducted a work session to review the Planning Commission recommendation and staff analysis regarding the recommended amendments to the Unified Development Code proposed by the Snohomish County Fire District No. 17.
20. On January 6, 2012, a public hearing notice in compliance with GFMC 19.4.0130.D.5 and GFMC 19.4.080.C.1.a and .2 was posted at the local US Post Office, City Hall, and Granite Falls Library notifying the public of the City Council public hearing.
21. On January 6, 2012, a public hearing notice in compliance with GFMC 19.4.0130.D.5 and GFMC 19.4.080.C.1.c and .2 was published in the Everett Herald Newspaper notifying the public of the City Council public hearing.
22. The City Council held a public hearing to consider the Planning Commission recommended amendments to the Unified Development Code on January 18, 2012, adopted findings of fact, and directed staff to prepare an ordinance for consideration that would adopt the amendments to the Uniform Development Code regarding changeable message and electronic sign regulations as recommended by the Planning Commission.

Section 2. Subsection O, Changeable Message and Electronic Signs, of Section 19.06.010 of GFMC Chapter 19.3, Zoning, is hereby amended to read as follows:

O. CHANGEABLE MESSAGE AND ELECTRONIC SIGNS:

This section shall govern signs on which the message can be changed, such as reader boards and electronic signs.

1. ~~Electronic signs located outdoors are not permitted in any zoning districts, with the exception of electronic signs providing public information of a non-commercial nature owned and operated by either the fire district, school district, or the and city property. Electronic signs located indoors and within three feet of a window are permitted in all zones except all Residential zones, including those operating with a home occupation business license. Changeable message signs are allowed on all properties that do not have a principal use of single-family residential.~~

2. Electronic signs located indoors and within three feet of a window are permitted in all zones except all Residential zones, including those operating with a home occupation business license. Changeable message signs are allowed on all properties that do not have a principal use of single-family residential.
- 2.3. Changeable copy areas of a sign shall be included as part of the permitted sign area.
- 3.4. Freestanding Sign Size.
 - a. The surface area of the changeable message sign shall be no larger than 50 percent of the maximum sign surface area allowed for the user(s) of the changeable message sign, specific to the zoning district in which it is proposed.
 - b. Motor vehicle service stations and convenience stores with gas pumps may utilize up to 100 percent of the permitted surface area of a freestanding sign for changeable prices of motor fuel only.
 - c. Movie theaters and other performance/entertainment facilities may utilize up to 80 percent of the permitted surface area of a freestanding sign for display of names of films, plays or other performances currently showing on the site.
- 4.5. Location. Shall be located according to the requirements for freestanding signs in the applicable zoning district in which it is proposed.
- 5.6. Electronic Sign Size Allowed.
 - a. The surface area of an electronic sign located indoors and within three feet of a window can be no larger than three square feet. with the exception of the following:
 - b. The surface area of an electronic sign on a school property can be no larger than 2032 square feet per side.
 - c. The surface area of an electronic sign owned and operated by the Fire District or the City can be no larger than 32 square feet.
- 6.7. Display.
 - a. The display of the sign shall not change more rapidly than once every one and one-half seconds.
 - b. The display shall not appear to flash, undulate, pulse or portray explosions, fireworks, flashers or bursts of light and/or graphics and blinking or chasing lights.
 - c. The display shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or otherwise portray movement or animation as it comes onto, is displayed on, or leaves the sign.
- 7.8. Number Permitted.
 - a. Not to exceed one changeable message sign per parcel or commercial, industrial or business complex, not in addition to the number of freestanding signs permitted for the site.
 - b. Not to exceed one electronic sign per business.
 - e. Permit Requirements. Applicants for electronic signs shall comply with the following requirement:

~~Permit applications must include a copy of the manufacturer's operating manual, which includes the manufacturer's recommended standards for light levels, scrolling or traveling speed and other display operations~~

9. Permit Requirements. Permit applications must include a copy of the manufacturer's operating manual, which includes the manufacturer's recommended standards for light levels, scrolling or traveling speed and other display operations.

Section 27. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held 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. Provided, however, that if any section, sentence, clause, or phrase of this Ordinance is held invalid by a court of competent jurisdiction, or by the Growth Management Hearings Board, then the section, paragraph, sentence, clause, or phrase in effect prior to the effective date of this Ordinance, shall be in full force and effect for that invalidated section, paragraph, sentence, clause, or phrase, as if this Ordinance had never been adopted.

Section 28. Copy to Department of Commerce. Pursuant to RCW 36.70.A.106(3), the City Clerk is directed to send a copy of this Ordinance to the State Department of Commerce for its file within ten (10) days after adoption of this Ordinance.

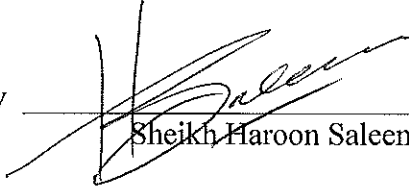
Section 29. Publication and Summary. This Ordinance or summary thereof consisting of the title shall be published in the official newspaper of the City.

Section 30. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of the summary consisting of the title.

Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the ___ day of February, 2012, and signed in authentication of its passage this 15th day of February, 2012.

CITY OF GRANITE FALLS


By



Sheikh Haroon Saleem, Mayor

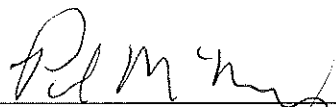
ATTEST:

By



Darla Reese, City Clerk

APPROVED AS TO FORM:

By 
Paul McMurray, City Attorney

Ordinance No. 829-2012

Date of Publication: February 19, 2012

Effective date: February 24, 2012