

**CITY OF CARNATION
PLANNING BOARD**

FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

SUBJECT: Amending Chapters 15.68 CMC Part I Signs

STATE AGENCY REVIEW: In accordance with RCW 36.70A.106, the proposed Comprehensive Plan Update was submitted to the Washington State Office of Community Development on June 12, 2014 for 60 day agency review.

SUMMARY OF RECOMMENDATION AND DECISIONS:

Staff Recommendation: Recommend denial of the legislative proposals.

Planning Board Decision: Recommend denial of the legislative proposals.

PUBLIC HEARING:

The Planning Board conducted a public hearing on the proposed adoption of the Economic Development Element and amendments to the Capital Facilities Elements of the Comprehensive Plan on June 24, 2014. The Hearing was opened at 7:02 PM and closed at 7:51 PM. Participants at the public hearing and exhibits offered and entered are listed in this report. A verbatim recording of the hearing is available at the City Clerk's office.

HEARING COMMENTS:

The following is a summary of the comments offered at the Public Hearing:

From the City: Linda Scott, City Planner, reviewed the proposed legislative action Staff Report, which states that:

Amending Chapter 15.68 CMC Part I Signs

1. Chapter 15.68 Part I Signs was last amended in 2005 by Ordinance 679. The amendment to the sign regulations were undertaken along with adoption of design guidelines for the commercial districts of the City and an amendment to the landscape regulations. These amendments to the Carnation Municipal Code were developed with assistance from Makers Architects.
2. At its March 18, 2014 meeting, the City Council directed the Planning Board to make a recommendation regarding an amendment to Chapter 15.68 to allow electronic reader board signs at school properties. After consultation with the city attorney, city staff suggested that consideration for the location for electronic reader boards be expanded to properties zoned Public Use with frontage located along Tolt Avenue.
3. In addition to the amendment to allow electronic reader board signs, the amendment to Chapter 15.68 also includes a correction to Chart I, which had omitted the regulations

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for freestanding signs that are not monument style. This omission is scrivener's error and the proposed amendment is consistent with materials developed during the sign code amendment that was adopted in 2005.

4. An amendment to Chapter 15.08 Basic Definitions and Interpretations is proposed to add a definition for electronic reader board signs.
5. This proposed amendments meet some but not all of the criteria set forth in CMC 15.100.030(E)(2), as follows:

a. Consistency with the Growth Management Act (Chapter 36A.70 RCW):

The amendments to Title 15 are inconsistent with some of the Planning Goals of the Growth Management Act (RCW 36.70A.020):

Goal 10. Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The proposed amendment provides protection against excessive light and glare impacts and requires that the signs be unlit between 10 pm and 6 am. There are no impacts expected to air or water quality or availability of water.

Goal 13. Historic preservation. Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

There are several historic structures along Tolt Avenue including some that are on historic registers; these would be within close proximity to potential locations of electronic reader board signs under the proposed amendment. Allowing electronic reader board signs would be inconsistent with Goal 13 as such signs are internally lit, are generic by nature and are not consistent with design typical of the early twentieth century.

b. Consistency with existing goals and policies of the comprehensive plan.

The proposed amendments to Chapters 15.68 CMC are inconsistent with some of the Goals and Policies identified in the Comprehensive Plan:

COMMUNITY GOALS, updated 2005

Goal 1 - The Carnation community encourages changes that promote livability, pedestrian orientation, protection of cultural resources, high quality design, and limit stress factors such as noise and air pollution and traffic congestion.

Electronic reader board signs are not consistent with pedestrian orientation as these signs are designed for automotive traffic. These signs would not promote livability, protection of cultural resources or high quality design as they are by necessity generic

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in nature and must be internally lit, as opposed to external signs that can be designed in a way that is unique and reflects Carnation's historic heritage. While such signs would not create noise or air pollution or traffic congestion (although their operation could result in slower traffic speeds) operation of such signs will cause visual distraction that could be considered a stress factor for some motorists.

***Goal 3** - The Carnation community encourages local involvement in community actions and promotes a sense of community. This includes encouragement of public and private involvement in community affairs, promotion of community beautification, as well as encouragement of volunteerism and activism.*

The proposed amendment is consistent with most of this Goal. Depending upon the message, electronic reader board signs could be used to involve local citizens and promote a sense of community by providing messages of interest, such as school activities. However, as described above they do not tend to promote community beautification.

***Goal 5** - The Carnation community maintains and enhances opportunities for cultural enrichment and leisure activity, and provides a range of facilities and activities for all ages.*

Depending upon the use of these signs, the proposed amendment is consistent with most of this Goal. For example, by providing information about school or library activities that are open to the public, the signs could be used to promote cultural enrichment and/or leisure activities.

Land Use Element, updated 2011

***GOAL LU3:** To promote an active, diverse, integrated, and pedestrian oriented town center including the central business district and mixed use zone along the SR203 corridor that provides goods and services attractive to local residents and visitors alike.*

The proposed amendment to allow electronic reader board signs is not consistent with Goal LU3 as it does not promote a pedestrian oriented downtown along SR203. The proposed amendment would allow such signs in five parcels zoned Public Use that are located at the northern and southern gateways and within the central business district and mixed use zones along Tolt Avenue.

***Policy LU3.4:** Encourage activities on the part of the business community and provide infrastructure that supports an appealing downtown corridor that expresses Carnation's unique sense of place. To the extent possible, public infrastructure should support attractive gathering places within the downtown area.*

The proposed amendment to allow electronic reader board signs is not consistent with Policy LU3.4 as these signs do not reflect Carnation's unique sense of place.

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GOAL LU5: To preserve and promote Carnation's historical small town character.

The proposed amendment to allow electronic reader board signs is not consistent with Goal LU5 as these signs do not reflect or promote Carnation's historical small town character.

Policy LU5.5: Continue to develop and update land use regulations that preserve and promote Carnation's historical small town character.

The proposed amendment to allow electronic reader board signs is not consistent with Policy LU5.5 as the update to the land use regulations to allow such signs would not preserve or promote Carnation's historical small town character.

Community Design Element, adopted 2005 (note: there is no specific section of goals and policies identified in this Element. The following goals are excerpts from the narrative.)

The primary goal for implementing design standards in Carnation is to preserve and strengthen the small town country character of the early 20th Century.

The proposed amendment to allow electronic reader board signs is not consistent with goal of strengthening the small town country and early 20th Century character.

The design of the business corridor district includes two broad goals which are outlined as follows:

- *To establish a business district that has visual appeal and reflects our character and values.*
- *To encourage a closer community by developing a pedestrian-oriented downtown that includes a central town square or comparable meeting places.*

The proposed amendment to allow electronic reader board signs is not consistent with pedestrian downtown as they are designed for vehicular traffic. While "visual appeal" is different for different observers, electronic reader board signs do not reflect the city's small town early twentieth century character as described in the Community Design Element.

Recommended Action 2: Develop Regulations and Guidelines to establish the character of and the development requirements for properties in the Business Corridor.

These Regulations and Guidelines should include, but not be limited to:

- a. *Design Standards*
- b. *Building Setbacks*
- c. *Preserving View Corridors*
- d. *Allowing Mixed Uses*
- e. *Signs and Lighting Standards*

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- f. *Parking Standards*
- g. *Landscaping and Fencing*
- h. *Sidewalk development*

This recommended action shows the intent in the Comprehensive Plan to include signage in the regulations and guidelines that establish the character of the business corridor.

c. *Whether the proposal adequately implements the goals and policies of the comprehensive plan.*

In accordance with the GMA, development regulations are adopted by a city to implement the goals and policies of the comprehensive plan. The purpose section of each chapter within Title 15 reflects how the regulations relate to the goals and policies that they are designed to implement. The purpose section of Chapter 15.68 Part I Signs is found in Section 15.68.010 CMC, which reads as follows:

Section 15.68.010 The purposes of this chapter are to:

- A. Provide standards that regulate the effective use of signs as a way to identify business properties and to promote economic viability;
- B. Protect the public interest by minimizing the adverse effects of signage upon nearby properties and pedestrian and traffic safety;
- C. Permit signs that complement building uses and their surroundings by regulating their type, number, location, size, and lighting; and
- D. Minimize the aggregate amount of signage displayed within the Carnation community consistent with the city's aesthetic standards and legal requirements.
(Ord. 679 § 2 (part), 2005)

From the Purpose section it is apparent that, among other things, 1) the sign regulations should minimize adverse effects of signage, 2) lighting is one of the aspects of signage to be regulated and 3) signage should be consistent with the city's aesthetic standards.

The proposed amendments to Chapter 15.68 include regulations designed to minimize the impact of electronic reader boards, such as not allowing moving text, requiring the lights be turned off at 10 pm, etc. However, even with these mitigating regulations, allowing electronic reader board signs may still have some adverse impacts on nearby properties, pedestrian and traffic safety, etc.

Subsection 15.68.060.D Illumination states that externally lit signs are encouraged and that backlit signs are prohibited except for projecting signs along Tolt Avenue. As currently adopted, internally lit signs are allowed under one circumstance (projecting

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signs on Tolt Avenue). The proposed amendment would add a second instance where internally lit signs are allowed.

Subsection 15.68.060.F encourages signs to comply with the city's design guidelines. The proposal to allow electronic reader board signs is inconsistent with the city's aesthetic standards to promote a unique, small town early 20th century heritage in the built environment.

d) The cumulative impact of the proposed amendment upon the health, safety, and welfare of the city;

Studies have been undertaken by the National Highway Traffic Safety Administration and others regarding the potential safety impacts of electronic reader board or other electronic signage on traffic safety. The outcomes of these studies are not conclusive regarding the safety of electronic reader board signs, although some studies conclude that there are many potential distractions facing drivers, both inside the vehicle (e.g., cell phones) and outside. In telephone conversations, WSDOT staff indicated that they did not have safety concerns regarding the presence of electronic reader board signs along SR203.

The proposed regulations found in 15.68.090.C were intended to minimize visual distraction by prohibiting scrolling, flashing or blinking text, etc. and allowing messages to change no more than once per 60 seconds. The minimum size of the letters is consistent with the electronic reader board industry standard for roadways with speed limits of 30 mph. While not allowing any electronic reader board signs removes any potential impact on safety, no scientific studies have been found that show definitive evidence of cumulative impact from electronic reader board signs on public health, safety and welfare.

e) The probable significant adverse environmental impacts of the proposal, if any.

The proposed amendments should not create adverse environmental impacts as lighting and glare impacts are mitigated by proposed 15.68.090.C.9 and 15.68.090.C.10.

From the Public:

Robert Cox, 32218 NE 16th Street – Carnation, spoke about the proposed amendment to the sign code to allow electronic reader board signs at properties along Tolt Avenue with a Public Use zoning designation. Mr. Cox said that the listing of properties that was described in the staff report which could be allowed to install electronic reader board sign does not include all of the publicly owned properties in the downtown corridor. He thinks that the Council's original goal of allowing electronic reader board signs only at the schools could be met by limiting the use to properties with a large minimum lot size, such as five acres. Mr. Cox also thinks that limiting the size of electronic reader board signs to 10% of

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the building façade or 32 square feet doesn't make sense, because a 32 sf sign will look like a postage stamp on a building the size of Tolt Middle School. He thinks that the maximum height of 6' is too low, and should be higher so it's not a visual distraction for drivers at eye level and hiding pedestrians. Lastly, Mr. Cox expressed objection to electronic reader board signs being allowed for public entities but not the business establishments which pay property taxes to the City and the schools.

Jane Hartwell, 1805 280th Avenue NE – Carnation, said that the community thought about the image of the town for many years before adopting an early 20th century natural identity. People who stop in her shop say that they like Carnation because it's different. She thinks that electronic reader board signs are too bright, too colorful, and too modern; and she doesn't like moving or changing text on signs. She prefers smaller, more old-fashioned signs. Carnation's downtown is framed by the schools. She objects to allowing electronic reader board signs for aesthetic reasons.

Lee Grumman, 31721 West Rutherford Street, is also opposed to electronic reader board signs. She doesn't think that they fit with the natural and agricultural character and quality of the small town. She thinks that Carnation has much opportunity that doesn't exist elsewhere on the Eastside, with its local, outdoor, natural, "farmy" small town feeling. She wants Carnation to maintain that style and character, and thinks that electronic reader board signs would erode that opportunity. She is concerned that it is a slippery slope, since the business community will likely want them too. In her own business she is deeply motivated to project the small town character and values that are defined in the City's vision, and her business is dependent upon those values and that vision. She has worked a long time to brand her business and Carnation in the hopes that the town can become a destination, and she feels threatened by the proposed electronic reader board signs. Ms. Grumman encouraged the Planning Board to vote against the proposed amendment.

FINDINGS, CONCLUSIONS AND RECOMMENDATIONS FOR THE COMPREHENSIVE PLAN UPDATE:

Having considered the entire record in this matter, the Carnation Planning Board now makes and enters the following:

A. FINDINGS AND CONCLUSIONS

1. The proposed amendments are not consistent with the Growth Management Act (Chapter 36.70A RCW);
2. The proposed amendments are not consistent with the goals and policies of the Comprehensive Plan;
3. The proposal does not adequately implement the goals and policies of the comprehensive plan;
4. There are no cumulative impact of the proposed amendment upon the health, safety, and welfare of the city;

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5. There are no probable significant adverse environmental impacts of the proposal if any.

B. RECOMMENDATION:

Based on the foregoing findings of fact and conclusions, the Carnation Planning Board recommends that the City Council not adopt an ordinance amending Chapter 15.68 Part I Signs

Dated this 20th day of June 2014.



Tracey Blackburn, Chairperson,
Carnation Planning Board

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JZL/
5/31/14

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CARNATION, WASHINGTON, AMENDING CHAPTER 15.68 CMC SIGNS AND FENCES; CLARIFYING THE HEIGHT LIMITS FOR CERTAIN MONUMENT SIGNS AND FREESTANDING SIGNS ALONG TOLT AVENUE; AUTHORIZING THE DISPLAY OF ELECTRONIC READER BOARDS WITHIN THE PUBLIC USE (PU) ZONE ALONG TOLT AVENUE; AMENDING CHAPTER 15.08 BASIC DEFINITIONS AND INTERPRETATIONS TO ESTABLISH NEW DEFINITIONS RELATED TO SUCH SIGNAGE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Carnation regulates the display of signage through local regulations codified at Chapter 15.68 CMC; and

WHEREAS, the City Council desires to update and amend said regulations by clarifying the height limits for certain monument signs and freestanding signs along Tolt Avenue, and to authorize the display of electronic reader boards within the PU zone along Tolt Avenue; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF CARNATION, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the above recitals as findings in support of the regulations set forth in this ordinance, together with the following:

A. The City is authorized by State law, including but not limited to Chapter 35A.11 RCW, Chapter 35A.63 RCW, and Chapter 36.70A RCW to enact local regulations governing the display of signage within the City.

B. The Planning Board conducted a public hearing on the substance of this ordinance on June 24, 2014, and recommended adoption by the City Council. The City Council held a public hearing on this ordinance on _____, 2014.

C. The regulations set forth in this ordinance have been processed and considered by the City in material compliance with all applicable procedural requirements, including but not limited to requirements related to public notice and comment.

D. All relevant requirements of SEPA have been satisfied with respect to this ordinance.

E. The City Council has carefully considered, and the regulations set forth in this ordinance satisfy, the review criteria codified at CMC 15.100.030(E).

F. The regulations set forth in this ordinance will advance the public health, safety and welfare.

Section 2. Amendment of CMC 15.08.010. Section 15.08.010 of the Carnation Municipal Code is hereby amended by the addition of a new definition for “Sign, electronic reader board” to provide in its entirety as follows:

15.08.010 Definitions of basic terms.

....

“Reader-board, electronic” means an electronically controlled sign face or part of a sign face providing for readily changeable letters, symbols or other copy.

....

Section 3. Amendment of CMC 15.68.040. Subsection (A)(2) of Carnation

Municipal Code Section 15.68.040 is hereby amended to provide in its entirety as follows:

15.68.040 Exemptions from permitting requirements.

....

2. Signs directly related to a government building, structure, service, roadway or activity that are installed or otherwise required by the city or other governmental entity, but excluding electronic reader boards;

....

Section 4. Amendment of CMC 15.68.060. Subsection (D)(2) of Carnation

Municipal Code Section 15.68.060 is hereby amended to provide in its entirety as follows:

15.68.060 General provisions.

....

2. Backlight signs are prohibited except for projecting signs along Tolt Avenue and electronic reader boards pursuant to CMC 15.68.090(C).

....

Section 5. Amendment of CMC 15.68.090. Subsection (C) of Carnation Municipal

Code Section 15.68.090 is hereby amended to provide in its entirety as follows:

15.68.090 Permanent house of worship, institutional, governmental and school identification signs.

....

C. In addition to the identification sign allowed under subsection A of this section and the mural, symbol, emblem or mascot allowed under subsection B of this section, properties within the Public Use zoning district that immediately front Tolt Avenue may display one on-premises freestanding or wall-mounted electronic reader board subject to the following requirements:

1. Wall mounted electronic reader boards shall not exceed ten percent of the building façade or thirty-two square feet in size whichever is smaller.

2. Freestanding electronic reader boards shall not exceed the height and size dimensions for signs found in Chart I and shall be located not less than five feet from a

public right-of-way.

3. Reader boards are limited to alphanumeric messages only.

4. Scrolling, blinking or flashing messages are not allowed.

5. Signs shall not contain moving graphics, text, or video.

6. No more than 2 colors shall be used for each message.

7. Electronic reader boards may have messages that change, however, sign messages shall not change more than once every 60 seconds.

8. Letter height on the signs shall be between 7 and 24 inches.

9. Signs shall be designed to prevent light and glare from being visible to adjacent residential properties.

10. Signs shall be turned off between the hours of 10:00 p.m. and 6:00 a.m. except during emergencies.

.....

Section 6. Repealer. Section 15.68.100 of the Carnation Municipal Code is hereby repealed in its entirety.

Section 7. Amendment of CMC 15.68.110. Subsection (E) of Carnation Municipal Code Section 15.68.110, including Chart I, is hereby amended to provide as contained in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 8. Copy to Commerce. Pursuant to RCW 36.70A.106, the Planning Director is hereby authorized and directed to provide a copy of this ordinance to the State Department of Commerce within 10 days of adoption.

Section 9. Severability. If any section, sentence, clause or phrase of this ordinance should be 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 10. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Carnation City Council this ____ day of _____, 2014.

MAYOR, JIM BERGER

ATTEST/AUTHENTICATED:

CITY CLERK, MARY MADOLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____
J. ZACHARY LELL

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. _____

Exhibit A

E. Freestanding Signs. Freestanding stands may be displayed pursuant to the following restrictions:

1. Freestanding signs may be monument signs or standing signs. Monument signs may only be used where the underlying building is set back at least twenty feet from the public right-of-way;
2. Nonresidential developments may utilize a single freestanding sign on-site subject to the regulations in Chart I below.

Chart I.

Where a small letter appears in a caption in the chart, refer to the corresponding note below.

	Nonresidential Uses		
Freestanding Sign Requirements ^{(a)(b)(c)(d)}	Single + Multitenant Developments up to 25,000 sf	Single + Multitenant Developments more than 25,000 sf	Single + Multitenant Developments more than 50,000 sf
Height limit, <u>monument sign</u>	42"	6'	6'
Height limit, <u>standing sign</u>	6'	6'	6'
Maximum size limit	20 sf	30 sf	32 sf
Minimum setback	5'	5'	5'
Landscaping ^(c)	1 sf landscaping per 1 sf of sign face	1 sf landscaping per 1 sf of sign face	1 sf landscaping per 1 sf of sign face
Minimum separation ^(d)	150'	150'	150'

Notes:

(a); sup; A minimum lettering height of four inches is encouraged for readability.

(b); sup; All freestanding signs must be set back a minimum of five feet from any public right-of-way.

(c); sup; Landscaping includes a decorative combination of ground cover and shrubs to provide seasonal interest in the area surrounding the sign as required in CMC Section 15.76.030(D). Landscaping shall be well maintained at all times. The city planner may reduce the landscaping requirement where the signage incorporates decorative materials.

(d); sup; Individual buildings and developments or complexes may not display more than one freestanding sign on each street frontage. Provided, a second freestanding sign may be displayed on the site as long as it advertises a different business or businesses on-site and is located at least one hundred fifty feet from the other sign.