



ORDINANCE NO. 504-2013

AN ORDINANCE ADOPTING INTERIM ZONING REGULATIONS TO KITSAP COUNTY CODE SECTION 17.445 PURSUANT TO RCW 36.70A.390 TO ESTABLISH AN "AGRICULTURAL SIGNAGE PILOT PROGRAM" TO ALLOW FOR SEASONAL AGRICULTURAL SIGNAGE TO BE IN EFFECT WHILE THE COUNTY CONSIDERS AMENDMENTS TO KITSAP COUNTY CODE TITLE 17 'ZONING'; TO BE IN EFFECT NO MORE THAN SIX MONTHS FROM THE DATE OF ADOPTION; DECLARING AN EMERGENCY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, The Kitsap County Comprehensive Plan contains specific goals and policies supporting agriculture as it pertains to Kitsap County's character and economy (Goal RL-6, Goal RL-7, Goal RL-8, Policy RL-60); and

WHEREAS, Kitsap County has become aware of an immediate need for agricultural signage that is not currently allowed under Chapter 17.445 'Signs'; and

WHEREAS, Kitsap County is in the process of developing large scale amendments to its zoning code, which will include permanent amendments to the Chapter 17.445 'Signs'; and

WHEREAS, The amendments to Chapter 17.445 'Signs' will not be completed prior to the 2013 agricultural growing season; and

WHEREAS, Kitsap County is authorized to adopt interim zoning regulations under RCW 36.70.795 and RCW 36.70A.390.

NOW THEREFORE THE KITSAP COUNTY BOARD OF COMMISSIONERS DO ORDAIN AS FOLLOWS:

Section 1. Kitsap County Code Section 17.445.090, last amended by Ordinance 281-2002, is amended as follows:

17.445.090 Conditionally exempt signs.

The following signs are not regulated by this title provided the following conditions are met:

A. Signs indicating the location of restrooms, addresses, signs indicating hours of operation, building entrance and exit signs, signs indicating locations of public telephones, building directories and "help wanted," "no hunting" and "no trespassing" signs; provided, no such sign shall exceed four square feet;

B. Signs advertising sales of farm products grown or raised on the premises to which the sign pertains, provided, such signs shall not exceed four in number for each farm and, provided further, such signs shall be dated and shall contain the name and telephone number of the seller and, provided further, such signs shall be removed within ten days after the sale of

products ceases. In addition, signs may be allowed through the Agricultural Signage Pilot Program as follows:

- 1) Off-premise signs shall be limited to a total of four (including "A" board signs), unless otherwise approved by the Director.
- 2) The seller's name and contact number shall be located on the unused portion of the sign.
- 3) Dimensions for all off premise signs shall not exceed 3 square feet, except for "A" board signs, which are governed by item G below.
- 4) Signs may be placed three days prior and shall be removed within one day following the event or sale being advertised.
- 5) Signs shall not create a blockage, view obstruction hazard, or safety issue for vehicles, bicycles, or pedestrians. Signs shall not be placed on sidewalks. Attachments, including but not limited to balloons, cardboard and paper shall not be allowed on signs.
- 6) Wire shall not be utilized to secure signs within the County right-of-way. Where anchoring is utilized to stabilize signs within the County right-of-way, sandbags shall be employed unless otherwise approved by the Director.
- 7) Symbols and directional arrows shall be used as the first order of preference in sign design to minimize wording and enhance safety and legibility. Kitsap County will keep a record of examples of appropriate signage during the Agricultural Signage Pilot Program.
- 8) Signs shall not be located within 200 feet of an official traffic control device (signs and signals), or within 200 feet of an intersection.
- 9) Signs located on the farm premises shall not exceed 24 square feet. A farm identification sign may be a year-round sign located on the premises, or easement road leading to the farm.

C. Signs advertising single- or multi-family garage or yard sales, provided, such signs shall not exceed four square feet, shall bear the date when first displayed and shall be placed up to five days prior to and removed within five days after the sale is completed;

D. Political campaign signs shall be subject to the following:

1. Political campaign signs must be removed fourteen days following an election with the exception that candidates or issues which will remain on the ballot for the general

election following a primary election may remain until fourteen days following the general election;

2. Any political campaign signs located within county right-of-way are subject to the following requirements:

- a. Use of metal signs, metal supports, metal frames, or wire frames is prohibited,
- b. Political campaign signs placed within a county right-of-way are limited to a size no greater than four square feet and may not extend higher than thirty-six inches measured from the point in which they are placed in the ground to the top of the sign;

3. A political campaign sign may not be placed on a utility pole, or on any state or county regulatory or informational sign or post;

4. Any political campaign sign found to be inconsistent with the requirements contained within this subsection is subject to removal and disposal by the county, and the candidate or campaign may be held responsible for the cost of removal;

E. Upon written approval by the director a temporary sign advertising a special event, sale, the opening of a new business or opening of a business under new management, provided, such signs shall not be unreasonable incompatible with surrounding uses or properties and shall not disrupt vehicular or pedestrian traffic and, provided further, no such sign shall be displayed for more than fourteen consecutive days nor may any business use a sign conditionally permitted by this subsection more than twice in a calendar year;

F. Upon written approval by the director a temporary sign advertising a holiday bazaar, provided, that they meet the following criteria:

1. Letter of intent to the county which include:

- (a) the name of the event;
- (b) dates and times of the event;
- (c) name of the person responsible for the event and the signs;
- (d) letter of consent from property owner, where the sign is placed; and
- (e) a map showing the approximate location where signs are to be placed;

2. No more than twenty total signs may be placed for any one event and no one sign may exceed four square feet in size;

3. Signs may be placed up to twenty days prior to and removed within five days of the event; and

4. No sandwich or "A" board signs are allowed off premise for holiday bazaars;

G. "A" board signs; provided, that they meet the following criteria:

1. Signs shall not exceed twenty-four inches by thirty inches;
2. Signs shall be placed on and directly in front of premises being advertised, except where approved through participation in the Agricultural Signage Pilot Program;
3. Signs are placed only during hours the business is open, except where approved through participation in the Agricultural Signage Pilot Program;
4. Signs shall not be placed within the road right-of-way, except where approved through participation in the Agricultural Signage Pilot Program;
5. Signs limited to one per road frontage;

H. Signs advertising subdivisions placed by real estate companies; provided off-site signs require a sign permit. A letter of consent from the property owner shall be required as part of sign permit approval.

Section 2. A New Section, KCC 17.445.092 is added to KCC-17.445 as follows:

Conditionally exempt agricultural signs shall participate in the "Agricultural Signage Pilot Program" by complying with the following conditions. If the following conditions are not met, agricultural signs will not qualify under the interim zoning controls and will be subject to Kitsap County code compliance action.

- 1) Participation in pilot program. In order to qualify for this exemption, participating businesses shall register via the on-line sign exemption form at <http://permits.kitsapgov.com/Public/Welcome>. The form shall describe the number, dimensions, height, materials, and approximate location(s) of proposed signage.
- 2) Surveys. In order to gauge the success of the pilot program in generating business for the agricultural community, participating businesses shall provide County generated survey cards to customers during the duration of the pilot program.

Section 3. The recitals set forth above are hereby adopted as the Kitsap County Board of Commissioner's findings in support of adopting the interim zoning regulations imposed by this ordinance. The Board of Commissioners may adopt additional findings at the conclusion of the public hearing required by RCW 36.70.795 and RCW 36.70A.390, which will be held July 8, 2013.

Section 4. The Kitsap County Board of Commissioners finds and declares that an emergency exists necessitating that this ordinance adopting interim zoning regulations becomes effective immediately to preserve public welfare and to support local agriculture. This ordinance shall automatically expire on November 9, 2013, unless repealed earlier.

Section 5. If any sentence, section, provision, or clause of this ordinance or its application to any person, entity or circumstance is for any reason held invalid or unconstitutional, the

remainder of the ordinance, or the application of the provision to other persons, entities, or circumstances is not affected.

Section 6. Should any amendment made to this Ordinance that was passed by the Board during its deliberations be inadvertently left out of the final printed version of the code, the explicit action of the Board as discussed and passed shall prevail upon subsequent review and verification by the Board, and shall be corrected.

DATED this 13 day of May, 2013.



BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

Josh Brown

JOSH BROWN, Chair

Charlotte Garrido

CHARLOTTE GARRIDO, Commissioner

ATTEST:

Dana Daniels

Dana Daniels
Clerk of the Board

Robert Gelder

ROBERT GELDER, Commissioner

APPROVED AS TO FORM:

Shelley O'Keefe

Deputy Prosecuting Attorney

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