



## **PLANNING AND BUSINESS DEVELOPMENT COMMITTEE AGENDA**

**May 14, 2025**

**5:00 PM**

**Sedro-Woolley Municipal Building**

**Council Chambers**

**325 Metcalf Street**

- a. Call to Order**
- b. Roll Call**
- c. Unfinished Business**
  1. DRAFT Ordinance 2091-24 - Murals and Signs
- d. New Business**
- e. Adjournment**

### **Next Meeting Planning and Business Development Committee - August 27, 2025**

The City of Sedro-Woolley complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, limited English proficiency, age, disability, or sex. The City of Sedro-Woolley doesn't exclude people or treat them differently because of race, color, national origin, limited English proficiency, age, disability, or sex.

The City of Sedro-Woolley also complies with applicable state laws and doesn't discriminate on the basis of creed, gender, gender expression or identity, sexual orientation, marital status, religion, honorably discharged veteran or military status, or the use of a trained dog guide or service animal by a person with a disability.



**Planning and Business Development Committee  
Agenda Item**

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**Agenda Item No.:** c.1.

**Date:** May 14, 2025

**From:** Ashton Sandoval Oaks, Assistant Planner

**Subject:** DRAFT Ordinance 2091-24 - Murals and Signs

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**RECOMMENDED ACTION:**

1. Review proposed options.
2. Task staff with pursuing a preferred option.
3. Determine whether additional Planning & Business Development Committee meetings are necessary or if the proposed code amendments are ready for City Council review.

**BACKGROUND/SUMMARY INFORMATION:**

Staff have reviewed and researched various municipal codes and case law regarding mural and sign regulation, particularly regarding content, and have produced the following options for the Planning and Business Development Committee to consider for Section 1 of draft Ordinance 2091-24 (included herein as **Attachment 3**):

**Option 1**

Option 1 (included herein as **Attachment 1**), revises the mural code to be incorporated within the signs code, provides guidance for artists in "history" and "purpose" subsections, and regulates color, dimensions, material, and location of murals. It should be noted that the "history" and "purpose" subsections of this code are not standards, but are guidelines that are not enforceable. Mural proponents will be required to write a narrative on how they address the "purpose" and "history" subsections, but are ultimately not required to abide by the content established in those subsections. If option 1 is pursued, murals will be regulated by the code found in the "application requirements," "procedures," and "standards" subsections of proposed section 17.04.050 SWMC - Murals, as well as the Design Standards and Guidelines and Chapter 2.90 SWMC.

**Option 2**

Option 2 (included herein as **Attachment 2**), repeals the entirety of the mural code. A few additional standards are included in this proposal, intended to provide basic requirements, such as prohibiting depictions of illegal content and establishing a maximum mural size. Repealing the mural code may be advantageous at encouraging murals to be painted by property owners. A basic code is an easy-to-understand code, and property owners will feel more comfortable painting a mural if they can quickly understand what they can paint and where. However, this will grant the City less control in mural regulation.

**Possible Option 3**

Option 3 consists of tasking staff to pursue designating the Central Business District or a portion of the CBD as a Tourism Promotion Area (TPA) or similar mechanism. This method might allow for the City to apply stricter regulations in regard to murals, signs, building color, and aesthetics as a means of promoting tourism and economic development. This option is still in the very early stages of consideration, and additional conversations with the City's legal council are warranted before a proposal can be made to the City Council or Planning Commission. This option may have fiscal and workload impacts that city staff have not yet researched thoroughly.

**FISCAL IMPACT, IF APPROPRIATE:**

None anticipated at this time.

**ATTACHMENTS:**

1. Draft Amendments Option 1 (5-14-24)
2. Draft Amendments Option 2 (5-14-24)
3. Ordinance 2091-24 - Murals and Signs Update\_v2

# Chapter 2.90

## CONSOLIDATED PLANNING PROCEDURES\*

Sections:

- [2.90.010 Purpose and intent.](#)
- [2.90.020 Applicability.](#)
- [2.90.030 Effect of permit.](#)
- [2.90.035 Permit processes classified by type.](#)
- [2.90.040 Exemptions from state process requirements.](#)
- [2.90.050 Submittal requirements—General.](#)
- [2.90.060 Authority and responsibilities.](#)
- [2.90.070 Permit classification.](#)
- [2.90.073 Planned action review process.](#)
- [2.90.075 Public notice requirements.](#)
- [2.90.080 Application and decision—General.](#)
- [2.90.090 Appeals.](#)
- [2.90.100 Submittal requirements—Specific to application type.](#)

\* Prior ordinance history: Ords. 1449-03, 1485-04, 1491-04, 1602-08 and 1607-08.

[...]

### 2.90.040 Exemptions from state process requirements.

[...]

D. Exemptions from State Notification and Procedural Requirements for Permit Applications Not Subject to Environmental Review. RCW [36.70B.140](#) allows local governments to exclude certain approvals and building and engineering permits from the public notification and procedural requirements of the statute if they are categorically exempt from environmental review or if environmental review has already been completed at an earlier stage. However, the city's one-hundred-twenty-day maximum processing time would still apply. Therefore, the city exempts the following actions from the public notification and procedural requirements since they are typically processed very quickly and would be considerably delayed by imposition of a public comment period(s):

1. Building and grading permits (SEPA exempt);
2. Business licenses for home occupations;
3. Fire installation/construction permits;
4. Mechanical, plumbing, sign, mural, and fence permits;

5. Lot line adjustments;
6. Final plats;
7. Minor amendments to a previously approved PUD;
8. Occupancy permits;
9. Shoreline exemptions;
10. Temporary use permits (SEPA exempt), but not exempting sign requirements;
11. Water, sewer, storm drainage, roadway permits (SEPA exempt);
12. Other SEPA exempt actions/activities as outlined in WAC [197-11-800](#). (Ord. [1627-08](#) § 1 (App. A)(part), 2008)

## **2.90.050 Submittal requirements—General.**

*No changes.*

## **2.90.060 Authority and responsibilities.**

[...]

### C. Planning Director or Designee.

1. Authority. The planning director or designee shall review and act on the following:
  - a. Building and grading permits;
  - b. Binding site plan approval for commercial or industrial developments;
  - c. Environmental review.
    - i. Make threshold determinations for environmental checklists;
    - ii. Authorize circulation of draft environmental impact statements;
    - iii. Approve and issue final environmental impact statements;
    - iv. Approve mitigation conditions for mitigated determinations of nonsignificance and final environmental impact statements;

- d. Final plats;
- e. Interpretation of flood insurance rate map boundaries;
- f. Boundary line adjustments (B.L.A.);
- g. Modifications.
  - i. Minor modifications to previously approved site plan;
  - ii. Modifications of street standards;
  - iii. Minor modifications of landscaping requirements;
  - iv. Minor amendment to PRD;
- h. Planned action determinations;
- i. Review of business licenses for home occupations;
- j. Shoreline exemptions;
- k. Shoreline permits;
- l. Short plats – nine or less;
- m. Temporary use permits;
- n. Variances – administrative;
- o. Zoning waivers;
- p. Modifications of the number of required parking stalls and the requirements of the parking, loading and driveway regulations;
- q. Temporary homeless encampment permits;
- r. Design review;
- s. Sign permits;
- t. Mural permits.

[...]

## 2.90.070 Permit classification.

[...]

### G. Land Use Permit Procedures.

#### 1. Permit Classification Table.

**Table 2.90.070(G)(1)—Permit Classification Table**

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Accessory Dwelling Unit	X					
Administrative Determination	X					
Binding Site Plan		X				
Boundary Line Adjustment	X					
Building Permit SEPA Exempt	X					
Code Interpretation	X					
Comprehensive Plan Map (and Rezone) or Text Amendments						X
Conditional Use Permit			X			
Design Review with Building Permit	X					
Design Review with Hearing Examiner Land Use Permit			X			
Development Agreement						X
Development Regulation Text Amendments Referred to Planning Commission						X
Development Regulation Text Amendments						X
Environmental Review		X				
Fence or Wall Permit	X					
Fill and Grade Permit	X					
Floodplain District Development Permit or Variance			X			
Home Occupation	X					
Landscape Modifications	X					
Major Modification PRD			X			
Master Plan Approval			X			

Table 2.90.070(G)(1)—Permit Classification Table

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Minor Modifications	X					
<u>Mural Permit</u>	X					
Nonconforming Use—Ordinary Maintenance or Repair	X					
Nonconforming Use—Certificate of Use or Occupancy	X					
Nonconforming Use—Special Permission to Enlarge, Expand, or Reconstruct			X			
Planned Action Determination		X				
Planned Action Ordinance						X
Planned Residential Development			X			
Plat, Preliminary			X			
Plat, Final	X					
Rezoning Consistent with Comprehensive Plan						X
Shoreline Conditional Use Permit			X			
Shoreline Exemption	X					
Shoreline Substantial Development Permit		X				
Shoreline Variance			X			
Short Plat		X				
Short Plat—When Hearing Requested			X			
<u>Sign Permit</u>	X					
Site Plan Approval	X					
Special Use Permit			X			
Street Design Modifications	X					
Street Vacations				X		
Temporary Homeless Encampments		X				
Temporary Use Permit		X				
Variations			X			
Zoning Waivers	X					

[...]

## 2.90.100 Submittal requirements—Specific to application type.

The following tables list the submittal requirements for each type of permit application or land use approval which must accompany the required application fees as specified in the city's fee schedule.

A. Table 2.90.100(A)—Building and Public Works Submittal Requirements.

Add the following to Table 2.90.100 (A):

- Create a column for "Mural Permit" with the following submittal requirements:

- Application Form (1 copy)

- Portfolio of Artist (1 copy)

- Scaled Rendering of Mural (2 copies)

B. Table 2.90.100(B)—Land Use Permit Submittal Requirements.

C. Definitions of Terms Used in Submittal Requirements for Building, Planning and Public Works Permit Applications.

[...]

"Application form, building" means the planning department form required for the type of work to be performed (e.g., grading permit application for grading work, sign permit application for installation of a sign, etc.). Information requested includes the following:

- a. Skagit tax assessor's number for the property;
- b. Legal description of property;
- c. Street address, if applicable;
- d. Property owner's name, address and phone number;
- e. Prime contractor's business name, address, phone number, current state contractor registration number; and
- f. Either the name, address and phone number of the lender administering the interim construction financing, if any, or the name and address of the firm that has

issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount fifty percent or more than the total construction project.

[...]

“Portfolio of artist” means a compilation of at least three artistic compositions completed by a single individual or association that is representative of the individual’s or association’s skill, artistic style, preferences, and other distinguishable elements of art. The art contained in the portfolio of artist must be completed by the same individual or association who applies for and intends to create the mural.

[...]

“Scaled rendering of mural” means an image which accurately represents the intended mural and dimensions of the art therein, provided in a size not less than eight and one-half inches by eleven inches.

[...]

# Chapter 17.04

## ADMINISTRATIVE PROVISIONS

Sections:

[17.04.010 Purpose.](#)

[17.04.020 Jurisdiction.](#)

[17.04.030 Definitions.](#)

[17.04.040 Administration and interpretation.](#)

[17.04.050 Nonconforming uses, structures, and lots.](#)

[17.04.060 Fees.](#)

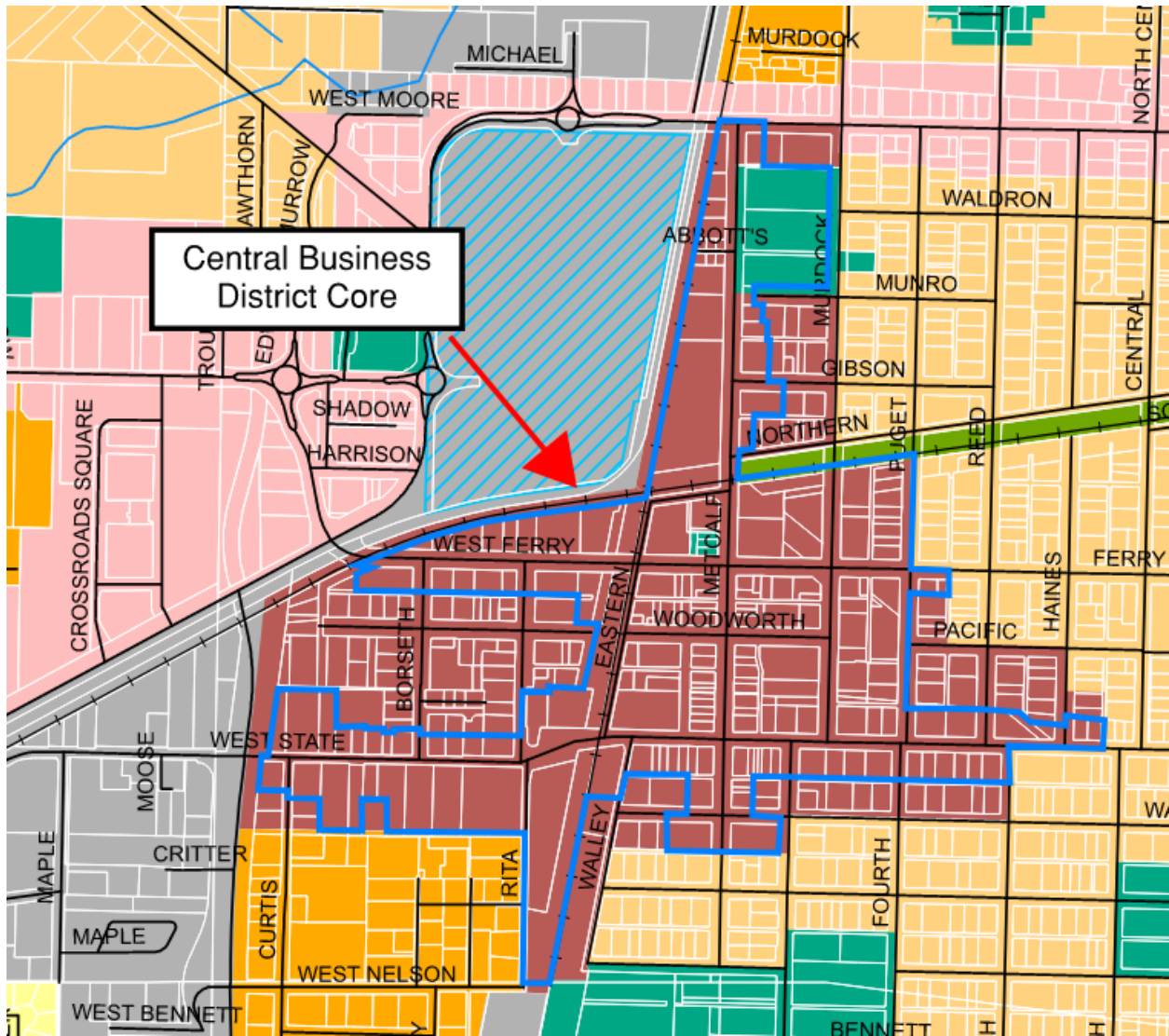
[...]

### 17.04.030 Definitions.

[...]

“Building” means an enclosed structure capable of being heated. This word shall always be considered as being followed by the phrase “or portion thereof.”

“Central Business District Core” means that area bounded to the north by the abandoned railroad right-of-way, to the east by Puget Avenue/Fourth Avenue, to the south by the alley between State and Warner Streets, and to the west by the railroad right-of-way. Also included in the Central Business District Core are properties zoned Central Business District that front Metcalf, Ferry, West Ferry, State, and West State Streets.



“Child day care centers” provide temporary care of children as defined by the State Department of Social and Health Services, preschool or nursery school.

[...]

“Multiuse stormwater facility” means a facility that incorporates underground infiltration or otherwise contains no standing water for a period of at least nine months per year, has side slopes of no steeper than 4:1, and is used as common open space or as play areas defined in Chapter [17.38](#), as approved by the city engineer.

“Mural” means a painting, mosaic, fresco, or other artwork applied directly to the exterior of a structure. Murals may include text or other informational elements, but primarily serve an artistic or expressive purpose.

“Net density” means the number of dwelling units located on buildable land; which excludes public rights-of-way, private access easements, driveways, or tracts, utility corridors, stormwater facilities, critical areas and their buffers, and other areas which are unbuildable. Seventy-five percent of multiuse stormwater facilities may be counted towards total buildable area.

[...]

# Chapter 17.40

## SIGNS\*

Sections:

[17.40.010 General provisions.](#)

[17.40.020 Permanent on-premises signs.](#)

[17.40.025 Permanent off-premises directional signs.](#)

[17.40.030 Temporary signs.](#)

[17.40.035 Portable signs.](#)

[17.40.040 Sign permit requirements.](#)

[17.40.045 Digital signs.](#)

[17.40.050 Murals.](#)

\* Prior ordinance history: Ords. 1013, 1312-98, 1451-03, 1484-04 and 1522-05.

### 17.40.010 General provisions.

The intent of the sign regulations is to provide businesses and organizations an opportunity to advertise while minimizing sign clutter along the city's roadways. Signs along the two state highways shall be designed in a manner that is consistent with the guidelines for state scenic highways, either existing or as subsequently developed.

A. No sign shall be erected or employed that:

1. Impairs scenic views or the appearance of the surrounding area;
2. Creates traffic hazards by blocking vision or causing excessive diversion of attention;
3. Is structurally incapable of withstanding stresses to which it is likely to be subjected;
4. Contains flashing or uncomfortably intense light;
5. Is designed to attract attention through mechanical or wind-generated movement;
6. Is employed without consent of the property owner;
7. Is a festoon, banner, or pennant type sign; or
8. Digital signs, except as provided in Section [17.40.045](#).

B. Obsolete signs must be removed within ninety days of the change in business or offering. An "obsolete sign" is defined as any sign that advertises a business, product, or service that is

no longer available or, for on-premises signs, no longer located on the same site on which the sign is posted.

C. Size of signs includes the surface area, spaces and voids within a perimeter that connects the outermost points of the signs' lettering or devices, measured on the plane(s) to which the sign is oriented. Both sides of double-faced signs, such as projecting, freestanding or sandwich board signs with information on both sides, shall be counted. Frames or supports containing information or constituting integral design elements shall also be included.

D. Except in residential areas, where only external illumination is allowed, signage may be either externally illuminated or have only letters internally illuminated. All lighting shall be directed so as not to shine onto adjacent residential properties or into the night sky.

E. Each sign shall be maintained in good visual and structural condition at all times including color integrity and all parts and supports associated with the sign in accordance with its original approval by the city. Any repair to a sign shall be done using materials and design that are of equal or greater quality than the original sign.

F. Exceptions. The following shall not be regulated by this chapter:

1. Signage at public athletic fields;
2. Any vehicle or trailer that is road-ready, currently licensed and complies with all other ordinances and laws.

G. All signs regulated by this Chapter shall comply with the most recent edition of the Sedro-Woolley Design Standards and Guidelines.

H. Issued sign permits shall expire three months after the permit issuance date. Parties seeking to extend a sign permit may request a one-time three-month extension, provided there are extenuating circumstances preventing the development of the permitted sign. The Community Development Director or their designee shall have the authority to extend an un-expired sign permit. Expired sign permits shall not be renewed, withdrawn, or pass a final inspection.(Ord. [1982-21](#) § 1 (Exh. 1), 2021; Ord. [1577-07](#) § 1 (part), 2007)

## **17.40.020 Permanent on-premises signs.**

A. In the residential zones, signs shall be limited to a total combined size of five square feet or one percent of the gross floor area of buildings, whichever is greater.

B. In all other zones, the following limitations apply:

1. All freestanding signs shall be ground-oriented. Each sign's area may not exceed two percent of the gross floor area of the buildings nor two hundred square feet total surface

area, whichever is less, but in no case must signs be less than thirty-two square feet per side. Though uses or business may overlap spatially, gross floor area shall not be claimed more than once in computing allowable size of signs. See also SWMC Section [17.40.010\(D\)](#).

2. Facade signs must meet the size requirements listed below.

**Maximum Sign Area**

<b>Facade Area</b>	<b>Maximum Sign Area</b>
0—499	50 sq. ft. maximum
500—999	10% or 75 sq. ft. maximum, whichever is less
1,000—1,499	9% or 100 sq. ft. maximum, whichever is less
1,500—2,999	8% or 150 sq. ft. maximum, whichever is less
3,000 or greater	6% or 200 sq. ft. maximum, whichever is less

**Maximum Letter Size for Primary Signs**

<b>Distance from Primary Street</b>	<b>Maximum Letter Size</b>
Up to 10 ft.	12 inches
10—25	18 inches
25—50	24 inches
50—100	36 inches
Over 100	48 inches

3. Freestanding signs may not exceed twenty feet in height as measured from the centerline of the adjoining road to the top of the sign structure.

C. Freestanding signs shall meet the clear vision triangle requirements in ~~the city~~ [code 17.44.020 SWMC](#).

D. Each building may have one freestanding sign per frontage on a public right-of-way. Each business may have one facade sign per frontage on a public right-of-way. (Ord. [1577-07](#) § 1 (part), 2007)

## 17.40.025 Permanent off-premises directional signs.

The intent of this provision is to provide directional and location information to the general public about places of general interest, such as tourist information services, school or public recreational facilities, central business district or other special districts, historic sites, and regional developments; or, to provide information of a general community nature, such as those found at city entrance locations identifying the city and historic dates, or listing local service clubs and organizations or to provide business identification for sites located on a dead-end street. Such signs may be allowed, subject to the following:

- A. Any such sign which is visible from a state highway shall be subject to approval by the Department of Transportation;
- B. Approval of the owner of the property on which the sign is to be placed;
- C. Location. Any such sign shall not be placed where it may cause a hazard, or obstruct the vision of any driver;
- D. ~~Size shall be no larger than necessary to clearly inform or direct the public. City identification/community service club type~~ Permanent off-premises directional signs shall not exceed fifty square feet per side. ~~Business identification directional s~~ Signs on dead-end streets shall meet the following criteria: all units will have letters six inches in height, light color on a dark background, not longer than four feet per unit and meeting corner visibility requirements; details to be approved by the ~~planning community development~~ director for each installation. (Ord. [1577-07](#) § 1 (part), 2007)

## 17.40.030 Temporary signs.

- A. "Temporary signs" are defined as exterior signs related to temporary sales or commercial events. Interior and window signs are not regulated by this chapter.
- B. Each business may have two temporary signs simultaneously, in addition to the allowed permanent signs.
- C. No business may display any temporary signs more than thirty days a year.
- D. All temporary signs must be permanently marked with the date the sign was erected. Signs without such marking shall be immediately removed as directed by the code enforcement officer. (Ord. [1577-07](#) § 1 (part), 2007)

## 17.40.035 Portable signs.

- A. "Portable signs" include all a-frame, sandwich board, sidewalk signs and other signs that are mobile.

- B. Each business may have up to one portable sign in addition to allowed temporary or permanent signs.
- C. Portable sign area may not exceed thirty-six inches by forty-eight inches on each face. Exception: Portable signs placed adjacent to State Route 9 or State Route 20 may not exceed forty-eight inches by forty-eight inches on each face.
- D. Portable signs must be securely weighted or anchored to prevent movement.
- E. Portable signs must be brought indoors or out of sight from the general public during such hours that the business associated with the sign is not open for business.
- F. Portable signs must not interfere with vehicle, bicycle, or pedestrian traffic.
- G. Portable signs must not interfere with vision clearance triangles as described in SWMC Section [17.44.020](#). (Ord. [1577-07](#) § 1 (part), 2007)

### **17.40.040 Sign permit requirements.**

- A. All permanent signs require a sign permit.
- B. A new or relocated business may use a single unpermitted interim on-premises sign to identify the business for ninety days while they permit and construct a permanent sign. Such an interim sign is not exempt from the other provisions of this chapter. (Ord. [2042-23](#) § 2, 2023; Ord. [1577-07](#) § 1 (part), 2007)

### **17.40.045 Digital signs.**

The intent of this provision is to allow for a limited number of digital signage in a manner that is safe, does not produce excessive light and does not create a distraction. These regulations apply to digital signs, which include message boards, message displays, electronic reader boards, LED signs, video displays and similar programmable technologies.

- A. Digital Sign Location Restrictions.
  - 1. Digital signs are not permitted in any residential zones.
  - 2. Digital signs are not permitted in the central business district except:
    - a. On Eastern Street between the railroad to the north and State Street to the south;
    - b. On Murdock Street between the railroad to the north and State Street to the south;

- c. On Puget Street between Pacific Street to the north and State Street to the south;
- d. On State Street; and
- e. On Ferry Street between State Route 20 to the west and Eastern Street to the east.
- f. On Metcalf Street between Moore Street to the north and Warner Street to the south.

B. Display Standards in Mixed Commercial and Industrial Zone.

1. All digital signs shall come equipped with an automatic dimming photocell device which will automatically adjust the display's brightness based on preset levels relative to ambient light conditions. All digital signs shall operate at brightness levels of no more than three-tenths of one foot-candle above ambient light levels with a maximum of five thousand nits during daylight hours and five hundred nits at night. Certification of these limits shall be provided by the developer prior to sign permit issuance;
2. Measurement of brightness (nits) shall be measured from the sign's face at its maximum brightness;
3. Audio speakers are prohibited in association with a digital sign;
4. Digital signs must be directed away from adjacent residentially zoned or open space zoned properties including properties across a public right-of-way. No digital sign may be located closer than one hundred feet from residentially zoned or open space zoned properties as measured from the sign location to the nearest property line of the residential or open space zoned property;
5. Static messages shall have a minimum of five seconds of dwell time for all static images. Displays which scroll onto the signboard must hold for a minimum of five seconds including scrolling. Flashing, strobing, video imaging and scrolling messages faster than described above are prohibited. Changes between static messages and images must be one second or less and fading or dissolving is not permitted;
6. No more than one digital sign is allowed per property. A digital sign may be double-sided; and
7. A digital sign shall be integrated into a standard sign surface area; digital signs are not permitted independent of a standard sign. Up to fifty percent of the sign surface area may be used for digital sign purposes. The digital sign shall count towards the allowed sign surface area as calculated in Section [17.40.020](#).

C. Display Standards in CBD and Public Zone.

1. All digital signs shall come equipped with an automatic dimming photocell device which will automatically adjust the display's brightness based on preset levels relative to ambient light conditions. All electronic digital signs shall operate at brightness levels of no more than three-tenths of one foot-candle above ambient light levels with a maximum of five thousand nits during daylight hours and five hundred nits at night. Certification of these limits shall be provided by the developer prior to building permit issuance;

2. Digital signs may be used after dusk only until eleven p.m. or, if the advertising is an on-premises message about an event at the site where the sign is located, for up to one hour after said event;

3. Measurement of brightness (nits) shall be measured from the sign's face at its maximum brightness;

4. Audio speakers are prohibited in association with a digital sign;

5. Digital signs must be directed away from adjacent residentially zoned or open space zoned properties including properties across a public right-of-way. No digital sign may be located closer than one hundred feet from residentially zoned or open space zoned properties as measured from the sign location to the nearest property line of the residential or open space zoned property;

6. ~~Digital signs in the CBD and public zones may only contain message board capabilities —only text shall be permitted, not images or other nontext display.~~ The display shall be limited to one color for the text displayed and a darkened (absence of light) background. Messages shall have a minimum of seven seconds of dwell time for all text. Flashing, animation, movement, video imaging and scrolling messages are prohibited. Changes in messages and images must be one second or less and scrolling, fading or dissolving is not permitted;

7. No more than one digital sign is allowed per property. The single digital sign may be double-sided; and

8. A digital sign shall be integrated into a standard sign surface area; digital signs are not permitted independent of a standard sign. Up to fifty percent of the sign surface area may be used for digital sign purposes. The digital sign shall count towards the allowed sign surface area as calculated in Section [17.40.020](#); and.

~~9.— Digital signs may be used only to advertise activities or goods or services available on the property on which the sign is located, or to present public service information.~~

(Ord. [1982-21](#) § 1 (Exh. 1), 2021)

# Chapter 17.51

## MURALS

Sections:

~~17.51.010 — Project description—History.~~

~~17.51.020 — Purpose.~~

~~17.51.030 — Application requirements.~~

~~17.51.040 — Procedures.~~

~~17.51.050 — Standards.~~

### 17.51.010 Project description—History.

#### 17.40.050 Murals

~~A.— The works of one of the city’s most famous citizens—photographer Darius Kinsey—was the original inspiration for the Sedro-Woolley mural project. The first few murals painted on the exterior walls of buildings were replicas of actual photos taken by Darius Kinsey. The original photos are typically printed in sepia-tone colors or black and white. It was found that using the subtle sepia colors in the replicas resulted in very lifelike pictures that are eye-catching from a distance and intriguing to study at close range. Soon other merchants in the city became enthused about the murals and desired murals on their buildings. Thus a project was born.~~

~~B.A. History. The guidelines adopted within this chapter section were developed in cooperation with the city design review committee, planning commission, and interested citizens, and are intended to provide a framework to insure-ensure an aesthetically pleasing and cohesive project that will be a source of community pride for years to come. The inspiration behind this code was to encourage lifelike and intriguing pictures that draw in viewers and motivate the creation of additional murals. Early murals consisted of photographs taken by Darius Kinsey between 1890 – 1930, but expanded to other subject matters that held deep ties to the community, such as the natural environment and historical events after 1930. This requires that minimum standards addressing basic issues, such as size, colors, content, and advertising allowance, and professionalism be established. The intent of these regulations is to simultaneously preserve the historic atmosphere of Sedro-Woolley and encourage placemaking and “bottom-up” community engagement. While these standards may exclude some proposed projects in favors of others, there is no intent to discriminate in favor or against any particular artist, or exclude authentic representations of historical events, people, or community life that are part of the history of Sedro Woolley.~~

~~C. A number of building walls have been identified as possible mural locations. It is anticipated that the content of these murals will be derived from either Kinsey photos, or photos taken during the same era (1890-1930). When several murals are completed, a brochure of the project will be developed to include a map showing where the murals are located, an explanation of each mural, and additional information about the history of the area, the historic~~

~~buildings in the city, and other points of interest. This brochure will be updated periodically as the project matures. It is intended that this brochure will be used as a promotional tool for the city. (Ord. 1072 § 2 (Exh. A § 3.11.01), 1989)~~

## **17.51.020 Purpose.**

### B. Purpose.

~~The "Pictures from the Past" mural project is undertaken as a joint effort by the citizens of Sedro-Woolley, the chamber of commerce, and the city's planning commission and council, and is intended to serve the following purposes:~~

#### A.

~~1. Acknowledge and celebrate the history of the city and the surrounding area in a visually appealing manner;~~

#### B.

~~2. Provide support for the historic theme adopted for the downtown business area;~~

#### C.

~~3. Support local artists to express their history and relationship with Sedro-Woolley through their craft;~~

~~4. Provide information and enjoyment to visitors and residents of the community;~~

#### D.

~~5. Provide a sense of community identity through recognition of the diverse elements of community life, history, industry, and folk lore that contribute to the unique character of Sedro-Woolley and Skagit County;~~

#### E.

~~6. Encourage participation of various businesses and community members in a cohesive and tangible project that will have lasting value to the city; and~~

#### F.

~~7. Promote and encourage commercial activity and out-of-town visitor interest in the city as a tourist destination.~~

8. This chapter and this section are not intended to regulate or dictate, in any manner, the content of speech or expression, or the viewpoint of the speaker, and are only intended to protect neighborhood character through the regulation of color, material, size, and location of murals. (Ord. [1072](#) § 2 (Exh. A § 3.11.02), 1989)

## **17.51.030 Application requirements.**

C. Application Requirements. An application for a wall mural shall include the following information:

~~A.~~

1. Name and address of the person or business paying for the mural;

~~B.~~

2. Name and address of the artist;

~~C.~~

3. Name and mailing address of the owner of the building to be painted;

4. Location of the proposed mural, including address of building, ~~and~~ the location and size of the wall of the building ~~to be painted~~, and the material composition of the wall of the building to be painted;

~~D. Photo to be replicated, and date and location of photo, or rendering of the proposed mural adequate to accurately depict the content of the mural. If a rendering is provided, historical documentation of the authenticity of the scene shall be required.~~

5. Scaled rendering of the proposed mural;

a. A photo or color illustration of proposed mural.

b. Image shall be scaled.

c. Description of materials that will be used to install the mural, including but not limited to paint materials, brush materials, and any equipment directly used to aid in the design and installation of the mural.

~~E.~~

6. Artist's portfolio of at least three similar works that accurately represent the skill, style, and technique of the mural artist. Works of art included in the artist's portfolio shall be no smaller than eight and one-half inches by eleven inches.

7. Written description of the proposal addressing the purpose and standards of this ordinance. (Ord. [1072](#) § 2 (Exh. A § 3.11.03), 1989)

## **17.51.040 Procedures.**

### D. Procedures.

1. An application for a wall mural shall be reviewed per [Chapter 2.90 SWMC – Consolidated Planning Procedures](#), Chapter [15.44, SWMC – Design Review](#), and incorporate the standards in this ~~chapter~~Title. (Ord. [2032-22](#) § 15, 2023; Ord. [1072](#) § 2 (Exh. A § 3.11.04), 1989)

2. Murals shall be completed within three (3) months of approval of the mural permit.

## **17.51.050 Standards.**

E. Standards. A mural proposal shall be reviewed and approved or denied based on the following standards:

~~A. Subject Matter—Photo Replicas. Murals shall be replicas of photographs taken between 1890 and 1930. A suggested source is the Darius Kinsey collection. The subject of murals should relate to one or more of the following themes:~~

- ~~1. Logging industry in and around Sedro-Woolley;~~
- ~~2. Railroad shipping or passenger operations in Skagit County;~~
- ~~3. River shipping or passenger operations in Skagit County;~~
- ~~4. Early community life of the city;~~
- ~~5. Significant events which took place during the era;~~
- ~~6. Other subject matter related to the era and Skagit County area, as approved by the planning commission;~~

~~B. Subject Matter Alternative. As an alternative to replicating a photo, the following is also acceptable:~~

~~1.—Recreation of an authentic historic event using available documents and written accounts as sources. Such events should be those which occurred between 1890 and 1930.~~

~~2.—A collage of pictures following a theme, such as the evolution of logging methods, or illustrating the fashions of the era, or other similar themes associated with the history of the area.~~

~~3.—Mural maps of the city, or of early railroad and/or logging operations, or similar geographical information.~~

~~C.—Subject Matter—Unacceptable. To protect the integrity of the project, the general welfare of the city and citizens therein, the following may not be considered acceptable subject matter for a mural:~~

~~1.—Pictures not related to the 1890-1930 era;~~

~~2.—Pictures not related to the city or county area;~~

~~3.—Pictures depicting completely fictional events with no documentation of authenticity;~~

~~4.—Pictures depicting recognizable people from the past out of true context. (This does not exclude depicting people from the present in pictures of the era, if done with the consent of the person represented.)~~

~~5.—Pictures or representations which violate any state law.~~

~~D.—Colors. Murals shall be painted in sepia-toned colors. This coloration is consistent with the color of photos taken during the era, and gives a realistic touch to the work. Sepia also works well with the brick surfaces and color tones of the city, provides a strong cohesive design element to the project as a whole, and creates an historical mood. Use of sepia colors will be less likely to create a cluttered or “billboard” effect, and will insure that the mural project does not detract from the historical character and theme of the downtown business district. Use of sepia tones will reduce the overall cost of maintaining the murals. Limiting the project to sepia tones also eliminates the difficulty of determining authenticity of colors and eliminates a potential subjective decision that must be made by the review committee and planning commission.~~

~~E.—Color. Exceptions. The planning commission may grant exceptions allowing the use of other colors under the following circumstances:~~

~~1.—Paint samples of the true colors to be used are provided with the application, plus supporting evidence that the proposed colors are authentic and/or appropriate for the subject matter. Preference will be given to colors which are subtle in tone;~~

1. Pictures or representations which violate any state law, depict obscenities, depict fighting words, or disturb the peace and quiet of the community shall be denied;

2. The use of colors will not detract from any historic structure, or group of structures, as defined by any historic landmark, site, or structure designation; and

3. Within the Central Business District Core, as defined by Section 17.04.030 SWMC, neon and fluorescent colors shall not exceed ten percent (10%) of the total square footage of the mural.

3.—Either:

a.—The mural is to be located outside of the central business district; or,

b.—Only a portion of the mural is to be painted in other colors, as an accent against the sepia background, to highlight some element of the picture for advertising or other purposes, subject to the requirements of subsection G of this section below; or

c.—The mural is to be placed on a nonhistoric building as a major design feature.

F.—

4. Scale. The photo or rendering shall be reproduced at a scale large enough to cover the wall on which it is to be placed. As much as possible, larger than life-size scale should be attained.

G.—

5. Size.

a. No part of a mural shall exceed the height of the structure to which it is tiled, painted, or affixed.

b. No part of a mural shall extend past the pane of the wall upon which it is tiled, painted, or affixed.

c. Square footage of the mural shall not exceed eighty percent (80%) of the square footage of the building façade.

6. Composition.

a. No mural shall consist of or contain electrical or mechanical components or changing images, including but not limited to moving structural elements,

flashing or sequential lights, or other automated methods that result in movement, the appearance of movement, or changing of mural content;

b. No mural shall be painted on a wall or surface comprised of a material deemed by city staff to be damaged by or otherwise structurally inappropriate for painting;

c. No mural shall be painted using materials deemed by city staff to be inappropriate for the proposed wall or surface.

7. Acknowledgements—Advertising. Commercial murals. All murals shall be signed by the artist. In addition, uUp to one percent (1%) of the a commercial mural area may be used to acknowledge the person, organization, or business commissioning the mural. If a specific business identification for the business occupying the building is incorporated into the mural, the portion of the mural dedicated to such identification shall be applied toward the maximum square footage allowance for signs for that business under this Chapter chapter 17.40.

H.—Credentials. The design review committee may request a portfolio and other credentials of the artist to insure that all murals will be of a professional quality. (Ord. 1072 § 2 (Exh. A § 2 (Exh. A § 3.11.05), 1989)

# Chapter 2.90

## CONSOLIDATED PLANNING PROCEDURES\*

Sections:

- [2.90.010 Purpose and intent.](#)
- [2.90.020 Applicability.](#)
- [2.90.030 Effect of permit.](#)
- [2.90.035 Permit processes classified by type.](#)
- [2.90.040 Exemptions from state process requirements.](#)
- [2.90.050 Submittal requirements—General.](#)
- [2.90.060 Authority and responsibilities.](#)
- [2.90.070 Permit classification.](#)
- [2.90.073 Planned action review process.](#)
- [2.90.075 Public notice requirements.](#)
- [2.90.080 Application and decision—General.](#)
- [2.90.090 Appeals.](#)
- [2.90.100 Submittal requirements—Specific to application type.](#)

\* Prior ordinance history: Ords. 1449-03, 1485-04, 1491-04, 1602-08 and 1607-08.

[...]

### **2.90.060 Authority and responsibilities.**

[...]

C. Planning Director or Designee.

1. Authority. The planning director or designee shall review and act on the following:
  - a. Building and grading permits;
  - b. Binding site plan approval for commercial or industrial developments;
  - c. Environmental review.
    - i. Make threshold determinations for environmental checklists;
    - ii. Authorize circulation of draft environmental impact statements;
    - iii. Approve and issue final environmental impact statements;

- iv. Approve mitigation conditions for mitigated determinations of nonsignificance and final environmental impact statements;
- d. Final plats;
- e. Interpretation of flood insurance rate map boundaries;
- f. Boundary line adjustments (B.L.A.);
- g. Modifications.
  - i. Minor modifications to previously approved site plan;
  - ii. Modifications of street standards;
  - iii. Minor modifications of landscaping requirements;
  - iv. Minor amendment to PRD;
- h. Planned action determinations;
- i. Review of business licenses for home occupations;
- j. Shoreline exemptions;
- k. Shoreline permits;
- l. Short plats – nine or less;
- m. Temporary use permits;
- n. Variances – administrative;
- o. Zoning waivers;
- p. Modifications of the number of required parking stalls and the requirements of the parking, loading and driveway regulations;
- q. Temporary homeless encampment permits;
- r. Design review;
- s. Sign permits.

[...]

## 2.90.070 Permit classification.

[...]

### G. Land Use Permit Procedures.

#### 1. Permit Classification Table.

**Table 2.90.070(G)(1)—Permit Classification Table**

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Accessory Dwelling Unit	X					
Administrative Determination	X					
Binding Site Plan		X				
Boundary Line Adjustment	X					
Building Permit SEPA Exempt	X					
Code Interpretation	X					
Comprehensive Plan Map (and Rezone) or Text Amendments						X
Conditional Use Permit			X			
Design Review with Building Permit	X					
Design Review with Hearing Examiner Land Use Permit			X			
Development Agreement						X
Development Regulation Text Amendments Referred to Planning Commission						X
Development Regulation Text Amendments						X
Environmental Review		X				
Fence or Wall Permit	X					
Fill and Grade Permit	X					
Floodplain District Development Permit or Variance			X			
Home Occupation	X					
Landscape Modifications	X					
Major Modification PRD			X			
Master Plan Approval			X			

Table 2.90.070(G)(1)—Permit Classification Table

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Minor Modifications	X					
Nonconforming Use—Ordinary Maintenance or Repair	X					
Nonconforming Use—Certificate of Use or Occupancy	X					
Nonconforming Use—Special Permission to Enlarge, Expand, or Reconstruct			X			
Planned Action Determination		X				
Planned Action Ordinance						X
Planned Residential Development			X			
Plat, Preliminary			X			
Plat, Final	X					
Rezoning Consistent with Comprehensive Plan						X
Shoreline Conditional Use Permit			X			
Shoreline Exemption	X					
Shoreline Substantial Development Permit		X				
Shoreline Variance			X			
Short Plat		X				
Short Plat—When Hearing Requested			X			
<u>Sign Permit</u>	<del>X</del>					
Site Plan Approval	X					
Special Use Permit			X			
Street Design Modifications	X					
Street Vacations				X		
Temporary Homeless Encampments		X				
Temporary Use Permit		X				
Variances			X			
Zoning Waivers	X					

[...]

# Chapter 17.04

## ADMINISTRATIVE PROVISIONS

Sections:

[17.04.010 Purpose.](#)

[17.04.020 Jurisdiction.](#)

[17.04.030 Definitions.](#)

[17.04.040 Administration and interpretation.](#)

[17.04.050 Nonconforming uses, structures, and lots.](#)

[17.04.060 Fees.](#)

[...]

### 17.04.030 Definitions.

[...]

“Multiuse stormwater facility” means a facility that incorporates underground infiltration or otherwise contains no standing water for a period of at least nine months per year, has side slopes of no steeper than 4:1, and is used as common open space or as play areas defined in Chapter [17.38](#), as approved by the city engineer.

“Mural” means a painting, mosaic, fresco, or other artwork applied directly to the exterior of a structure. Murals may include text or other informational elements, but primarily serve an artistic or expressive purpose.

“Net density” means the number of dwelling units located on buildable land; which excludes public rights-of-way, private access easements, driveways, or tracts, utility corridors, stormwater facilities, critical areas and their buffers, and other areas which are unbuildable. Seventy-five percent of multiuse stormwater facilities may be counted towards total buildable area.

[...]

# Chapter 17.40

## SIGNS\*

Sections:

[17.40.010 General provisions.](#)

[17.40.020 Permanent on-premises signs.](#)

[17.40.025 Permanent off-premises directional signs.](#)

[17.40.030 Temporary signs.](#)

[17.40.035 Portable signs.](#)

[17.40.040 Sign permit requirements.](#)

[17.40.045 Digital signs.](#)

\* Prior ordinance history: Ords. 1013, 1312-98, 1451-03, 1484-04 and 1522-05.

### 17.40.010 General provisions.

The intent of the sign regulations is to provide businesses and organizations an opportunity to advertise while minimizing sign clutter along the city's roadways. Signs along the two state highways shall be designed in a manner that is consistent with the guidelines for state scenic highways, either existing or as subsequently developed.

A. No sign shall be erected or employed that:

1. Impairs scenic views or the appearance of the surrounding area;
2. Creates traffic hazards by blocking vision or causing excessive diversion of attention;
3. Is structurally incapable of withstanding stresses to which it is likely to be subjected;
4. Contains flashing or uncomfortably intense light;
5. Is designed to attract attention through mechanical or wind-generated movement;
6. Is employed without consent of the property owner;
7. Is a festoon, banner, or pennant type sign; or
8. Digital signs, except as provided in Section [17.40.045](#).

B. Obsolete signs must be removed within ninety days of the change in business or offering. An "obsolete sign" is defined as any sign that advertises a business, product, or service that is no longer available or, for on-premises signs, no longer located on the same site on which the sign is posted.

C. Size of signs includes the surface area, spaces and voids within a perimeter that connects the outermost points of the signs' lettering or devices, measured on the plane(s) to which the sign is oriented. Both sides of double-faced signs, such as projecting, freestanding or sandwich board signs with information on both sides, shall be counted. Frames or supports containing information or constituting integral design elements shall also be included.

D. Except in residential areas, where only external illumination is allowed, signage may be either externally illuminated or have only letters internally illuminated. All lighting shall be directed so as not to shine onto adjacent residential properties or into the night sky.

E. Each sign shall be maintained in good visual and structural condition at all times including color integrity and all parts and supports associated with the sign in accordance with its original approval by the city. Any repair to a sign shall be done using materials and design that are of equal or greater quality than the original sign.

F. Exceptions. The following shall not be regulated by this chapter:

1. Signage at public athletic fields;
2. Any vehicle or trailer that is road-ready, currently licensed and complies with all other ordinances and laws. (Ord. [1982-21](#) § 1 (Exh. 1), 2021; Ord. [1577-07](#) § 1 (part), 2007)

G. All signs regulated by this Chapter shall comply with the most recent edition of the Sedro-Woolley Design Standards and Guidelines.

H. Issued sign permits shall expire three months after the permit issuance date. Parties seeking to extend a sign permit may request a one-time three-month extension, provided there are extenuating circumstances preventing the development of the permitted sign. The Community Development Director or their designee shall have the authority to extend an un-expired sign permit. Expired sign permits shall not be renewed, withdrawn, or pass a final inspection.

I. Murals, as defined in 17.04.030 SWMC, shall be governed by the regulations in 17.40.050 SWMC. (Ord. [1982-21](#) § 1 (Exh. 1), 2021; Ord. [1577-07](#) § 1 (part), 2007)

## **17.40.020 Permanent on-premises signs.**

A. In the residential zones, signs shall be limited to a total combined size of five square feet or one percent of the gross floor area of buildings, whichever is greater.

B. In all other zones, the following limitations apply:

1. All freestanding signs shall be ground-oriented. Each sign's area may not exceed two percent of the gross floor area of the buildings nor two hundred square feet total surface

area, whichever is less, but in no case must signs be less than thirty-two square feet per side. Though uses or business may overlap spatially, gross floor area shall not be claimed more than once in computing allowable size of signs. See also SWMC Section [17.40.010\(D\)](#).

2. Facade signs must meet the size requirements listed below.

**Maximum Sign Area**

<b>Facade Area</b>	<b>Maximum Sign Area</b>
0—499	50 sq. ft. maximum
500—999	10% or 75 sq. ft. maximum, whichever is less
1,000—1,499	9% or 100 sq. ft. maximum, whichever is less
1,500—2,999	8% or 150 sq. ft. maximum, whichever is less
3,000 or greater	6% or 200 sq. ft. maximum, whichever is less

**Maximum Letter Size for Primary Signs**

<b>Distance from Primary Street</b>	<b>Maximum Letter Size</b>
Up to 10 ft.	12 inches
10—25	18 inches
25—50	24 inches
50—100	36 inches
Over 100	48 inches

3. Freestanding signs may not exceed twenty feet in height as measured from the centerline of the adjoining road to the top of the sign structure.

C. Freestanding signs shall meet the clear vision triangle requirements in ~~the city~~ [code 17.44.020 SWMC](#).

D. Each building may have one freestanding sign per frontage on a public right-of-way. Each business may have one facade sign per frontage on a public right-of-way. (Ord. [1577-07](#) § 1 (part), 2007)

### 17.40.025 Permanent off-premises directional signs.

The intent of this provision is to provide directional and location information to the general public about places of general interest, such as tourist information services, school or public recreational facilities, central business district or other special districts, historic sites, and regional developments; or, to provide information of a general community nature, such as those found at city entrance locations identifying the city and historic dates, or listing local service clubs and organizations or to provide business identification for sites located on a dead-end street. Such signs may be allowed, subject to the following:

- A. Any such sign which is visible from a state highway shall be subject to approval by the Department of Transportation;
- B. Approval of the owner of the property on which the sign is to be placed;
- C. Location. Any such sign shall not be placed where it may cause a hazard, or obstruct the vision of any driver;
- D. ~~Size shall be no larger than necessary to clearly inform or direct the public. City identification/community service club type~~ Permanent off-premises directional signs shall not exceed fifty square feet per side. ~~Business identification directional s~~ Signs on dead-end streets shall meet the following criteria: all units will have letters six inches in height, light color on a dark background, not longer than four feet per unit and meeting corner visibility requirements; details to be approved by the ~~planning community development~~ director for each installation. (Ord. [1577-07](#) § 1 (part), 2007)

### 17.40.030 Temporary signs.

- A. "Temporary signs" are defined as exterior signs related to temporary sales or events. Interior and window signs are not regulated by this chapter.
- B. Each business may have two temporary signs simultaneously, in addition to the allowed permanent signs.
- C. No business may display any temporary signs more than thirty days a year.
- D. All temporary signs must be permanently marked with the date the sign was erected. Signs without such marking shall be immediately removed as directed by the code enforcement officer. (Ord. [1577-07](#) § 1 (part), 2007)

### 17.40.035 Portable signs.

- A. "Portable signs" include all a-frame, sandwich board, sidewalk signs and other signs that are mobile.

- B. Each business may have up to one portable sign in addition to allowed temporary or permanent signs.
- C. Portable sign area may not exceed thirty-six inches by forty-eight inches on each face. Exception: Portable signs placed adjacent to State Route 9 or State Route 20 may not exceed forty-eight inches by forty-eight inches on each face.
- D. Portable signs must be securely weighted or anchored to prevent movement.
- E. Portable signs must be brought indoors or out of sight from the general public during such hours that the business associated with the sign is not open for business.
- F. Portable signs must not interfere with vehicle or pedestrian traffic.
- G. Portable signs must not interfere with vision clearance triangles as described in SWMC Section [17.44.020](#). (Ord. [1577-07](#) § 1 (part), 2007)

### **17.40.040 Sign permit requirements.**

- A. All permanent signs require a sign permit.
- B. A new or relocated business may use a single unpermitted interim on-premises sign to identify the business for ninety days while they permit and construct a permanent sign. Such an interim sign is not exempt from the other provisions of this chapter. (Ord. [2042-23](#) § 2, 2023; Ord. [1577-07](#) § 1 (part), 2007)

### **17.40.045 Digital signs.**

The intent of this provision is to allow for a limited number of digital signage in a manner that is safe, does not produce excessive light and does not create a distraction. These regulations apply to digital signs, which include message boards, message displays, electronic reader boards, LED signs, video displays and similar programmable technologies.

- A. Digital Sign Location Restrictions.
  - 1. Digital signs are not permitted in any residential zones.
  - 2. Digital signs are not permitted in the central business district except:
    - a. On Eastern Street between the railroad to the north and State Street to the south;
    - b. On Murdock Street between the railroad to the north and State Street to the south;

- c. On Puget Street between Pacific Street to the north and State Street to the south;
- d. On State Street; and
- e. On Ferry Street between State Route 20 to the west and Eastern Street to the east.

B. Display Standards in Mixed Commercial and Industrial Zone.

1. All digital signs shall come equipped with an automatic dimming photocell device which will automatically adjust the display's brightness based on preset levels relative to ambient light conditions. All digital signs shall operate at brightness levels of no more than three-tenths of one foot-candle above ambient light levels with a maximum of five thousand nits during daylight hours and five hundred nits at night. Certification of these limits shall be provided by the developer prior to sign permit issuance;
2. Measurement of brightness (nits) shall be measured from the sign's face at its maximum brightness;
3. Audio speakers are prohibited in association with a digital sign;
4. Digital signs must be directed away from adjacent residentially zoned or open space zoned properties including properties across a public right-of-way. No digital sign may be located closer than one hundred feet from residentially zoned or open space zoned properties as measured from the sign location to the nearest property line of the residential or open space zoned property;
5. Static messages shall have a minimum of five seconds of dwell time for all static images. Displays which scroll onto the signboard must hold for a minimum of five seconds including scrolling. Flashing, strobing, video imaging and scrolling messages faster than described above are prohibited. Changes between static messages and images must be one second or less and fading or dissolving is not permitted;
6. No more than one digital sign is allowed per property. A digital sign may be double-sided; and
7. A digital sign shall be integrated into a standard sign surface area; digital signs are not permitted independent of a standard sign. Up to fifty percent of the sign surface area may be used for digital sign purposes. The digital sign shall count towards the allowed sign surface area as calculated in Section [17.40.020](#).

C. Display Standards in CBD and Public Zone.

1. All digital signs shall come equipped with an automatic dimming photocell device which will automatically adjust the display's brightness based on preset levels relative to ambient light conditions. All electronic digital signs shall operate at brightness levels of no more than three-tenths of one foot-candle above ambient light levels with a maximum of five thousand nits during daylight hours and five hundred nits at night. Certification of these limits shall be provided by the developer prior to building permit issuance;
  2. Digital signs may be used after dusk only until eleven p.m. or, if the advertising is an on-premises message about an event at the site where the sign is located, for up to one hour after said event;
  3. Measurement of brightness (nits) shall be measured from the sign's face at its maximum brightness;
  4. Audio speakers are prohibited in association with a digital sign;
  5. Digital signs must be directed away from adjacent residentially zoned or open space zoned properties including properties across a public right-of-way. No digital sign may be located closer than one hundred feet from residentially zoned or open space zoned properties as measured from the sign location to the nearest property line of the residential or open space zoned property;
  6. ~~Digital signs in the CBD and public zones may only contain message board capabilities – only text shall be permitted, not images or other nontext display.~~ The display shall be limited to one color for the text displayed and a darkened (absence of light) background. Messages shall have a minimum of seven seconds of dwell time for all text. Flashing, animation, movement, video imaging and scrolling messages are prohibited. Changes in messages and images must be one second or less and scrolling, fading or dissolving is not permitted;
  7. No more than one digital sign is allowed per property. The single digital sign may be double-sided; and
  8. A digital sign shall be integrated into a standard sign surface area; digital signs are not permitted independent of a standard sign. Up to fifty percent of the sign surface area may be used for digital sign purposes. The digital sign shall count towards the allowed sign surface area as calculated in Section [17.40.020](#); and
  9. ~~Digital signs may be used only to advertise activities or goods or services available on the property on which the sign is located, or to present public service information.~~
- (Ord. [1982-21](#) § 1 (Exh. 1), 2021)

## 17.40.050 Murals.

A. Pictures or representations which violate any state law, depict obscenities, depict fighting words, or disturb the peace and quiet of the community shall be denied.

B. Size.

1. No part of a mural shall exceed the height of the structure to which it is tiled, painted, or affixed.

2. No part of a mural shall extend past the pane of the wall upon which it is tiled, painted, or affixed.

3. Square footage of the mural shall not exceed eighty percent (80%) of the square footage of the building façade.

C. Composition.

1. No mural shall consist of or contain electrical or mechanical components or changing images, including but not limited to moving structural elements, flashing or sequential lights, or other automated methods that result in movement, the appearance of movement, or changing of mural content;

2. No mural shall be painted on a wall or surface comprised of a material deemed by city staff to be damaged or otherwise structurally inappropriate for painting;

3. No mural shall be painted using materials deemed by city staff to be inappropriate for the proposed wall or surface.

D. All mural proponents shall acquire a mural permit and comply with Title 2, 15, 17, and 18 of the Sedro-Woolley Municipal Code and the most recently adopted City of Sedro-Woolley Design Standards and Guidelines.

## **Chapter 17.51** **MURALS *Repealed***

Sections:

~~**17.51.010 Project description—History.** *Repealed*~~

~~**17.51.020 Purpose.** *Repealed*~~

~~**17.51.030 Application requirements.** *Repealed*~~

~~**17.51.040 Procedures.** *Repealed*~~

~~**17.51.050 Standards.** *Repealed*~~

**17.51.010 Project description—History.** *Repealed*

A.—The works of one of the city’s most famous citizens—photographer Darius Kinsey—was the original inspiration for the Sedro-Woolley mural project. The first few murals painted on the exterior walls of buildings were replicas of actual photos taken by Darius Kinsey. The original photos are typically printed in sepia-tone colors or black and white. It was found that using the subtle sepia colors in the replicas resulted in very lifelike pictures that are eye-catching from a distance and intriguing to study at close range. Soon other merchants in the city became enthused about the murals and desired murals on their buildings. Thus a project was born.

B.—The guidelines adopted within this chapter were developed in cooperation with the city design review committee, planning commission, and interested citizens, and are intended to provide a framework to insure an aesthetically pleasing and cohesive project that will be a source of community pride for years to come. This requires that minimum standards addressing basic issues, such as size, colors, content, advertising allowance, and professionalism be established. While these standards may exclude some proposed projects in favors of others, there is no intent to discriminate in favor or against any particular artist, or exclude authentic representations of historical events, people, or community life that are part of the history of Sedro Woolley.

C.—A number of building walls have been identified as possible mural locations. It is anticipated that the content of these murals will be derived from either Kinsey photos, or photos taken during the same era (1890-1930). When several murals are completed, a brochure of the project will be developed to include a map showing where the murals are located, an explanation of each mural, and additional information about the history of the area, the historic buildings in the city, and other points of interest. This brochure will be updated periodically as the project matures. It is intended that this brochure will be used as a promotional tool for the city. (Ord. 1072 § 2 (Exh. A § 3.11.01), 1989)

### **17.51.020 Purpose. *Repealed***

The “Pictures from the Past” mural project is undertaken as a joint effort by the citizens of Sedro-Woolley, the chamber of commerce, and the city’s planning commission and council, and is intended to serve the following purposes:

A.—Acknowledge and celebrate the history of the city and the surrounding area in a visually appealing manner;

B.—Provide support for the historic theme adopted for the downtown business area;

C.—Provide information and enjoyment to visitors and residents of the community;

D.—Provide a sense of community identity through recognition of the diverse elements of community life, history, industry, and folk lore that contribute to the unique character of Sedro-Woolley and Skagit County;

~~E.—Encourage participation of various businesses in a cohesive and tangible project that will have lasting value to the city; and~~

~~F.—Promote and encourage out-of-town visitor interest in the city as a tourist destination. (Ord. 1072 § 2 (Exh. A § 3.11.02), 1989)~~

### **~~17.51.030 Application requirements. *Repealed*~~**

~~An application for a wall mural shall include the following information:~~

~~A.—Name and address of the person or business paying for the mural;~~

~~B.—Name and address of the artist;~~

~~C.—Location of the proposed mural, including address of building, and the location and size of the wall of the building to be painted;~~

~~D.—Photo to be replicated, and date and location of photo, or rendering of the proposed mural adequate to accurately depict the content of the mural. If a rendering is provided, historical documentation of the authenticity of the scene shall be required.~~

~~E.—Written description of the proposal addressing the standards of this ordinance. (Ord. 1072 § 2 (Exh. A § 3.11.03), 1989)~~

### **~~17.51.040 Procedures. *Repealed*~~**

~~An application for a wall mural shall be reviewed per Chapter 15.44, Design Review, and incorporate the standards in this chapter. (Ord. 2032-22 § 15, 2023; Ord. 1072 § 2 (Exh. A § 3.11.04), 1989)~~

### **~~17.51.050 Standards. *Repealed*~~**

~~A mural proposal shall be reviewed and approved or denied based on the following standards:~~

~~A.—Subject Matter—Photo Replicas. Murals shall be replicas of photographs taken between 1890 and 1930. A suggested source is the Darius Kinsey collection. The subject of murals should relate to one or more of the following themes:~~

~~1.—Logging industry in and around Sedro-Woolley;~~

~~2.—Railroad shipping or passenger operations in Skagit County;~~

~~3.—River shipping or passenger operations in Skagit County;~~

~~4.—Early community life of the city;~~

~~5.—Significant events which took place during the era;~~

~~6.—Other subject matter related to the era and Skagit County area, as approved by the planning commission;~~

~~B.—Subject Matter Alternative. As an alternative to replicating a photo, the following is also acceptable:~~

~~1.—Recreation of an authentic historic event using available documents and written accounts as sources. Such events should be those which occurred between 1890 and 1930.~~

~~2.—A collage of pictures following a theme, such as the evolution of logging methods, or illustrating the fashions of the era, or other similar themes associated with the history of the area.~~

~~3.—Mural maps of the city, or of early railroad and/or logging operations, or similar geographical information.~~

~~C.—Subject Matter—Unacceptable. To protect the integrity of the project, the general welfare of the city and citizens therein, the following may not be considered acceptable subject matter for a mural:~~

~~1.—Pictures not related to the 1890-1930 era;~~

~~2.—Pictures not related to the city or county area;~~

~~3.—Pictures depicting completely fictional events with no documentation of authenticity;~~

~~4.—Pictures depicting recognizable people from the past out of true context. (This does not exclude depicting people from the present in pictures of the era, if done with the consent of the person represented.)~~

~~5.—Pictures or representations which violate any state law.~~

~~D.—Colors. Murals shall be painted in sepia-toned colors. This coloration is consistent with the color of photos taken during the era, and gives a realistic touch to the work. Sepia also works well with the brick surfaces and color tones of the city, provides a strong cohesive design element to the project as a whole, and creates an historical mood. Use of sepia colors will be less likely to create a cluttered or “billboard” effect, and will insure that the mural project does not detract from the historical character and theme of the downtown business district. Use of sepia tones will reduce the overall cost of maintaining the murals. Limiting the project to sepia~~

~~tones also eliminates the difficulty of determining authenticity of colors and eliminates a potential subjective decision that must be made by the review committee and planning commission.~~

~~E.—Color. Exceptions. The planning commission may grant exceptions allowing the use of other colors under the following circumstances:~~

~~1.—Paint samples of the true colors to be used are provided with the application, plus supporting evidence that the proposed colors are authentic and/or appropriate for the subject matter. Preference will be given to colors which are subtle in tone;~~

~~2.—The use of colors will not detract from any historic structure, or group of structures; and~~

~~3.—Either:~~

~~a.—The mural is to be located outside of the central business district; or,~~

~~b.—Only a portion of the mural is to be painted in other colors, as an accent against the sepia background, to highlight some element of the picture for advertising or other purposes, subject to the requirements of subsection G of this section below; or~~

~~c.—The mural is to be placed on a nonhistoric building as a major design feature.~~

~~F.—Scale. The photo or rendering shall be reproduced at a scale large enough to cover the wall on which it is to be placed. As much as possible, larger than life-size scale should be attained.~~

~~G.—Acknowledgements—Advertising. All murals shall be signed by the artist. In addition, up to one percent of the mural area may be used to acknowledge the person, organization, or business commissioning the mural. If a specific business identification for the business occupying the building is incorporated into the mural, the portion of the mural dedicated to such identification shall be applied toward the maximum square footage allowance for signs for that business under Chapter 17.40.~~

~~H.—Credentials. The design review committee may request a portfolio and other credentials of the artist to insure that all murals will be of a professional quality. (Ord. 1072 § 2 (Exh. A § 2 (Exh. A § 3.11.05), 1989)~~

## ORDINANCE NO. 2091-24

### AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, ADOPTING AMENDMENTS TO CHAPTER 2.90 AND TITLE 17 SWMC TO UPDATE MURAL AND SIGN REGULATIONS

WHEREAS, currently, Chapters 17.40 and 17.51 SWMC allow murals and signs to be developed within the City, but establishes outdated regulations of mural and sign content; and

WHEREAS, the City supports individual expression and free speech, and simultaneously values sensible and enforceable regulations for murals and signs visible to the public.

WHEREAS, the United States Supreme Court holds certain precedents in regard to the regulation of content of free speech, including mural and sign content, that the City must ensure adherence to. Decisions made by the U.S. Supreme Court in *Reed v. Gilbert* (2015), *Cohen v. California* (1971), and *Miller v. California* (1972) are relevant to these municipal code amendments. *Reed v. Gilbert* establishes that regulations for murals and signs must comply with strict scrutiny because such regulations pertain to protected speech under the First Amendment of the U.S. Constitution. *Cohen v. California* and *Miller v. California* establish boundaries for protected versus non-protected speech. Obscenities and fighting words are not protected forms of speech, while profanities are protected; and

WHEREAS, local organizations have expressed interest in murals and signs, but are limited to the content outlined in Chapters 17.40 and 17.51 SWMC; and

WHEREAS, recommendation by the Planning Commission was bypassed because this action requires legislative action by the City Council; and

WHEREAS, pursuant to RCW 36.70A.106, a notice of intent to adopt amendments to the city development regulations was sent to the Washington State Department of Commerce on November 21, 2024. A 15-day expedited review was requested and, not having received any comments, granted by Commerce. The comment period ended December 6, 2024; and

WHEREAS, the proposed changes are supported by and implement the Comprehensive Plan; and

WHEREAS, environmental review of the amendments has been completed and a Determination of Non-Significance was issued November 14, 2024; and

WHEREAS, the proposed ordinance is in the best interest of City of Sedro-Woolley citizens and promotes the health, safety, and welfare of the citizens of the City of Sedro-Woolley; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this Ordinance; now, therefore,

THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1.** Chapter 2.90 and Title 17 SWMC are hereby amended as follows:

**Pending Planning & Business Development Committee Recommendation**

**Section 2.** This ordinance shall be in force and take effect five (5) days after its publication according to law.

**Section 3.** 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.

**PASSED** by majority vote of the members of the Sedro-Woolley City Council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
JULIA JOHNSON, Mayor

Attest: \_\_\_\_\_  
KELLY KOHNKEN, Finance Director

Approved as to form:

\_\_\_\_\_  
NIKKI THOMPSON, City Attorney

Published: