

(3) Section 6, chapter 54, Laws of 1974 ex. sess.

NEW SECTION. Sec. 29. Sections 11 through 26 shall constitute a new chapter in Title 36 RCW.

NEW SECTION. Sec. 30. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 31. This 1975 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1975.

Passed the Senate June 7, 1975.

Passed the House June 7, 1975.

Approved by the Governor July 1, 1975.

Filed in Office of Secretary of State July 1, 1975.

CHAPTER 271

[House Bill No. 437]

OUTDOOR ADVERTISING

AN ACT Relating to outdoor advertising; amending section 4, chapter 96, Laws of 1961 as amended by section 4, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.040; amending section 7, chapter 62, Laws of 1971 ex. sess. as last amended by section 2, chapter 154, Laws of 1974 ex. sess. and RCW 47.42.062; amending section 8, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.063; amending section 9, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.065; amending section 12, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.102; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 4, chapter 96, Laws of 1961 as amended by section 4, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.040 are each amended to read as follows:

It is declared to be the policy of the state that no signs which are visible from the main traveled way of the interstate system, primary system, or scenic system shall be erected or maintained except the following types:

(1) Directional or other official signs or notices that are required or authorized by law;

(2) Signs advertising the sale or lease of the property upon which they are located;

(3) Signs advertising activities conducted on the property on which they are located;

(4) Signs, not inconsistent with the policy of this chapter and the national policy set forth in section 131 of title 23, United States Code as codified and enacted by Public Law 85-767 and amended only by section 106, Public Law 86-342, and the national standards promulgated thereunder by the secretary of commerce or the secretary of transportation, advertising activities being conducted at a location within twelve miles of the point at which such signs are located: PROVIDED, That no sign lawfully erected pursuant to this subsection

adjacent to the interstate system and outside commercial and industrial areas shall be maintained by any person after three years from May 10, 1971;

(5) Signs, not inconsistent with the policy of this chapter and the national policy set forth in section 131 of title 23, United States Code as codified and enacted by Public Law 85-767 and amended only by section 106, Public Law 86-342, and the regulations promulgated thereunder by the secretary of commerce or the secretary of transportation, designed to give information in the specific interest of the traveling public: PROVIDED, That no sign lawfully erected pursuant to this subsection adjacent to the interstate system and outside commercial and industrial areas shall be maintained by any person after three years from May 10, 1971;

(6) Signs lawfully in existence on October 22, 1965, determined by the commission, subject to the approval of the United States secretary of transportation, to be landmark signs, including signs on farm structures or natural surfaces, of historic or artistic significance the preservation of which would be consistent with the purposes of chapter 47.42 RCW.

Only signs of type 1, 2 and 3 shall be erected or maintained within view of the scenic system.

Sec. 2. Section 12, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.102 are each amended to read as follows:

~~(1) ((Just compensation shall be paid upon the removal of the following outdoor advertising signs:~~

~~(a) Those signs within six hundred and sixty feet of the nearest edge of the right of way of the interstate system and the primary system which were lawfully in existence on October 22, 1965;~~

~~(b) Those signs lawfully within six hundred and sixty feet of the nearest edge of the right of way of any highway made a part of the interstate or primary system between October 21, 1965 and January 1, 1968; and~~

~~(c) Those signs lawfully erected within six hundred and sixty feet of the nearest edge of the right of way of the interstate system and the primary system on or after January 1, 1968:)) Except as otherwise provided in subsection (3) of this section, just compensation shall be paid upon the removal of any sign (pursuant to the provisions of chapter 47.42 RCW), lawfully erected under state law, which is visible from the main traveled way of the interstate system or the primary system.~~

(2) Such compensation shall be paid for the following:

(a) The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in such sign, display, or device; and

(b) The taking from the owner of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon.

(3) In no event, however, shall compensation be paid for the taking or removal of signs adjacent to the interstate system and the scenic system which became subject to removal pursuant to chapter 96, Laws of 1961 as amended by section 55, chapter 3, Laws of 1963 ex. sess. prior to May 10, 1971.

Sec. 3. Section 7, chapter 62, Laws of 1971 ex. sess. as last amended by section 2, chapter 154, Laws of 1974 ex. sess. and RCW 47.42.062 are each amended to read as follows:

Signs within six hundred and sixty feet of the nearest edge of the right of way which are visible from the main traveled way of the primary system within commercial and industrial areas and whose size, lighting, and spacing are consistent with the customary use of property for the effective display of outdoor advertising as set forth in this section may be erected and maintained: PROVIDED, That this section shall not serve to restrict type 3 signs located along any portion of the primary system within an incorporated city or town or within any commercial or industrial area.

(1) General: Signs shall not be erected or maintained which (a) imitate or resemble any official traffic sign, signal, or device; (b) are erected or maintained upon trees or painted or drawn upon rocks or other natural features and which are structurally unsafe or in disrepair; or (c) have any visible moving parts.

(2) Size of signs:

(a) The maximum area for any one sign shall be six hundred seventy-two square feet with a maximum height of twenty-five feet and maximum length of fifty feet inclusive of any border and trim but excluding the base or apron, supports and other structural members: PROVIDED, That cut-outs and extensions may add up to twenty percent of additional sign area.

(b) For the purposes of this subsection, double-faced, back-to-back, or V-type signs shall be considered as two signs.

(c) Signs which exceed three hundred twenty-five square feet in area may not be double-faced (abutting and facing the same direction).

(3) Spacing of signs:

(a) Signs may not be located in such a manner as to obscure, or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic.

(b) On limited access highways established pursuant to chapter 47.52 RCW no two signs shall be spaced less than one thousand feet apart, and no sign may be located within three thousand feet of the center of an interchange, a safety rest area, or information center, or within one thousand feet of an intersection at grade. Double-faced signs shall be prohibited. Not more than total of five sign structures shall be permitted on both sides of the highway per mile.

(c) On noncontrolled access highways inside the boundaries of incorporated cities and towns not more than a total of four sign structures on both sides of the highway within a space of six hundred sixty feet shall be permitted with a minimum of one hundred feet between sign structures. In no event, however, shall more than four sign structures be permitted between platted intersecting streets or highways. On noncontrolled access highways outside the boundaries of incorporated cities and towns minimum spacing between sign structures on each side of the highway shall be five hundred feet.

(d) For the purposes of this subsection, a back-to-back sign and a V-type sign shall be considered one sign structure.

(e) Official signs, and signs advertising activities conducted on the property on which they are located shall not be considered in determining compliance with the above spacing requirements. The minimum space between structures shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply to signs located on the same side of the highway.

(4) Lighting: Signs may be illuminated, subject to the following restrictions:

(a) Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited, except those giving public service information such as time, date, temperature, weather, or similar information.

(b) Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the highway and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

(c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device, or signal.

(d) All such lighting shall be subject to any other provisions relating to lighting of signs presently applicable to all highways under the jurisdiction of the state.

Sec. 4. Section 8, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.063 are each amended to read as follows:

(1) Signs within six hundred and sixty feet of the nearest edge of the right of way lawfully erected and maintained which are visible from the main traveled way of the primary system within commercial and industrial areas on June 1, 1971 shall be permitted to remain and be maintained.

(2) Signs within six hundred and sixty feet of the nearest edge of the right of way which are visible from the main traveled way of the primary system within commercial and industrial areas whose size, lighting, and spacing are consistent with customary use as set forth in RCW 47.42.062 may be erected and maintained. Signs lawfully erected and maintained on June 1, 1971 shall be included in the determination of spacing requirements for additional signs.

Sec. 5. Section 9, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.065 are each amended to read as follows:

Notwithstanding any other provision of chapter 47.42 RCW, ~~((the commission shall adopt regulations permitting the erection and maintenance of))~~ signs may be erected and maintained ((which are)) more than six hundred and sixty feet from the nearest edge of the right of way ((and)) which are visible from the main traveled way of the interstate system, primary system, or scenic system ((which are)) when designed and oriented to be viewed from highways or streets other than the interstate system, primary system, or the scenic system and the advertising or informative contents of ~~((such signs))~~ which may not be clearly comprehended by motorists using the main traveled way of the interstate system, primary system or scenic system.

NEW SECTION. Sec. 6. This 1975 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the

state government and its existing public institutions, and shall take effect immediately.

Passed the House March 31, 1975.

Passed the Senate May 30, 1975.

Approved by the Governor July 1, 1975.

Filed in Office of Secretary of State July 1, 1975.

CHAPTER 272

[Substitute House Bill No. 1141]
BELLEVUE-SEATTLE SEGMENT OF
I-90—DECISION SCHEDULE

AN ACT Relating to transportation; creating new sections; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. The legislature finds that the Washington department of highways initiated route studies for the location of that segment of the national system of interstate and defense highways (interstate system) between south Bellevue and state route No. 5 in Seattle in 1957 culminating in a corridor public hearing and adoption of a corridor in 1963; that thereafter the department utilizing a multidisciplinary design team and soliciting the broadest public participation developed a series of designs culminating in a public design hearing in 1970, a public limited access hearing in 1971 and adoption of a design and limited access plan for the facility in 1971; that commencing in 1970 the proposed facility has been the subject of numerous lawsuits and administrative proceedings which have prevented advancement of the project to construction; that since further development of the project was enjoined by federal courts in 1971 the cost of constructing the project has increased by more than one hundred million dollars; that the traffic congestion and traffic hazards existing in the existing highway corridor between south Bellevue, Mercer Island and the city of Seattle are no longer tolerable; that after more than seventeen years of studies the public interest now requires that final decisions regarding the appropriate system for meeting the transportation requirements between south Bellevue and the city of Seattle be made promptly and in accordance with a prescribed schedule.

It is therefore the sense of the legislature that further protracted delay in establishing the transportation system to be constructed between south Bellevue and state route No. 5 in the city of Seattle is contrary to the interest of the people of this state and can no longer be tolerated as acceptable public administration. Accordingly the schedule for finally determining the character of transportation modes between south Bellevue and state route No. 5 in the city of Seattle as set forth in this act is adopted as the public policy of this state.

NEW SECTION. Sec. 2. (1) The Puget Sound council of governments (until July 1, 1975, known as the Puget Sound governmental conference) now engaged in a study of the withdrawal from the interstate system of that segment of state route No. 90 between the south Bellevue interchange and the Connecticut street