

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. John Kelly
3. Tony Belot
4. John Williams
5. Gregg Bradshaw
6. Greg Hogan
7. Scott Drennen



ORTING CITY COUNCIL
Study Session Meeting Agenda
104 Bridge Street S, Orting, WA
August 18th, 2021
6:00 p.m.

Deputy Mayor Hogan, Chair

1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL.

You may attend this meeting virtually via the platform Blue Jeans by clicking the following link <https://bluejeans.com/948626840/9566>, by telephone by dialing 1.408.419.1715 – Meeting ID 948 626 840, or in person at City Hall. Per the Governor’s directives, all in person attendees shall comply with social distancing regulations and non-vaccinated attendees shall wear a face covering. If you log in at bluejeans.com you will need to enter the meeting ID 948 626 840, the passcode 9566, and your name.

2. COMMITTEE REPORTS

Public Works

CM Drennan & CM Bradshaw

Public Safety

CM Belot & CM Gunther

Community and Government Affairs

CM Kelly & CM Williams

3. STAFF REPORTS

4. AGENDA ITEMS

- AB 21-48** – Reducing Hwy 162 Speed Limit.
Scott Larson
- AB 21-62** - Whitehawk Blvd/Calistoga St/Kansas St SW Intersection Control.
Scott Larson & JC Hungerford
- AB 21-65** – Gratzer Park Phase 2 Construction Services Scope and Budget.
JC Hungerford
- AB 21-67** – Renaming the Waste Water Treatment Plan the Water Resource Recovery Facility.
Scott Larson
- AB 21-50** – Sign Code Amendments.
Emily Adams
- AB 21-66** - Police Reform Resolution.
Scott Larson

6. EXECUTIVE SESSION

7. ADJOURNMENT

Motion: To Adjourn.



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Ordinance No 2021-1078; Reducing HWY 162 Speed Limit	AB21-48	Public Works		
		6.2.2021	6.16.21 8.18.21	6.30.21
	Department:	Public Works/Admin		
	Date Submitted:	5.26.2021		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	None			
Submitted By:	Scott Larson			
Fiscal Note: None				
Attachments: Ordinance 2021-1078				
SUMMARY STATEMENT:				
<p>Washington State Department of Transportation (WSDOT) is looking at safety issues in the HWY 162 corridor south of Orting due to speeding and accidents, especially at the Orville Rd. intersection. WSDOT’s initial proposed safety improvement is to reduce the speed limit from 50 miles per hour (mph) to 45 mph.</p> <p>At the Public Works Committee meeting, the members discussed reducing the speed limit to 30 mph for the roughly 0.03 miles of the currently 50 mph highway that is within City limits. WSDOT has agreed with this further reduction to the speed limit within City Limits. WSDOT has asked that we reduce that portion of the highway in the City to 30 mph, before they implement the changed speed limit to 45mph across the entire corridor beyond the City limits. WSDOT will be providing the new speed limit signs.</p> <p>In the future, WSDOT is looking at various intersection control solutions at the Orville Rd. intersection but are awaiting a funding source.</p>				
RECOMMENDED ACTION: Move to Consent Agenda for Council Meeting on August 25, 2021.				
FUTURE MOTION: MOTION: To adopt Ordinance No. 2021-1078, resetting the speed limit to 30 miles per hour between milepost 10.31 and milepost 10.34.				

CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2021-1078

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO SPEED LIMIT ZONE;
AMENDING ORTING MUNICIPAL CODE 7-1-1 TO REVISE
A SPEED LIMIT PURSUANT TO WAC 308-330-423 AND
RCW 46.61.415; AND OTHER MATTERS RELATED
THERE TO**

WHEREAS, the City of Orting adopted the Washington model traffic ordinance, chapter 308-330 Washington Administrative Code, codified at Orting Municipal Code 7-1-1, to govern roadway speed, safety and uniform traffic laws; and

WHEREAS, pursuant to OMC 7-1-1 and WAC 308-330-270, the City Council of the City of Orting may, from time to time, modify arterial speed limits to better reflect changing traffic conditions and roadway characteristics based on guidance from the traffic engineer; and

WHEREAS, consistent with RCW 46.61.415, and at the request of the Washington State Department of transportation, Washington State Patrol and the City's transportation engineer, the City Council desires to reduce the speed limit for a portion of SR 162 within City limits; and

WHEREAS, the City Council finds that reducing the speed limit from 50 mph to 30 mph on State Route 162 from Milepost 10.31 to Milepost 10.34 will serve to protect the health, safety and welfare of Orting's residents;

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

Section 1. Incorporation of Recitals. The above stated recitals are incorporated as though fully set forth herein.

Section 2. Amendment to OMC 7-1-1 to Modify a Speed Limit. OMC 7-1-1 is hereby amended to add the following subsection to read as follows:

C. WAC 308-330-423 is hereby amended as follows:

For State Route 162 from Milepost 10.31 to Milepost 10.34 the speed limit shall be 30 mph.

Section 3. Implementation. The Mayor is requested to implement this direction through the installation of necessary signage and notification to the public of the change.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. Corrections. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2021

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kim Agfalvi, City Clerk

Approved as to form:

Charlotte A. Archer
Inslee, Best, Doezie & Ryder, P.S.
City Attorney

Filed with the City Clerk: 6.10.21
Passed by the City Council:
Ordinance No.2021-1078
Date of Publication:
Effective Date:



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Whitehawk Blvd/ Calistoga St/ Kansas Street SW Intersection Control Discussion	AB21-62	N/A	8.18.2021	
	Department:	Engineering		
	Date Submitted:	8.12.2021		
Cost of Item:		<u>\$50,000</u>		
Amount Budgeted:		<u>\$250,000</u>		
Unexpended Balance:		<u>\$200,000</u>		
Bars #:		320 – Transportation Impact		
Timeline:		Discussion Item		
Submitted By:		JC Hungerford, PE/Scott Larson		
Fiscal Note: The cost for a roundabout design would be in addition to the current design budget for this project. Funding for the additional design effort would come out of the Transportation Impact Fund’s Right of Way budget for this project.				
Attachments: None				
SUMMARY STATEMENT: There are two intersection control types that will work at the Whitehawk/Calistoga/Kansas Intersection. One is a traditional traffic signal and the other is a roundabout. Each system has pros and cons listed below. Signal pros: less right-of-way needed, most users are familiar with them, lower initial cost to construct. Signal cons: Higher life-cycle cost (replacement parts and energy usage), higher rates of serious collisions, less efficient at moving traffic. Roundabout pros: less incidents of serious collisions, lower life-cycle cost, more efficient at moving traffic, scores better in grant applications (more likely to get funded). Roundabout cons: Higher initial construction cost, more right-of-way needed, there can be significant community opposition due to community unfamiliarity with roundabouts. The long-term maintenance cost for a signalized intersection is approximately \$15,000 per year higher than a roundabout. The total project cost for a roundabout will be approximately \$300,000 more than a signalized intersection at this location.				
RECOMMENDED ACTION: If the council desires to go with a roundabout, staff will direct Parametrix to bring a design scope and budget for the August 25 th meeting. This item would not be included on the consent agenda.				
FUTURE MOTION: <u>MOTION:</u> TBD				



**City of Orting
Council Agenda Bill Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Council
Subject: Gratzer Park Phase 2 Construction Services Scope and Budget	AB21-65	Public Works		
		8.4.2021	8.18.2021	
	Department:	Public Works		
	Date Submitted:	8.10.2021		
Cost of Item:	<u>20,440</u>			
Amount Budgeted:	<u>\$600,000 (Total)</u>			
Unexpended Balance:	<u>~\$10,000</u>			
Bars #:	105.594.76.63.15			
Timeline:				
Submitted By:	JC Hungerford, PE			
Fiscal Note:				
Attachments: Scope and budget for professional services				
SUMMARY STATEMENT:				
<p>The attached scope of work will provide construction administration and construction observation services that Parametrix will provide for the Gratzer Park Phase II being constructed by A-1 Landscaping.</p>				
RECOMMENDED ACTION: Move forward to August 25, 2021 Meeting.				
FUTURE MOTION: <u>MOTION</u> : to approve the attached Gratzer Park Phase 2 Construction Services scope and budget provided by Parametrix in the amount of \$20,440.				

Client: City of Orting
 Project: City of Orting On-call 2014-2017
 Project No: 2161711020

Project Controls Specialist	April D. Whittaker	Project Accountant	Sarah Crackenberger	Engineer III	Marcus Vassey	Scientist/Biologist IV	Adam Merrill
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Rates: \$120.00 \$95.00 \$125.00 \$135.00

Phase	Task	Description	Labor Dollars	Labor Hours				
		Gratzer Park Ph. 2 Const. Svcs	\$20,440.00	166	54	4	100	8
	01	PM	\$1,580.00	14	10	4		
	02	Office Engineering and Doc.	\$8,720.00	70	22		40	8
	03	Construction Observation	\$10,140.00	82	22		60	
Labor Totals:			\$20,440.00	1,353	54	4	100	8
					\$6,480.00	\$380.00	\$12,500.00	\$1,080.00

PROJECT TOTAL \$ 20,440.00



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Water Resource Recovery Facility Resolution	AB21-67	Public Works	8.18.2021	
	Department:	Public Works Committee		
	Date Submitted:	8.12.2021		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	None			
Submitted By:	CM Drennen/CM Bradshaw			
Fiscal Note: None				
Attachments: Resolution No. 2021-11				

SUMMARY STATEMENT:

One of the Council’s goals was to look at the branding of some of our capital facilities and make sure their names align with their purpose and our vision for those facilities. The facility with the most unaligned name is the Waste Water Treatment Plant. This facility takes in used water, cleans the water and returns it to our river system. The facility also cleans the solids and then we recycle them for a beneficial use. There is no waste in the process. Further, the facility upgrade that is currently in design will produce a solid material that is able to be reused in the city as a soil amendment as opposed to having it transported to controlled sites outside our region. The proposed name for this plant is the Water Resource Recovery Facility which captures the fact that valuable resources are being recycled into beneficial products within our community.

With the passage of this resolution staff will effectuate the name change on the website, signage and other documents.

RECOMMENDED ACTION: Move to consent agenda at August 25, 2021 meeting

FUTURE MOTION: MOTION: to adopt Resolution No. 2021-11, a Resolution of the City of Orting, Washington, renaming the Wastewater Treatment Plant the Water Resource Recovery Facility.

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2021-11

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, RENAMING THE WASTEWATER
TREATMENT PLANT THE WATER RESOURCE
RECOVERY FACILITY.**

WHEREAS, the City values the protection of both Public Health and fiscally responsible management of our capital water facilities, systems and natural resources; and

WHEREAS, the City is in a major capital upgrade cycle for our water treatment facility; and

WHEREAS, the City of Orting operates a facility that cleans wastewater and returns the clean water to the Carbon River which is part of the Puyallup River Watershed; and

WHEREAS, the Carbon River is one of the City's biggest tourist draws due to its beauty and the annual salmon runs; and

WHEREAS, the City desires to improve the quality of water we return to the Carbon River; and

WHEREAS, the process to recycle byproducts of our current water treatment process has become increasingly expensive and risky; and

WHEREAS, the City desires to be able to better manage the products of the water cleaning process, keep beneficial products of the process local, provide valuable soil amendments to our local residents and manage the long-term costs of our facility; and

WHEREAS, the City of Orting desires a name for our wastewater facility to better capture the resource reuse benefits the facility provides to the public;

NOW, THEREFORE, the City Council of the City of Orting, Washington, does resolve as follows:

Section 1. Renaming the City's water treatment facility. The City Council of the City of Orting hereby renames its water treatment facility the "Water Resource Recovery Facility."

Section 2. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

**PASSED BY THE ORTING CITY COUNCIL AT A REGULAR MEETING
THEREOF ON THE ___ DAY OF _____ 2021.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kim Agfalvi, City Clerk

Approved as to form:

Charlotte Archer, City Attorney
Inslee Best, PLLC



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Sign code amendments	AB21-50			
		CGA	6.16.21 8.18.21	9.8.21 or 9.29.21
	Department:	Planning		
	Date Submitted:	8.11.21		
Cost of Item:	<u>\$NA</u>			
Amount Budgeted:	<u>\$NA</u>			
Unexpended Balance:	<u>\$NA</u>			
Bars #:				
Timeline:				
Submitted By:	Emily Adams (Planner)			
Fiscal Note:				
Attachments: Staff report and proposed ordinance				
SUMMARY STATEMENT:				
<p>The proposal is to amend the sign code and architectural review board code to allow for changing message reader boards while still preserving the City’s architectural theme. The proposal also includes amendments regarding temporary signs at the planning commission’s request to ensure they are maintained in good condition and remain upright while out and remove flutter flags as a permitted type of sign.</p>				
RECOMMENDED ACTION: Move to future Council meeting for public hearing and action.				

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2021-1081**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO SIGNS AND
ARCHITECTURAL DESIGN REVIEW REQUIREMENTS;
AMENDING ORTING MUNICIPAL CODE CHAPTER 13-7
AND SECTION 13-6-7; PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City of Orting is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington; and

WHEREAS, the City desires to update its regulations for signs to respond to evolving technology and maintain an aesthetically pleasing streetscape; and

WHEREAS, the current sign code does not permit electronic reader boards anywhere in the City; and

WHEREAS, in accordance with the requirement set forth in RCW 36.70A.106, the City provided the Washington State Department of Commerce notice of the City's intent to adopt the proposed ordinance on June 3 for its expedited review and comment period; and

WHEREAS, the City's Planning Commission held a public hearing on the proposed amendments on July 7, 2021 and proposed a recommendation and forwarded it to the City Council to adopt the proposed OMC amendments; and

WHEREAS, the City Council held a public hearing on the proposed OMC amendments on July 28, 2021, considered the proposed code amendments and the entire record, including recommendations from the Planning Commission; and

WHEREAS, the City Council has determined that the proposed regulations are in accord with the Comprehensive Plan, will not adversely affect the public health, safety, or general welfare, and are in the best interest of the citizens of the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORTING, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are hereby adopted and incorporated as Findings of Fact and/or Conclusion of Law of the City Council. The City Council bases its findings and conclusions on the entire record of testimony and exhibits, including all written and oral testimony before the Planning Commission and the City Council.

Section 2. OMC Section 13-7-1, Amended. Orting Municipal Code Section 13-7-1 is hereby amended as follows:

13-7-1: FINDINGS AND PURPOSE

A. Findings. The City Council finds as follows:

16. Brightly lit signs, flashing electronic signs, and overly animated signs waste valuable energy, contribute to light pollution, produce hazardous glare, and create the potential for distracting or confusing motorists, thereby negatively impacting the health, safety, and welfare of the public. ~~Further, digital billboards have the potential to distract drivers for a significantly longer time than non-digital billboards creating a greater potential for driver distraction;~~

Section 3. OMC Section 13-7-2, Amended. Orting Municipal Code Section 13-7-2 is hereby amended as follows:

13-7-2: DEFINITIONS

CHANGING MESSAGE SIGN CENTER. An exterior, electrically controlled permanent sign that displays different copy changes on the same lamp bank which change at intervals of thirty (30) seconds or greater. This includes electronic reader boards.

SANDWICH BOARD/SIDEWALK SIGN: A temporary portable sign consisting of two (2) sign faces hinged at the top and separated at the bottom to make it self-standing.

FLUTTER SIGN: A sign made of cloth, plastic or similar material affixed to a pole that is located outdoors. Flutter or flutter flag signs are “temporary signs,” securely anchored for safety but not permanently anchored to a structure, or weighted base. This type of sign is prohibited.

READER BOARD: A permanent sign face designed to allow copy changes either by manual or electronic means in which the message is static and can only be changed physically by the owner/operator.

Section 4. OMC Section 13-7-4, Amended. Orting Municipal Code Section 13-7-4 is hereby amended as follows:

13-7-4: GENERAL REGULATIONS

- F. Illumination: All sign Indirect illumination shall be by indirect lighting and is preferred and shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicle traffic. Internally illuminated signs must adhere to the standards in OMC 13-7-4.L. Internally illuminated signs shall be designed to emphasize the lighting of the sign text, message and/or symbols, while minimizing the lighting of the background of the sign face. Temporary signs shall not be illuminated.

L. Internally Illuminated Signs

1. Internally illuminated signs are only permitted as a secondary, permanent sign, supplementary to a business's primary sign which shall not be internally illuminated or be a changing message sign.
2. The text that changes in a changing message sign is limited to a single color and must be a warm-toned off-white or similar color and the background must be a dark toned color as approved by the planning commission in compliance OMC 13-6-7 design review standards. The colors of the sign, letters, and background shall remain fixed.
3. Signs shall have a maximum luminance of not more than 0.2 footcandles over ambient lighting conditions.
4. Changing message signs shall have dimming capability to allow adjustment of sign brightness when required by the City to accommodate local ambient conditions.
5. An electronic message may not change more frequently than every thirty (30) seconds;
6. Rotating, traveling, pulsing, flashing or oscillating light sources, lasers, beacons, searchlights or strobe lighting shall not be permitted.
7. Electronic signs shall not exceed the number, type, size, and height requirements set forth in OMC 13-7-9;
8. Electronic signs shall be permitted only in the MUCTN, MUTC, and PF zones.
9. The sign structure must comply with the architectural design review standards found in OMC 13-6-7.

Section 5. OMC Section 13-7-6, Amended. Orting Municipal Code Section 13-7-6 is hereby amended as follows:

13-7-6: PROHIBITED SIGNS, ALL ZONES:

- C. Signs which blink, flash, rotate, contain changing images or text that are electronically generated, or are animated by lighting in any fashion that exceed the requirements of OMC 13-7-4. ~~or that are internally illuminated~~

Section 6. OMC Section 13-7-8, Amended. Orting Municipal Code Section 13-7-8 is hereby amended as follows:

13-7-8: TEMPORARY SIGNS:

B. ~~Placement And Size~~ **General Requirements.**

1. No temporary signs shall be located within the center median of principal, minor, and collector arterials or within roundabouts, traffic circles, or islands, or within ten (10) feet from any intersection so as to preserve driver site visibility. No temporary signs over thirty-six (36) inches in height are permitted within fifteen feet (15') of a road or driveway.
2. Temporary signs shall not be illuminated.
3. Temporary signs shall not be attached to any utility pole, fence, building, structure, object, tree or other vegetation located upon or within any public right-of-way or publicly owned or maintained land.
4. Except as provided herein, temporary signs shall not be erected without the permission of the owner of the property on which they are located, nor shall they be placed in such a manner as to obstruct or interfere with traffic or endanger the health or safety of people or endanger property.
5. Temporary signs shall be made of weather-resistant materials and shall be securely, anchored to a weighted base or structure or able to stand freely without toppling or blowing over. Signs and parts of signs that are blown or carried away from their intended location may be collected and disposed of as litter.
6. Temporary signs shall be maintained in good repair.
7. Flutter flag signs are not a permitted type of sign.
8. Temporary signs on public property, other than public rights of way, are prohibited, except:
 - i. Two (2) temporary signs may be utilized per business/vendor for permitted special events (see OMC 3-2-26) or permitted vendors (see OMC 8-6-3) on public property, subject to a valid special event permit for the duration of the special event or valid vendor permit, provided:
 1. The temporary signs shall not be affixed to any structures or fixtures owned by the City; and
 2. The temporary signs shall not exceed a maximum height of six (6) feet from the ground.

C. Additional Regulations Specific to Temporary Commercial Signs.

1. General Commercial Signs.

- a. No business or other party shall display more than two (2) temporary commercial signs simultaneously for no longer than thirty (30) continuous days.
- b. No two (2) temporary signs may be closer together than thirty (30) feet.
- c. Temporary signs may be displayed for no more than ~~six~~ three non-consecutive (63) 30-day periods, per sign, within a calendar year.

Section 7. OMC Section 13-6-9, Amended. Orting Municipal Code Section 13-6-9 is hereby amended as follows:

13-6-7 ARCHITECTURAL DESIGN REVIEW:

D. Architectural Design Review Standards: The following standards shall be employed in determining whether the application is consistent with turn of century: western or Victorian design theme:

5. Signs: The following standards may be used by the planning commission to interpret and apply the provisions of section 13-7-4 of this title to site specific conditions:

~~d. Illuminated exterior signs are not characteristic of early 1900s design and shall not be allowed; and~~

e. Illuminated exterior signs are not characteristic of early 1900s design and shall not be allowed as the primary business sign; and

f. Signs shall are preferred to be illuminated by indirect lighting ~~and~~ which shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicle traffic.

Section 8. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 9. Codification. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

Section 10. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ___ DAY OF _____, 2021.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kim Agfalvi, City Clerk

Approved as to form:

Charlotte A. Archer
Inslee, Best, Doezie & Ryder, P.S.
City Attorney

Filed with the City Clerk:
Passed by the City Council:
Date of Publication:
Effective Date:



City Council Staff Report

Project Name:	Sign Code Amendments
Applicant:	City of Orting
Date of Staff Report:	August 11, 2021
Date of Meeting:	August 18, 2021 (Study Session)
Staff Recommendation:	Approval
City Staff Contact:	Emily Adams, AICP Contract City Planner
Public Comment Period:	June 25 – July 7 and July 23 – August 2 following notices of planning commission public hearing and August 20 – September 3, 2021 (tentative) following notice of the City Council public hearing.
Public Notice:	Type 5 applications do not require notice of application per OMC 15-4-1. Notice of a public hearing was published and posted 10 days prior to the hearing per OMC 15-7-3.

Exhibits:

1. Staff Report
2. Proposed Ordinance

Findings of Fact

Currently under the sign code section and architectural design review code section internally illuminated signs are not permitted, but rather specify that signs shall be illuminated by indirect lighting.

Council directed staff to look at the City's current sign code and consider ways to amend the code to allow for electronic changing message center signs. Staff was also directed, by the commission, to look at the temporary sign regulations, specifically for flutter signs.

Changing Message Signs

The proposal is to amend the sign code and architectural design review (ADR) code to allow for internally lit, changing message signs. This includes new and revised definitions, amended purpose statements, and new and revised regulations. This type of sign will only be permitted as a secondary sign, a business' primary sign cannot be an internally lit sign or electronic changing message sign (the intent for these primary signs to conform to the sign and ADR code as it exists today, prior to these amendments).

These amendments allow signs to evolve with technology, and provides a means to the City and City's business to have a sign that is easily programmed to change messages, in compliance with the proposed code, rather than having to have manual changing message signs which takes staff time and money to do.

Temporary Signs

The second part of the proposal is to add additional temporary sign regulations to require maintenance and securing of the signs, reduce the amount of time temporary signs are allowed to be displayed in a calendar year, remove flutter flags as a permitted sign type, and exempt temporary signs associated with special event permits from location regulations (to allow for things like signs in the park for the farmers market). The length of time a temporary sign is currently allowed to be displayed is six, 30 days periods, allowing temporary signs to be displayed for six months out of the year. This is much longer than other jurisdictions, examples include:

- Enumclaw: 45 or 60 days
- Gig Harbor: 30 days
- Eatonville: 30 days (most temporary signs)
- Milton: 30 - 90 days
- Buckley: 30 days and 120 for temporary business signs
- Bonney Lake: 60 days

The proposal is to reduce that to three, non-consecutive, 30-day periods, or a total of three months.

Over the past months the planning commission has noted that many of these types of signs are seen fallen over, on the ground, and is disrepair. These code amendments aim to give flutter signs a definition, to be more easily identified and regulated, and provide for specific regulations in regard to securing and maintaining signs.

Public Hearing

A public hearing was held by the Planning Commission on July 7, 2021 and August 2, 2021. No comments were received.

Planning Commission recommendation

Following review of staff materials and two public hearings, the planning commission unanimously recommends approval of the sign code amendments as proposed.

Staff Recommendation

Staff recommends approval of the ordinance and amendments as proposed.

Reconsideration

A party to a public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the administrator within five (5) days of the oral announcement of the final decision. The request shall comply with OMC 15-10-4B.

Appeal

Appeals from the final decision of the city council shall be made to Pierce County superior court within twenty-one days of the date the decision or action became final in accordance with OMC 15-10-6.



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Police Reform Resolution	AB21-66	Public Safety	8.18.2021	
	Department:	Administration/Public Safety		
	Date Submitted:	8.12.2021		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	None			
Submitted By:	Scott Larson			
Fiscal Note: None				
Attachments: Resolution No. 2021-10				
SUMMARY STATEMENT:				
<p>In 2021 the Washington State Legislator considered and passed a number of police reform measures. Some of these measures severely restrict our ability to provide effective public safety including our ability to make reasonable suspicion detentions and use less lethal tools including “bean bag” shotguns. This resolution is a statement of the City Council that the legislature reconsider some of the reforms to allow us to continue providing effective and <i>timely</i> policing to our community.</p>				
RECOMMENDED ACTION: Move to regular meeting of August 25 th as a standalone item.				
FUTURE MOTION: MOTION: To adopt Resolution No. 2021-10, A resolution of the City of Orting, Washington, establishing and recommending legislative amendments to state law effecting policing in our community.				

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2021-10

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, ESTABLISHING AND RECOMMENDING
LEGISLATIVE AMENDMENTS TO STATE LAW
EFFECTING POLICING IN OUR COMMUNITY.**

WHEREAS, the 2021 Washington State legislative session considered and approved a number of police reforms in an attempt to address concerns raised by citizens; and

WHEREAS, the citizens of Orting participated in these conversations in numerous ways including through protests and marches; and

WHEREAS, the City appreciates many reforms that increase accountability and provide transparency for use of force and discipline; and

WHEREAS, Engrossed Second Substitute House Bill 1310 pertaining to use of force severely limits our ability to detain a suspect for reasonable suspicion during an investigation; and

WHEREAS, reasonable suspicion allows our Police to detain individuals matching a description reported to 911 while Probable Cause is established; and

WHEREAS, this change in law will allow people who the Police reasonably believe allegedly committed a crime to walk away from our Officers; and

WHEREAS, Engrossed Substitute House Bill 1054 pertaining to tactics and equipment erroneously lumps less lethal “beanbag” shotguns under the term Military Equipment, which this law bans; and

WHEREAS, less lethal shotguns are critical tools in an Officers tool kit to avoid having to escalate to more damaging or deadly force;

NOW, THEREFORE, the City Council of the City of Orting, Washington, does resolve as follows:

Section 1. Establishment of Recommended Legislation. The City Council of the City of Orting hereby establishes and recommends the State legislator at a minimum amend State Law to allow for the following:

1. Reasonable Suspicion Detention, this tool provides an opportunity to detain a suspect while probable cause is determined so that people who are alleged to have just committed a crime cannot pose a further danger to the public at large.

2. Less Lethal Weapons: The legislature should revise its definition of Military Equipment that commonly available and not typically considered “Military Equipment.”

Section 2. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

**PASSED BY THE ORTING CITY COUNCIL AT A REGULAR MEETING
THEREOF ON THE ____ DAY OF _____ 2021.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kim Agfalvi, City Clerk

Approved as to form:

Charlotte Archer, City Attorney
Inslee Best, PLLC