

**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.

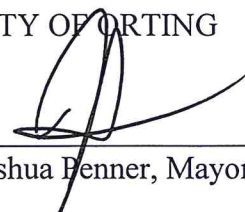
Section 8. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, 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.

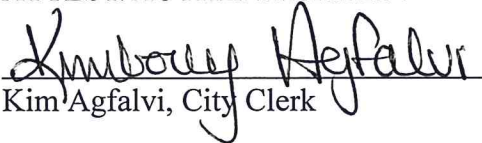
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 8th DAY OF September, 2021.

CITY OF PORTING



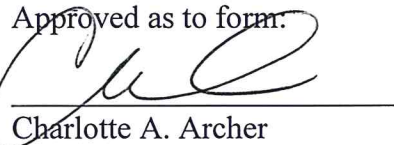
Joshua Penner, Mayor

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: 8.30.2021
Passed by the City Council: 9.8.2021
Date of Publication: 9.10.2021
Effective Date: 9.15.2021