

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2023-1103**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO SIGNS; AMENDING
ORTING MUNICIPAL CODE CHAPTER 13-7; 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 create a cohesive aesthetic for signs in the City, provide opportunity for adequate identification and advertising, and to create consistency and predictability in the sign code; and

WHEREAS, in accordance with the requirement set forth in RCW 36.70A.106, on November 8, 2022, the City provided the Washington State Department of Commerce notice of the City's intent to adopt the proposed ordinance for its review and comment period; and

WHEREAS, the City's Planning Commission held a public hearing on the proposed amendments on December 5, 2022 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 February ____, 2023, 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 13-7-2, Amended. Orting Municipal Code Section 13-7-2 is hereby amended as follows:

13-7-2 DEFINITIONS

BANNER SIGN: A permanent temporary sign constructed of a rectangular shape of fabric or other suitable material which is attached or suspended at two (2) ends or continuously across the long side. Attachment or suspension may be from buildings and/or poles. Flags, insignias, canopy signs, and posters are not considered "banner signs".

CANOPY SIGN: Any permanent sign that is part of or attached to a canopy, or a non-rigid, retractable or non-retractable, protective covering located at the entrance to a structure. Canopy, under canopy, projected, and wall signs are considered wall signs for the purpose of determining sign area. Canopy signs must comply with the architectural design review process stated in 13-6-7 of this code.

~~CENTER, SHOPPING: A multi-tenant building with one or more stories used for retail and service uses with a shared building and/or parking area.~~

FAÇADE: The entire building front, or street wall face, including grade to the top of the parapet or eaves, and the entire width of the building elevation. Façade is calculated by multiplying the width of the building front by the height of the building façade.

FLAG LOT: A large lot not meeting minimum street frontage requirements where access to the street is provided by a narrow, private driveway. Development on flag lots created after November 1, 2005, shall be subject to review and approval standards.

FREESTANDING SIGN: A permanent sign, not attached to any building or structure, which is securely and permanently attached to the ground or a built-up landscaped area. The height of a freestanding sign shall be measured from the crown of the road adjacent to the location of the sign or from the ground at the base of the sign supports to the top of the sign, whichever is higher in elevation. Freestanding signs must comply with the architectural design review process stated in 13-6-7 of this code.

FRONTAGE: The measurement, in linear feet, of the length of the property line for a single-tenant building or length of leased building frontage for multitenant buildings or multi building complexes that abuts a public or private street right-of-way. If the building abuts a public or private right of way on more than one side, the right of way which the building addresses off of will be used to determine frontage.

~~MONUMENT SIGN: A permanent freestanding sign, not attached to any building or structure, having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete that are harmonious with the materials of the primary structure on the subject property.~~

PROJECTING SIGN: A permanent wall sign that is attached perpendicularly to the façade of the building. Canopy, under canopy, projected, and wall signs are considered wall signs for the purpose of determining sign area. Projecting signs must comply with the architectural design review process stated in 13-6-7 of this code.

RETAIL OR MIXED USE CENTER: A shopping center or other mixed use property having four or more tenants.

UNDER CANOPY SIGN: Any permanent sign that is mounted underneath a canopy or a non-rigid, retractable or non-retractable, protective covering located at the entrance to a structure. Canopy, under canopy, projected, and wall signs are considered wall signs for the purpose of determining sign area. Under canopy signs must comply with the architectural design review process stated in 13-6-7 of this code.

WALL SIGN: Any permanent sign attached directly to and supported by the wall of a building or permanent structure. Canopy, under canopy, projected, and wall signs are considered wall signs for the purpose of determining sign area. Wall signs must comply with the architectural design review process stated in 13-6-7 of this code.

Section 3. OMC Section 13-7-4, Amended. Orting Municipal Code Section 13-7-4 is hereby amended as follows:

13-7-4: GENERAL REGULATIONS

J. Sign Area Determinations:

1. Sign area for freestanding signs ~~other than monument signs~~ shall be calculated by determining the total surface area of the sign as viewed from any single vantage point, excluding support structures.
2. Sign area for letters or symbols painted or mounted directly on wall or ~~monument freestanding~~ signs shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols.
3. Sign area for signs contained entirely within a cabinet and mounted on a wall or ~~monument freestanding sign~~ shall be calculated by measuring the entire area of the cabinet.

M. Right of Way Frontage Determination for Flag Lots:

1. The maximum sign area for freestanding signs is determined by the frontage on a public right of way. Frontage for flag lots is determined by the length, in linear feet, of the building which contains the primary entrance to the uses within the building.

N. Wall Sign Area Determination:

1. 1. Canopy, under canopy, projected, and wall signs are considered wall signs for the purpose of determining sign area.

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

13-7-7: SANDWICH BOARD SIGNS

A. Sandwich board signs are a type of temporary sign permitted by the City in accordance with this Chapter. ~~but are subject to the permitting process for permanent signs., including architectural design review process stated at section 13-6-7 of this code. Applicants must provide all information required in sections 13-6-7 and 13-7-5 of this code to the City of Orting Building Department and must also provide the City with proof of continuous liability insurance for any harm attributable to the sign in an amount established by the City at the time of permit issuance.~~

10. Sandwich board signs shall meet the City's color palette.

Section 5. OMC Section 13-7-9, Amended. Orting Municipal Code Section 13-7-9 is hereby amended as follows:

13-7-9: LIMITATIONS ON PERMANENT SIGNS:

A. Number, Type, Size, And Height Limitations: All signs subject to regulation under this chapter are subject to the following limitations upon number, height, size, and type:

Frontage On A Public Right of Way In Feet	Number of Signs Permitted	Type of Signs Permitted	Total-Aggregate Limit-Of-All-Signs Maximum Sign Area for Wall Signs	Maximum Sign Area for Freestanding Signs	Maximum Height of Signs
Less than 50	2	Canopy, wall, under canopy, and projecting	Maximum of 10% of square footage of building facade	--	Building Signs shall not extend above the roofline. Projected signs and under canopy signs must provide a minimum 7'6" vertical clearance from sidewalk
At least 50 but less than 100	2	Parapet-signs , Canopy, wall, under canopy, projecting, and freestanding	Maximum of 10% of square footage of building façade	72 sf (both faces) 36 sf (per face)	Building Signs shall not extend above the roofline. Freestanding signs shall not exceed 5 feet and must be set back a minimum of 5' from any property lines. Projected signs and under canopy signs must provide a minimum 7'6" vertical clearance from sidewalk
At least 100 but less than 200	2	Parapet-signs , Canopy, wall, under canopy, projecting, and freestanding	Maximum of 10% of square footage of building façade	100 sf (both faces) 50 sf (per face)	Building Signs shall not extend above the roofline. Freestanding signs shall not exceed 5 feet and must be set back a minimum of 5' from any property lines. Projected signs and under canopy signs must provide a minimum 7'6" vertical clearance from sidewalk
At least 200 but less than 300	3	Parapet-signs , Canopy, wall, under canopy, projecting, and freestanding	Maximum of 10% of square footage of building facade	130 sf (both faces) 65 sf (per face)	Freestanding signs shall not exceed 5 feet and building signs shall not extend above the roofline. Freestanding signs must be set back a minimum of 5' from any property lines. Projected signs and under canopy signs must provide a minimum 7'6" vertical clearance from sidewalk.
Greater than 300	3	Parapet-signs , Canopy, wall, under canopy and freestanding	Maximum of 10% of square footage of building facade	160 sf (both faces) 80 sf (per face)	Freestanding signs shall not exceed 8 feet and building signs shall not extend above the roofline. Freestanding signs must be set back a minimum of 5' from any property lines. Projected signs and under canopy signs must provide a minimum 7'6" vertical clearance from sidewalk.

Section 6. 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 97 Codification. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

Section 8. 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.

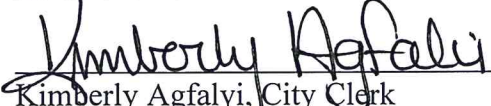
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25th DAY OF JANUARY, 2023.

CITY OF PORTING



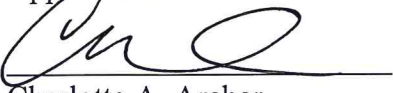
Joshua Penner, Mayor

ATTEST/AUTHENTICATED:



Kimberly 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: