

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2023-1106**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO SIGNS; AMENDING
ORTING MUNICIPAL CODE CHAPTER 13-7-9;
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, by Ordinance No. 2023-1103, the City recently updated 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, inclusive of proposed amendments to Orting Municipal Code (OMC) 13-7-9 (B), 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, upon adoption, staff noted that the Ordinance, as adopted, omitted proposed amendments to OMC 13-7-9 (B), which were reviewed by the Planning Commission and recommended for adoption; and

WHEREAS, in response thereto, staff prepared this amending Ordinance to add the proposed amendments to OMC 13-7-9 inadvertently omitted from Ordinance No. 2023-1103; 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 13-7-7, Amended. Orting Municipal Code Section 13-7-7 is hereby amended in part as follows:

A. Sandwich board signs are a type of temporary sign permitted by the City in accordance with this Chapter.

B. Sandwich board signs are allowed subject to the following restrictions:

1. Sandwich board signs are limited to thirty-six inches (36") in height and thirty inches (30") in width. They must be constructed of durable materials.

2. Sandwich board signs may be located on public sidewalks or adjacent areas in a manner so as to allow adequate pedestrian circulation allowing a minimum of three (3) feet of available sidewalk path, including safe and unconstrained access to parked vehicles. Sandwich board signs shall be placed adjacent to the sign owner's business or premises except when the applicant can demonstrate a need for placement up to one hundred feet (100') from the business or premises and with the permission of the immediately adjacent property owner(s).

3. No sandwich board sign shall be placed within thirty feet (30') of another sandwich board sign.

4. Under no circumstances may a sandwich board sign be placed on the portion of the public right of way upon which vehicles regularly traverse or park. No sign shall be placed in median strips, planter/traffic islands, or in the roadway, including on vehicles. The City shall determine, at its sole discretion, the approved location of sandwich board signs to ensure pedestrian safety and vehicle circulation. Sandwich board signs shall not be located within thirty feet (30') of street intersections or where they inhibit motorist sight distances.

5. No single business or other party shall site more than one sandwich board sign within the City.

6. Sandwich board signs may only be displayed during the hours the premises or business is open to the general public, provided non-commercial sandwich board signs may be placed in the public right of way for a maximum period of twelve (12) hours per each twenty-four (24) hour period.

7. Sandwich board signs that are not permitted or are otherwise out of compliance with this Chapter shall be abated by the City, pursuant to the process set out in this Chapter.

8. The sign owner shall maintain the sign in the condition originally approved.

9. Sandwich board signs are not subject to the time limits as stated in section 13-7-8 C-1-iii.

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

Section 3. OMC Section 13-7-9, Amended. Orting Municipal Code Section 13-7-9 is hereby amended in part as follows:

B. Retail Or Mixed Use Centers:

1. One freestanding ~~monument~~ sign shall be permitted for each street frontage of each center, subject to architectural design review and permitting under sections 13-6-7 and 13-7-11 of this code. The maximum sign area permitted is one hundred sixty (160) square feet for the

total of all faces, and no one face shall exceed eighty (80) square feet. The maximum height of a monument freestanding sign shall be eight feet (8').

2. A maximum of thirty four (340) square feet of wall sign area shall be permitted for each individual establishment in a center, subject to architectural design review and permitting under sections 13-6-7 and 13-7-11 of this code.

C. Other Permitted Permanent Signs:

1. Permanent Residential Development Signs: One sign at each entrance into the development from each abutting street is permitted, subject to architectural design review and permitting under sections 13-6-7 and 13-7-11 of this code. The sign may be a single sign with two (2) faces of equal size or may be two (2) single faced structures of equal size located on each side of the entrance. Sign faces shall not exceed thirty-two (32) square feet in area. Signs may be externally illuminated.

a. Development signs shall be maintained perpetually by the developer, the owner of the sign, the homeowners' association, or some other entity who is authorized in accordance with the permit.

2. Permanent Residential Home Based Business Signs: Home based businesses may display a limit of one sign. The sign shall be no more than six (6) square feet in size and requires a city permit. The sign will not require Architectural Design Review. The sign can be placed on the home or in the yard. If the sign is placed in the yard it must be at least one (1) foot away from sidewalks and/or the property line. The sign cannot be more than 3' high from the ground. No lighting allowed of any type. In neighborhoods with Home Owners Association Covenants and Restrictions, home based business signs may not be allowed.

D. Projected And Under Canopy Permanent Signs: Projected and under canopy signs are subject to architectural design review and permitting under sections 13-6-7 and 13-7-11 of this code. A projected sign or under canopy sign may encroach within, upon or over the public right of way, including any public sidewalk, provided that, such sign meets the requirements of this Chapter, the proposed sign is designed and constructed so as not to interfere with the sight distance of, or otherwise present a hazard to, motorists proceeding on or approaching on adjacent streets, alleys, driveways, or parking areas, or of pedestrians proceeding on or approaching on adjacent sidewalks or pedestrian ways, and the sign meets the provisions of section 13-7-8 of this code.


Section 3. 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 4. Codification. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.


Section 5. 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 14th DAY OF JUNE, 2023.**


CITY OF ORTING


Joshua penner (Jun 28, 2023 16:44 PDT)
Joshua Penner, Mayor

ATTEST/AUTHENTICATED:


Kim Agfalvi (Jun 28, 2023 16:46 PDT)
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:











ORD 2023-1106 Sign Code Amendments - Council Modification


Final Audit Report

2023-06-28


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-  Signer penner@cityoforting.org entered name at signing as Joshua penner
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