

ORDINANCE NO. 664

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO DEVELOPMENT FEES, CHANGING THE MANNER IN WHICH SUCH FEES ARE ADOPTED FROM THE ORDINANCE TO THE RESOLUTION PROCEDURE; AMENDING GHMC SECTIONS 3.40.010 AND 17.80.030; AND REPEALING GHMC SECTIONS 3.40.020 AND 3.40.030.

WHEREAS, the City of Gig Harbor has adopted application fee schedules by ordinance for various land use development permits and building inspections as necessary to ensure adherence to municipal and state regulations; and

WHEREAS, in order to also ensure that the fees charged by the City for permit processing and building inspections adequately cover the City's cost of providing such services to the public, it is necessary for City staff to review current fee schedules and to evaluate the actual costs involved in processing permit applications and conducting inspections; and

WHEREAS, the existing procedure for amending the fee schedules is to require approval by the Council by ordinance, which fees are then codified in the Gig Harbor Municipal Code; and

WHEREAS, given that the fees are subject to change, a fee schedule adopted by ordinance could become outdated before codified and the City desires to change this procedure; now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The title of chapter 3.40 of the Gig Harbor Municipal Code and Section 3.40.010 are hereby amended to read as follows:

Chapter 3.40

ADOPTION OF FEES FOR LAND USE DEVELOPMENT
APPLICATIONS, PERMITS AND INSPECTIONS

3.40.010. Fees for Land Use Development Applications, Permits and Inspections.

The City Council shall establish fee schedules for planning and building applications and permits, engineering plan review fees, and construction inspection fees by resolution, and may similarly adjust such fees periodically.

Section 2. Section 3.40.020 of the Gig Harbor Municipal Code is hereby repealed.

Section 3. Section 3.40.030 of the Gig Harbor Municipal Code is hereby repealed.

Section 4. Section 17.80.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.80.030 Permits Required. The following regulations shall apply to all signs.

- A.** A special sign overlay district is adopted and portrayed on Map 1. The standards of this chapter shall be applied as defied in the specific overlay areas.
- B.** No sign shall be installed, constructed, painted, structurally altered, posted or applied without first obtaining a sign permit from the code administrator, unless exempted by this chapter. A separate permit shall be required for each group of signs on a single supporting structure installed simultaneously. Thereafter, each additional sign erected on the structure must have a separate permit.

C.A. Permit Requirements.

1. **Application/Fees.** Applications for signs shall be accompanied by:
 - a. Two site plans showing the location of the affected lot, building(s) and sign(s), showing both existing signs;
 - b. Two copies of a scale drawing of the proposed sign or sign revision, including size, height, copy, structural, footing details, material specifications, method of attachment, illumination, front and end views of marquees, calculation for dead load and wind pressure, photograph of site and building marked to show where sign or marquee is proposed, and any other information required to ensure compliance with appropriate laws;
 - c. Written consent of the owner of the building, structure, or property where the sign is to be erected;
 - d. A permit fee ~~as provided in the following fee schedule~~ is adopted by Resolution of the City Council.

- i. **Exemptions.** The code administrator may waive submission of plans and specifications when the structural aspect is of minor importance.
- ii. **Permit fees.** Permit fees shall be in accordance with the following fee structure:

<u>TYPE OF SIGN</u>	<u>SIZE</u>		
	<u>25-50 sq ft</u>	<u>51-99 sq ft</u>	<u>100 sq ft/more</u>
<u>Projecting</u>	<u>\$35.00</u>	<u>\$45.00</u>	<u>\$55.00</u>
<u>Wall sign, nonelectric</u>	<u>35.00</u>	<u>45.00</u>	<u>55.00</u>
<u>Wall sign, electric</u>	<u>40.00</u>	<u>50.00</u>	<u>60.00</u>
<u>Ground, nonelectric</u>	<u>50.00</u>	<u>65.00</u>	<u>70.00</u>
<u>Ground, electric</u>	<u>60.00</u>	<u>70.00</u>	<u>80.00</u>
<u>All signs less than 25 sq. ft.:</u>	<u>\$10.00</u>		
<u>Change of sign, all sizes:</u>	<u>\$10.00</u>		
<u>Variance Application:</u>	<u>\$100.00</u>		

- 2. **Administrative Requirements.** The code administrator shall ascertain that the sign installer has a valid Washington State contractors license, unless the sign is being installed by the owner of the sign.
- 3. **Variances.** Any person may apply to the hearing examiner for a variance from the requirements of this chapter. Variances shall be processed by the code administrator. The hearing examiner may grant a variance from the provisions and/or the requirements of the chapter when:
 - a. The granting of the variance would not be materially detrimental to the property owners in the vicinity and the variance sought is of minimum sign size, height, and scope to meet the conditions and needs of the applicant; and
 - b. The granting of the variance would not be contrary to the objectives of this chapter; and

- c. The signage of the property in question cannot be adequately met under the literal interpretation and strict application of the chapter; and
 - d. The granting of the variance is necessary because of special circumstances relating to property location, topography, shape, and size; site distance and limited view to property; and/or dependency of business to visual access of freeway traffic in the freeway interchange area (Area 1).
4. Administrative Waiver -- Off-premises Signs. Off-premises commercial signs are prohibited by the city, unless a waiver is granted by the code administrator for an off-premises directional sign. Waivers shall only be granted upon a clear demonstration that the applicant's business or property is not visible from any streets or roads or on-premises signing cannot adequately convey the location and identity of the business to consumers who would normally use the business.
- a. Such signs shall be directional only (no advertising other than name and location).
 - b. No more than two such signs for each business shall be approved.
 - c. The total area of the sign shall not exceed twenty-four square feet, such sign(s) must be permanently installed on private property, and the application must be accompanied by written permission of the owner of the property where the sign is to be located. Portable directional signs are not permitted, except real estate directional signs.
 - d. Such sign shall meet all other applicable provisions of this chapter.
 - e. If more than one business in an immediate area has need for an off-premise directional sign, all must be identified on the same sign.

| **D.B. Sign Standards and Conditions.**

1. General Regulations.
 - a. No sign or any part of a sign shall be designed or constructed to be moving by any means, and shall not contain items such as banners, ribbons, streamers and spinners. These devices, when not part of any sign, are also prohibited. Limited use of thematic flags, banners and pennants, which are complementary to a specific location or structure may be permitted upon approval of the code administrator. This waiver is not intended to

permit the use of numerous types of devices which as a result of wind pressure may move to a point of attracting attention of vehicular and pedestrian traffic.

- b. Exposed braces and angle irons are prohibited. Guywires are prohibited unless there are no other practical means of supporting the sign.
- c. No sign shall have blinking, flashing, fluttering or moving lights or other illuminating device which has a changing light intensity or color; provided, however, temperature and/or time signs that conform in all other aspects to this chapter are allowed.
- d. No window signs above the first floor shall be illuminated.
- e. The structure and installation of all signs shall comply with the latest adopted edition of the Uniform Building Code.
- f. Such sign shall meet all other applicable provisions of this chapter.
- g. If more than one business in an immediate area has need for an off-premises directional sign, all must be identified on the same sign.
- h. All signs, together with all of their supports, braces, guys and anchors, shall be maintained in good repair and in a safe, neat, clean and attractive condition.
- i. The light directed on, or internal to, any sign shall be so shaded, shielded and/or directed so that the intensity or brightness shall not adversely affect safe vision of operators of vehicles moving on private or public property or pedestrians on a public right-of-way. Electric signs shall not use incandescent bulbs for internal illumination. Lighted signs visible from nearby residences shall have low or soft illumination or be shielded in a manner to not adversely affect such residents.
- j. Portable signs shall not exceed twelve square feet in sign area and no more than one such sign may be displayed per business. Portable signs must be located on the premises to which they relate, except real estate directional signs.

- k. Abandoned signs shall be removed by the owner or lessee of the premises upon which the sign is located after the business or service advertised is no longer conducted on the premises.
 - 2. Freestanding Ground Signs.
 - a. Sign height is the vertical distance from the highest point of the sign to the finished grade at the base of the supports.
 - b. Freestanding signs shall not be permitted in any area of the city.
 - c. Height standards:
 - Areas 1 and 2 Ground signs shall not exceed twelve feet in height.
 - Area 3 Ground signs shall not exceed six feet in height.
 - d. Sign surface standards:
 - Areas 1 and 2 Fifty square feet for a single side or one hundred square feet total both sides.
 - Area 3 Twenty-four square feet for a single side or forty-eight square feet total both sides.
 - e. Location. Ground signs may not be located on public property. Sites on a corner of two public streets may have one sign on the corner instead of a sign for each frontage. Placements in these locations are subject to approval by the public works director. The placement of ground signs shall be in such a fashion and location as to not obstruct the view of signs of adjacent property owners.
 - f. Number.
 - i. One ground sign shall be permitted on each street frontage of property on which the business is located.
 - ii. If a projecting sign is used, no free-standing sign shall be permitted on the property.
 - g. Landscaping.

- i. Each sign shall have a landscaped area twice the size of the sign area at the base of the sign. The landscaping and sign base shall be protected from vehicles by substantial curbing.
- ii. Permits for signs shall not be granted until required landscaping is installed or a bond or assigned funds in the amount of one hundred twenty-five percent of the estimated cost of the landscaping is provided.
- iii. These requirements may be waived if the sign is located in an area that is part of an approved overall site landscape plan.

3. Wall Mounted Signs.

- a. Total area. Painted or attached signs on any wall shall not exceed the following ratios:

Area 1 Two Square feet of sign area to one lineal foot of building front; provided however, fifty square feet of sign area is guaranteed each business frontage. Those businesses with both a building front and one side wall exposure to vehicular and pedestrian traffic may, as an option for purposes of calculating total wall sign area, add the lineal footage of the building front and side wall then divide by two.

Area 2 One and one-half square feet of sign area to one lineal foot of building front. Those businesses with both a building front and one side wall exposure to vehicular and pedestrian traffic may, as an option for purposes of calculating total wall sign area, add the lineal footage of the building front and side wall then divide by two.

Area 3 One square foot of sign area for every lineal foot of wall upon which it is mounted or fifty square feet, whichever is less.

- b. Wall signs shall not project above roof-lines.

4. Window Signs.

- a. Where a window sign is utilized in place of a wall sign, the area standards contained in paragraph 'a' of subdivision '3' of this subsection shall apply.
- b. In addition to the area requirements of paragraph 'a' of this subdivision, businesses are allowed one painted window sign identifying the business. The maximum area of these signs is six square feet.
- c. Signs above the first floor are not included in the maximum sign area of a site, and are allowed to businesses located above the first floor with a maximum area of one square foot of sign area for each lineal foot of window frontage.

5. Projecting Signs.

- a. Surface area:

Area 1 and 2 Thirty-two square feet total both sides.

Area 3 Thirty-two square feet total both sides and shall be engraved or painted wood or painted metal.

- b. All projecting signs must be at least eight feet above sidewalks and walkways and fifteen feet above vehicular ways.
- c. Sign shall not project more than three feet or one-third the width of the sidewalk or walkway.
- d. Businesses choosing to use projecting signs shall reduce the amount of allowable wall mounted or window sign area by the proportionate amount of sign area allowed under subparagraph 'a' of subdivision '3' and paragraph 'a' of subdivision '4' of this subsection respectively.

6. Shopping Center Identification Sign(s). Each shopping center as qualified below may be permitted a shopping center identification sign(s). The shopping center identification sign shall be limited to one sign per street frontage, and subject to the height and size requirements of shall be permitted for shopping centers which contain no less than ten separate tenants, and restricted to only the identification of the shopping center. The shopping center identification sign shall be located in a planter of appropriate dimension. Individual tenants/businesses within a planned shopping center shall only be allowed to use wall signs.

7. **Office Building Identification Sign.** In addition to those signs permitted by this chapter, each office building as qualified below may be permitted a building identification sign. The sign shall be in architectural harmony with the design of the buildings to be identified. The office building identification sign shall be limited to one sign per street frontage, and subject to the height and size requirements of the areas in which the building is located. One such sign(s) shall be permitted for office buildings which contain no less than four tenants or any institutional use, and the copy shall include only the name of the office building or institutional use. A directory or other exclusively informational listing of tenant's names may be attached, provided the area does not exceed twelve square feet.
8. **Sidewalk/Sandwich Board.** One sidewalk or sandwich board sign per business shall be permitted subject to the following:
 - a. Signs shall be located next to the curb edge of a sidewalk on premises in such a manner so as not to interfere with the opening of car doors, bus stops, loading zones, or pedestrian traffic.
 - b. Signs shall be located directly in front of the sponsoring business, with twelve feet of the main entrance to the business and during business hours only.
 - c. Owners of such signs shall assume liability for damage resulting from their use and shall provide the city with an appropriate legal document holding the city harmless for such resulting loss.
 - c. No sign shall be located so as to create a traffic safety hazard by interfering with the vision of drivers entering or leaving the premises.
 - e. Maximum allowable sign area shall be twelve square feet.
9. **Wall Graphics.** There are no restrictions on wall graphics provided that they do not constitute advertising of a business or product normally subject to the provisions for painted signs.

Section 5. Annual Review and Update. The Department of Planning and Building shall evaluate and review the fee schedule on an annual basis in the month of June and shall recommend adjustments as necessary for the following budget year.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK: January 20, 1994

PASSED BY THE CITY COUNCIL: February 14, 1994

PUBLISHED: February 23, 1994

EFFECTIVE DATE: February 28, 1994

SUMMARY OF ORDINANCE NO. 664

of the City of Gig Harbor, Washington

On the 15th of February, 1994, the City Council of the City of Gig Harbor, passed Ordinance No. 664. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO DEVELOPMENT FEES, CHANGING THE MANNER IN WHICH SUCH FEES ARE ADOPTED FROM THE ORDINANCE TO THE RESOLUTION PROCEDURE; AMENDING GHMC SECTIONS 3.40.010 AND 17.80.030; AND REPEALING GHMC SECTIONS 3.40.020 AND 3.40.030.

The full text of this Ordinance will be mailed upon request.

DATED this 15th day of February, 1994.

CITY ADMINISTRATOR, MARK HOPPEN