

## ORDINANCE NO. 1396

### AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING; EXTENDING INTERIM ZONING CODE AMENDMENTS RELATED TO SIGNS; ESTABLISHING A WORK PROGRAM; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the City of Gig Harbor is authorized to impose moratoria and interim land use controls pursuant to RCW 36.70A.390 and RCW 35A.63.220; and

WHEREAS, on December 11, 2017, the Gig Harbor City Council adopted Ordinance No. 1379 adopting of interim sign code regulations relating to the Reed v. Town of Gilbert United States Supreme Court decision; and

WHEREAS, due to planning staff departures and the reorganization of the Planning Department, the Planning Commission does not have time or staff resources in 2018 to conduct the work program contained in Ordinance 1379; and

WHEREAS, four of the seven Council members are new as of January 2018 and the current City Council would like to review the interim regulations and any recent case law related to signs to determine if any policy direction change is needed; and

WHEREAS, the City Council deems it to be in the public interest to extend the interim zoning regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City to extend interim regulations for a period of six months after a public hearing and adoption of findings justifying the same; and

WHEREAS, the Gig Harbor City Council held a public hearing on October 8<sup>th</sup>, 2018, to take public testimony relating to this ordinance; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF Gig Harbor, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to extend the interim regulations set forth in Ordinance No. 1379 for a period of six months.

Section 2. Findings in Support of Extending Interim Regulations. In addition to the findings previously made as set forth in Ordinance No. 1379, the Gig Harbor City Council makes the following additional findings:

1. The City Council adopts the recitals set forth above in support of extending the interim regulations originally adopted under Ordinance No. 1379.

Section 3. Extension of Interim Zoning Regulations. The duration of the interim zoning regulations shall remain in effect for an additional period of six months and shall automatically expire unless the same are extended as provided in RCW 36.70A.390 and RCW 35A.63.220 prior to the date of expiration, or unless the same are repealed or superseded by permanent regulations prior to that date.

Section 4. Planning Commission Work Plan. The City of Gig Harbor Planning Commission is hereby directed to review the interim regulations in 2019 after the City Council provides policy direction to the Planning Commission on the permanent sign code. The Commission shall make a recommendation on whether said amendments, or some modification thereof, should be permanently adopted. The Gig Harbor Planning Commission is directed to complete its review, to conduct such public hearings as may be necessary or desirable, and to forward its recommendation to the Gig Harbor City Council by the first council meeting in May 2019.

Section 5. Transmittal to Department. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington State Department of Commerce.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 8. Effective Date. This Ordinance shall be published and shall take effect and be in full force five (5) days after the date of publication.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 22nd day of October, 2018.

CITY OF GIG HARBOR

Kit Kuhn  
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Mayor Kit Kuhn

ATTEST/AUTHENTICATED:

Molly M Towslee  
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Molly M. Towslee, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney



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Angela Summerfield

FILED WITH THE CITY CLERK: 10/03/18  
PASSED BY THE CITY COUNCIL: 10/22/18  
PUBLISHED: 10/25/18  
EFFECTIVE DATE: 10/30/18  
ORDINANCE NO: 1396