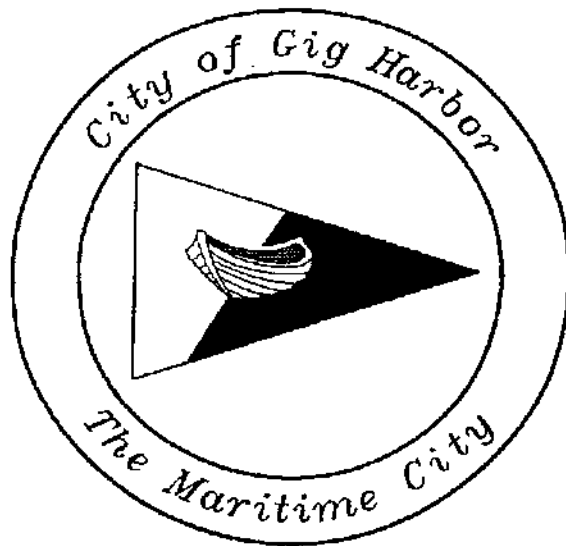


# **Gig Harbor City Council Meeting**



**March 9, 1998**

**7:00 P.M., CITY HALL COUNCIL CHAMBERS**



**AGENDA FOR GIG HARBOR CITY COUNCIL MEETING**  
**March 9, 1998 - 7:00 p.m.**

**CALL TO ORDER:**

**SPECIAL PRESENTATION:** Announcement of Promotion – Sgt. Kelly Busey.

**APPROVAL OF MINUTES:**

**CORRESPONDENCE / PROCLAMATIONS:**

**OLD BUSINESS:**

1. First Reading of Ordinance (Continuation) – Planning Commission Recommendations on Amendments to Chapter 17.80 – Sign Code.
2. First Reading of Ordinance (Reintroduction) - Planning Commission Recommendation on Amendments to Chapter 17.98 – Design Review.
3. Resolution – Fee Schedule Update for 1998.

**NEW BUSINESS:**

1. Communications Maintenance Contract.
2. Backhoe Attachment – Purchase Authorization.
3. Federal Aid Projects – Right-of-Way Acquisition Procedures.
4. Nomination to Pierce Transit Board of Commissioners.
5. Liquor License Renewals – Maritime Mart, Eagles, Gig Harbor Texaco, and Tide Tavern.

**PUBLIC COMMENT/DISCUSSION:**

**ANNOUNCEMENTS:** Invitation to the Public – Vacancies on the Planning Commission.

**COUNCIL COMMENTS:**

**STAFF REPORTS:**

Chief Mitch Barker – GHPD Stats.

**ANNOUNCEMENTS OF OTHER MEETINGS:**

**APPROVAL OF BILLS:**

**EXECUTIVE SESSION:** For the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).

**ADJOURN:**



**DRAFT**

**REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 23, 1998**

**PRESENT:** Councilmembers Ekberg, Young, Platt, Owel, Dick, Picinich, Markovich and Mayor Wilbert.

**PUBLIC HEARING:**

Closed Record Appeal – Hearing Examiner’s Decision SDP-97-05, Sunset Yacht Sales. The Mayor opened the public hearing at 7:10 and announced that this would be a closed record appeal on the Hearing Examiner’s Decision for Sunset Yacht Sales. Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues. Councilmember Owel explained that she had been contacted by Sharon Williams, who voiced concerns about the navigation channel. Councilmember Owel said that she still could act impartially on any decision regarding this matter. Mayor Wilbert then asked if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to the question. Mayor Wilbert read the rules pursuant to a closed record appeal and explained that the appellant and applicant would have ten minutes each to present their testimony to the Council. She then asked the representative for the project and the parties making the appeal, to take an oath of honesty in any testimony that they may give.

Ray Gilmore, Planning Director, introduced the issue and gave an overview of the documents contained in the council packet pertaining to the appeal of the Hearing Examiner’s decision for conditional approval of the shoreline permit for the addition of four moorage spaces. Howard Jensen, Legal Counsel, explained to Council that they would only be hearing and deliberating on information presented to the Hearing Examiner. He added that the appellant would have the right of appeal on to the Shorelines Hearing Board if they were not satisfied with any action that Council may take. He said that the only persons who would be allowed to speak would be the appellants, the applicant or their attorneys.

Albert Malanca – Mr. Malanca explained that he was an appellant speaking on his own behalf as well as on behalf of another appellant, Randy Babich. He explained that Mr. Babich had given him his ten minutes to speak. Mr. Malanca voiced his concerns regarding inadequate, improper notice, navigational problems, and the opposition of the immediate neighbors to the proposed project. He said that there was only one publication in the newspaper, and that the city failed to follow its own Shoreline Master Program’s requirement to publish notice in the official newspaper twice. Mr. Malanca continued to describe the potential danger to citizens due to the narrow navigational channel at the location, and to describe the opposition to the project by three of the immediate neighbors. He requested that Council make a motion to void the application and require the parties to begin again due to the lack of legal notice.

Councilmember Picinich asked Staff about Mr. Malanca's statement regarding the lack of notification. Mr. Gilmore explained that he had followed the State's Regulatory Reform act of 1995 for notification requirements. Howard Jensen explained that the State Shoreline Management Act only requires one publication, and that the City had not yet updated their Shoreline Master Program to match the State requirements. Councilmember Owel suggested that these issues should be discussed during the New Business portion of the meeting to allow the continuance of the public hearing.

Mr. Malanca passed out copies of sections from the city's Shoreline Master Program and continued with examples from the document regarding permitting, special consideration to public comment, location, views, and adverse affect on surrounding areas. He added that a pump-out station at this location would create congestion at the mouth of the harbor. He attempted to show overhead photos to illustrate his point. Howard Jensen reinforced that this would be considered new testimony and would not be allowed. Mr. Malanca concluded by saying that a field study had not been sufficiently performed by the Permit Administrator and that this was another reason that Council should send this application back for reconsideration.

John Barline, Attorney. Mr. Barline explained he was representing the Haub Brothers Enterprises Trust, the Haub Family, and Sunset Yacht Sales, applicant. He explained that the Haub Family owned the property and that Sunset Yacht Sales was a tenant at the property. He explained that from the beginning his client made every effort to be in full compliance with the application. He added that notifications were done by the City, not the applicant and that if Council found that there was failure of adequate notice, then the applicant would be willing to go through the process again. He gave a brief overview of the proposed project including the required pump-out station. He explained that the pump-out station did not have to be open to the public, and was only required to service the boats moored at the facility. He added that other boats may be allowed to use the facility, but only if it were not causing a traffic problem. He continued to explain that the neighboring residential property was taken into consideration when the decision was made not to extend the dock clear to the outer harborline, and that the proposed extension would not negatively affect the neighbors.

Mayor Wilbert closed the public hearing at 7:54 p.m.

**CALL TO ORDER:** 7:55 p.m.

**APPROVAL OF MINUTES:**

**MOTION:** Move approval of the minutes of the February 9, 1998 as presented.  
Dick/Owel - unanimously approved. Councilmember Platt abstained.

**APPROVAL OF MINUTES FROM SIGN CODE PUBLIC HEARING:**

**MOTION:** Move approval of the minutes of the February 11, 1998 Sign Code Public Hearing as presented.

Picinich/Platt - unanimously approved.

**CORRESPONDENCE/PROCLAMATIONS:**

1. Puget Sound Regional Council – Meeting Date for General Assembly. Mayor Wilbert invited any interested Councilmember to attend.
2. State of Washington – Emergency Management Division. Mayor Wilbert explained that she included this letter for Council's information.
3. Pierce Transit – Request for Nominations to Board. Mayor Wilbert asked if any elected official would like to serve on the board, she would submit their name for nomination.
4. Thank you notes from Takuma, Japan. Mayor Wilbert introduced these notes from students in Takuma. She added that the Takuma Baseball Exchange Program would take place the third week in August at Gig Harbor High School.
5. International Institute of Municipal Clerks – Certified Municipal Clerk. Mayor Wilbert introduced this letter announcing that Molly Towslee, City Clerk, had received her Municipal Clerk certification.

**OLD BUSINESS:**

1. First Reading of Ordinance (Reintroduction) – Planning Commission Recommendations on Amendments to Chapter 17.80 – Sign Code. Steve Osguthorpe, Planning Associate, reintroduced this ordinance and explained that at the public hearing held by City Council on February 11<sup>th</sup>, 21 individuals submitted input, addressing a number of questions. He added that Council and citizens had been requested to submit written comment to be included with the proposed ordinance of Planning Commission recommendations. Councilmember Markovich suggested that Council discuss each submitted suggestion and make motions to amend the ordinance as they proceed. A member of the audience asked for an opportunity to comment on the proposed amendments. It was decided to allow the audience to speak first.

Tom Morfee, 3803 Harborview Drive. Mr. Morfee explained that he was representing PNA, and suggested that the audience be allowed to comment after each proposed amendment. He read a memo regarding the proposed amendments and highlighted concerns and areas of support.

Wade Perrow 9119 Harborview Drive. Mr. Perrow explained that he had submitted written comments to be included in the packet regarding the SR-16 corridor. He said identification along a corridor does not have to be brash and ugly. He explained that the signage at Inn at Gig Harbor had been built under the City standards to allow them to receive sewer, but also under the assumption that 56<sup>th</sup> Street exit would have been a part of the Olympic Village Node. He said the sign ordinance must be fair and equitable to all

parties and used the visibility of the signs of newly opened Best Western as an example. He added that the sign on the chimney at the Inn at Gig Harbor is oriented only to the interchange area. He said all he wants is parity and equal treatment by the sign code.

Lois Eyrse – Chamber of Commerce. Ms. Eyrse said that she had no further comments on the amendments that the Council had presented and that they all seemed acceptable. She added that the difference between a 21” and a 24” sign is not that noticeable. She said that on behalf of two chamber members, the Holmaas and Perrow properties, that it would be fair to extended the visibility node to these property owners, who are the only ones affected at this time, then cut off all future development to this node.

John Holmaas. Mr. Holmaas said that he owned the property next to Gig Harbor Inn and wanted to reiterate that you cannot see the property when headed southbound, only entering the freeway interchange area heading northbound. He added it would be appropriate to include these properties in the interchange node.

Mayor Wilbert asked if there were any further comments from the audience. No one came forward so she asked the Councilmembers to begin discussing the amendments. The Councilmembers discussed each proposed amendment and the following motions were made.

Definition of Abandoned Signs:

**MOTION:** Move to increase from 30 to 180 days the time for allowance due to tenancy change for Abandoned Signs. Also increase from 30 to 60 days time to repair damaged signs.  
Ekberg/Picinich – unanimously approved.

Definition of Flashing Signs:

**MOTION:** Move to amend the second line to read “...and off in a constant, random, or irregular pattern.”  
Ekberg/ no second. The motion failed.

Councilmember Ekberg suggested that a definition for Changing Message Center be added. Steve Osguthorpe said that this issue, as well as readerboards, could be addressed under the amendments proposed by Councilmember Owel.

17.80.090 Sign Standards for Area 1.

**MOTION:** Move to amend the second line to read “...(100) square feet total *on all sides, not to exceed 50 square feet on any one side, or one square...*”  
Ekberg/Young - unanimously approved.

17.70.130 Nonconforming Signs.



**MOTION:** Move to amend line to read "...changes must conform to this code as to color, sign graphics, materials, illumination, and *height*."  
Ekberg/Platt – Councilmember Ekberg voted in favor. All others voted against.

Council directed Steve Osguthorpe to bring back language linking tenant space to their own sign and the issue of triggering a whole building into non-conformance.

Freeway visibility of signage.

**MOTION:** Move that we do not treat interchange nodes differently from non-interchange nodes and that we instead not prohibit limited wall signage, but have restrictions on size, height and illumination, and that we require landscaping, screening, etc. anytime signage is visible across the public right of way.  
Owel/ no second. Motion failed.

Inflatable Displays.

**MOTION:** Move to ban outdoor inflatable displays.  
Owel/Ekberg – Councilmember Owel voted in favor. All others voted against.

Definitions.

**MOTION:** Move we use the Black's Law Dictionary definition of frontage.  
Owel /

**AMENDED MOTION:** Move we add a definition to define frontage to read "Linear distance of property along street or highway."  
Dick/Owel – unanimously approved.

**MOTION:** Move we amend the definition of "Sign" to read "(a) any visual communication...placed for the promotion of products, goods, ..."  
Owel/Platt – unanimously approved.

**MOTION:** Move we amend the definition of "Sign" to read "(a) any visual communication ...placed for the promotion of products, goods,..." deleting the words "of the sale."  
Owel/Dick – unanimously approved.

**MOTION:** Move we amend "Sign Area" to insert after the "the largest sign area..." the words "all sign graphics including all spaces and voids between or

within letters or symbols which comprise a single statement word, description, title, business name, graphic symbol or message.”

Owel/Platt – Owel, Platt, Young and Ekberg voting in favor. Dick, Picinich and Markovich voting against.

**MOTION:** Move we amend “Sign Graphics” to insert “sign face” after “...does not include and just before “background surface.”  
Owel / no second. The motion died.

17.80.040 Permit Procedures.

**MOTION:** Move we insert after “...first obtaining a sign permit...” the words “except as outlined in Section 17.80.020 or as otherwise exempted by this chapter.”  
Owel/Picinich – unanimously approved.

17.80.120 Prohibited Signs (D).

**MOTION:** Move to amend this section by adding the language “or change text or graphics electronically.”  
Owel/

Content of flashing signs to allow for time and temperature but no other message was discussed. Carol Morris, Legal Counsel, advised that this would be considered regulation of content and to either allow all or none.

**MOTION:** Move that we eliminate the current allowance for time /temperature signs.  
Owel/Markovich – unanimously approved.

**RESTATED MOTION:** Move to amend this section by adding the language “or change text or graphics electronically.”  
Owel/Ekberg – Owel and Ekberg voting in favor. Young, Platt, Dick, Picinich, and Markovich voting against.

At 9:40 p.m. Mayor Wilbert asked to take a short break. Council returned to session at 9:50 p.m.

**MOTION:** Move we continue the first reading of this ordinance and this discussion until the March 9<sup>th</sup> regular Council meeting.  
Young/Ekberg – unanimously approved.

2. First Reading of Ordinance (Reintroduction) – Planning Commission Recommendation on Amendments to Chapter 17.98 – Design Review.

**MOTION:** Move we continue the first reading of this ordinance – Planning

Commission Recommendation on Amendments to Chapter 17.98 – Design Review, to the March 9<sup>th</sup> regular Council meeting.  
Owel/Dick – unanimously approved.

3. Second Reading of Ordinance Correcting the 1998 Salary Schedule. Dave Rodenbach, Finance Director, introduced the second reading of this ordinance.

**MOTION:** Move to adopt Ordinance No. 786.  
Picinich/Ekberg – unanimously approved.

4. Memo to Council – Resolution for Development Fee Schedule Adjustments. Ray Gilmore requested that action on the fee schedule resolution be deferred to the next meeting in March.

### **NEW BUSINESS:**

1. Resolution – Appeal of SDP 97-05, Sunset Yacht Sales. Ray Gilmore explained that a resolution for Council's consideration had been prepared, and offered to answer any questions that Council may have on this issue. Councilmember Young asked Legal Counsel if most of what had been said during the public testimony could be considered, specifically in regards to the notification process. Carol Morris explained that Mr. Malanca and another member of the public said that they did not receive adequate notification. She explained that the issue was whether or not the notice that was sent was reasonable to apprise the public of what action was pending before local government. She said that if it were to be alleged that there was insufficient notice, it would have to be demonstrated that there was prejudice in the lack of notification. She added that Mr. Malanca was present and testified at the Hearing Examiners hearing, therefore he had not suffered any prejudice as a result of the alleged insufficient notice. She asked Council to consider, rather than sending this back to the Hearing Examiner for a new public hearing, to go ahead and issue a decision this evening. She added that the Planning Department could then provide notice for the final decision, which would state that any appeal would go to the Shorelines Hearing Board. The Shoreline Hearings Board could then remand it back to the Hearings Examiner for lack of notification if they found notification to be insufficient.

Councilmember Markovich said that he didn't think that anyone should be forced to go before the Shorelines Hearing Board. He added that either proper notice was given per our own rules, or it was not, and if the city has a statute, it is what should be followed. Carol Morris explained that under the rules of statutory construction, the latest enacted State statute would control, even though the City's Shoreline Master Program had the more restrictive notice requirements, both are of equal stature. Councilmember Markovich pointed out that the State statutes indicate that the city could have more restrictive notification requirements and if these additional requirements are on the books, they should be followed.

Councilmember Young said that Council was legally bound to only be considering navigational

concerns, and that several issues were brought up this evening that were not included in the transcription of the hearing. He added that the appellant's concerns would be best addressed with a new process hearing before the Shorelines Hearing Board.

Councilmember Dick said that he was concerned with the issue of lesser notification requirements by the state and said that he thought that the city should give the notification stated in our Shoreline Master Program, even if it were not required by State law.

Councilmember Owel said that if the City does not follow its own processes, it diminishes its authority to have a process. Councilmember Picinich said that he agrees with what had been said and that he would like to see the permit application return back to the Hearing Examiner for a new hearing.

Councilmember Ekberg said he agreed with Councilmember Young that this was closed record hearing with no new evidence to be presented and he didn't see anywhere the issue of lack of notice was brought up at the Hearing Examiner's hearing. Carol Morris explained that this was not a complete transcript of the hearing. Councilmember Ekberg asked what options were available. Ms. Morris explained that if the Council remanded it back to the Hearing Examiner because of inadequate notification, it would be treated as a brand new application.

Councilmember Markovich said that it was unfortunate to make the applicant begin the process again, but if it were to be remanded back, all the issues could be brought forth from the beginning and notification would not be an issue if it were to go before the Shorelines Hearing Board.

**MOTION:** Move to refer this back to the Gig Harbor Hearing Examiner.  
Picinich/Platt – Six voted in favor. Councilmember Ekberg voted against.

2. Interlocal Agreements – Pierce Transit and Fire District No. 5. Wes Hill, Public Works Director, presented two interlocal agreements pertaining to the design and construction contract administration responsibilities required for federal funding of the Kimball Drive improvements. He gave an overview of each agreement and answered Council's questions.

**MOTION:** Move that we authorize the execution of the interlocal agreement with Fire Protection District No. 5.  
Dick/Picinich – unanimously approved.

**MOTION:** Move that we authorize the execution of the interlocal with Pierce Transit.  
Dick/Picinich – unanimously approved.

3. Declaration of Surplus Property. Wes Hill introduced this resolution listing several items that have been determined to be obsolete or surplus. He explained that any money received for the equipment/vehicles would be used to offset the cost for new vehicles and equipment.

**MOTION:** Move to approve Resolution No. 511.  
Markovich/Picinich – unanimously approved.

4. Liquor License Assumption – Green Turtle. No action taken.

**PUBLIC COMMENT:**

Jim Pasin - 3208 50<sup>th</sup> St Ct NW. Mr. Pasin passed out information and spoke about his continued concerns regarding the time it takes to process a Tenant Improvement. Councilmember Dick asked if he had spoken to other jurisdiction to find language that would help delineate the types of permits to assist in the process. Carol Morris suggested that that this issue should be addressed internally, without passing an ordinance, due to the Regulatory Reform Act already in place. Ray Gilmore said that they had been working on different methods for plan review and gave an overview of the current process. Councilmember Ekberg also agreed that we needed language to determine what is a simple tenant improvement and what parameters would trigger a full review. Mark Hoppen explained that the only method that might accelerate the time to issue tenant improvement permits is a two-queue system that may be unfair to other applicants.

**MAYOR'S REPORT:** None scheduled.

**COUNCIL COMMENTS:** None.

**STAFF REPORT:**

Wes Hill, Public Works Director, announced that staff had met with the Department of Transportation and as a result had successfully completed design discussions and developed a viable option to connect the East-West Road with SR-16. He added that the selected option is a modern round-a-bout, which is currently working successfully in Colorado. He added that the next step in the project development includes the preparation of an interchange plan design for DOT approval, completion of final project design, wetlands delineation, and environmental documentation. He said that designs for DOT review and issuance of environmental documents for public review are anticipated for May of this year. Mayor Wilbert thanked Wes Hill, Mark Hoppen, and Gary Demich from the Dept. of Transportation for their work on this project.

**ANNOUNCEMENT OF OTHER MEETINGS:** None.

**APPROVAL OF BILLS:**

**MOTION:** Move approval of checks #19553 through #19642 in the amount of \$47,410.17.  
Young/Ekberg - unanimously approved.

**EXECUTIVE SESSION:**

**MOTION:** Move to adjourn to Executive Session at 10:37 for approximately 20 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).  
Picinich/Owel – unanimously approved.

**MOTION:** Move to return to regular session at 10:55.  
Owel/Picinich – unanimously approved.

**ADJOURN:**

**MOTION:** Move to adjourn at 10:55 p.m.  
Picinich/Platt - unanimously approved.

Cassette recorder utilized.  
Tape 485 Both sides.  
Tape 486 Both sides.  
Tape 487 Both sides.  
Tape 488 Side A 000 – 250.

---

Mayor

---

City Clerk



*City of Gig Harbor. The "Maritime City"*

DEPARTMENT OF PLANNING & BUILDING SERVICES  
3125 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-4278

**TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS**  
**FROM: *WJ* PLANNING STAFF**  
**SUBJECT: PROPOSED REVISIONS TO CHAPTER 17.80 (SIGN CODE) – FIRST  
READING OF ORDINANCE – (CONTINUED)**  
**DATE: MARCH 4, 1998**

### **INTRODUCTION/BACKGROUND**

A first reading of the proposed sign code amendments was held on February 23, 1998. In conjunction with the first reading, the Council had submitted written comments on the proposed amendments. The meeting was rather lengthy and the Council did not have time to review all written comments. The first reading was therefore continued to the March 9<sup>th</sup> meeting.

The Council agreed upon select changes to the sign code at the February 23<sup>rd</sup> meeting and requested the staff to incorporate such changes into the text for the March 9<sup>th</sup> meeting. Additionally, there were a couple of items that the Council expressed concern over and asked that the staff come back to the Council with language addressing the Council's concerns. Accordingly, the staff revised the following sections of the sign code which are reflected in what is now Draft 3-B:

1. 17.80.130(D)(4) – Nonconforming signs.

This section includes a "trigger" which requires removal of a non-conforming sign if the building or property the sign applies to undergoes a 20% expansion. The Council was concerned that it was not clear from the language if the expansion applied to an entire building or to a specific tenant space. The Council asked that the staff bring back language which made it clear that the expansion applied to tenant space only.

In response, the staff has drafted language which addresses "tenant space" and "building" separately, to make it clear that the building would be a consideration only if the sign applies to the entire building. Additionally, the language makes it clear that demolition of a building would be a trigger. In the planning commission's proposed text, it may be argued that a building could be demolished and replaced with a building of a similar size without removing non-conforming free-standing signs. The staff is certain that this was not the planning commission's intent.

2. 17.80.030(1) – Abandoned signs

The Council agreed to increase from 30 days to 90 days the time allowance due to tenancy change, and to increase from 30 to 60 days time to repair damaged signs. These changes have been incorporated into the text.

3. 17.80.030(16) – Flashing sign

The Council agreed to amend the line to read “. . . and off in a constant, *random or irregular* pattern.” This change has been incorporated into the text.

4. 17.80.030(58) – Window sign

The Council agreed to amend the first line to read “. . . means a sign which is mounted on, *painted on, attached to,* placed within . . .” This change has been incorporated into the text.

5. 17.80.090(A)(4) – Maximum sign area

The Council agreed to amend the second line to read “. . . (100) square feet *total on all sides, not to exceed 50 square feet on any one side,* or one square . . .” This change was in reference to Sign Area 1 and has been incorporated into the text. Additionally, the staff made the same change to 17.80.100(B)(4) for Area 2, believing that the Council intended this to be consistent throughout the code.

6. The Council agreed to include a definition for “frontage”. A new definition, as agreed upon by the Council, has been added to Section 17.80.030(19).

7. 17.80.030(46) – “Sign” definition

The Council agreed to eliminate the words “of the sale” to assure that the definition of a sign applies to all signage whether or not a sale is involved. This change has been incorporated into the text.

8. 17.80.030(49) – “Sign area” definition

The Council agreed to incorporate an expanded definition of sign area to assure that “negative space” between letters and words be included in the calculation of sign area. The staff has incorporated the suggested language into the text. The staff has also revised the order of some of the sentences in the paragraph to make it flow better. Finally, the staff has eliminated the words “excluding simple support structures” from the end of the second sentence because this is already stated in the first sentence.



9. 17.80.040(A) – Sign permit exemptions

In response to public input regarding the painting of existing signs for maintenance purposes only, the Council agreed to incorporate reference to Section 17.80.020 in this section to assure that the public is aware of this exemption. This change has been incorporated into the text.

10. 17.80.030(12) – Electronic signs

It was suggested during the discussion of “flashing signs” that a definition was needed for **Changing message centers**, which are mentioned under the definition of flashing signs. While there was no agreement on this issue, there was later discussion about electronic readerboard signs. The Council discussed the issue of electronic readerboard signs and asked the staff to come back with language prohibiting them. The staff has therefore included a definition of “electronic signs” in Section 17.80.030(12) which is the definition section. Additionally, the staff has added “electronic signs” to the list of prohibited signs.

Another item of discussion in relation to electronic signs was the issue of time/temperature signs. The current code allows time/temperature signs under Section 17.80.031(D). However, it was pointed out at the last Council meeting that allowing such signs for time and temperature while prohibiting them for other messages is not content neutral. The Council therefore agreed to prohibit time and temperature signs along with all other electronic-type signs. This change has been incorporated into the text.

Because “changing message centers” are no where mentioned in the text and because they are covered under the provisions for electronic signs, the staff recommends that the last sentence in 17.80.030(16) that references “changing message centers” be deleted.

11. Housekeeping item – Code Administrator –vs- Director

While the planning commission was reviewing the sign code, Carol Morris suggested that any reference to “code administrator” be replaced by the word “director” and that *director* be defined in the definition section. While reviewing the proposed changes now before the Council, the staff noticed that not all references to “code administrator” have been changed. The staff has taken the liberty to change all references to code administrator, believing this to be consistent with the recommendation of both the planning commission and legal counsel.

**RECOMMENDATION:**

A draft ordinance to adopt the amendments of the sign code is attached as Draft B Ordinance. This is the first reading of the ordinance and no action will be taken by the City Council at this time

(Draft B)

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO REGULATION OF COMMERCIAL AND NON-COMMERCIAL SIGNS; MAKING REVISIONS TO TITLE 17.80 OF THE GIG HARBOR MUNICIPAL CODE.**

**WHEREAS**, the City Council finds and declares that outdoor advertising is a legitimate, commercial use of private property adjacent to City street, roads and highways; and

**WHEREAS**, outdoor advertising is an integral part of the business and marketing function, and an established segment of the City's economy which serves to promote and protect private investments in commerce and industry; and

**WHEREAS**, the City has adopted sign regulations in order to safeguard the general welfare of the property owner, to preserve the beauty of the community and to balance this with growth, development and commercial pursuits; and

**WHEREAS**, the City of Gig Harbor amended its sign code in June 1995 to bring the sign code into conformance with the Design Element of Gig Harbor's Comprehensive Plan; and

**WHEREAS**, the amended sign code has been in effect for a period of over two years, and the City Council has directed the Planning Commission to review the sign code to determine its effectiveness and to address concerns expressed by the business community regarding the restrictiveness and complexity of the sign code; and

**WHEREAS**, two public hearings were held on March 6, 1997 and March 20, 1997 to receive input from the community on the existing sign code, at which time the planning commission listened to over six hours of public testimony which focused primarily on the following 13 issues:

1. Master sign plans.
2. Window signs.
3. National brand product or logo signs.
4. Freeway visibility of signage.
5. Amortization.
6. Illumination restrictions on internally illuminated signs.
7. Inflatable displays.
8. Allowable wall signage.
9. Portable signs.
10. Real Estate Signs.
11. Reader Boards.
12. Sign Areas.

13. Miscellaneous Items. (Clarification of terms, format, and general housekeeping items); and

**WHEREAS**, the planning commission submitted to the City Council a recommended process of addressing the 13 identified issues which allowed the public to submit specific recommendations on any issue under review or to request that additional items be added to the review process, and which allowed public input during scheduled worksession/hearings; and

**WHEREAS**, the planning commission held worksession/hearings over a 7 month period to address concerns and to receive public input; and

**WHEREAS**, public input during the worksession/hearings was submitted by a limited number of individuals, which input was carefully considered by the planning commission and balanced against the goals and policies stated in the City's Comprehensive Plan; and

**WHEREAS**, the Comprehensive Plan states several goals and policies relating to maintaining signage as a subordinate element in building design including, but not limited to (a) minimizing sign area in facade design, (b) avoidance of signage as a dominant architectural feature, (c) including corporate or logo panels into signage area calculations, (d) avoidance of covering architectural details, (e) avoidance of signage as a dominant architectural statement, (f) encouragement of sign designs which reflect the building style or period by use of incentives and dis-incentives; and,

**WHEREAS**, the Planning Commission finds that the solid/void ratio requirements for buildings specified in the Architecture section of the City's Design Manual and also the landscaping requirements specified in Section 17.78 of the Gig Harbor Municipal Code provide sufficient interest in building and site designs to assure that signage does not become a dominant statement in the building or site design; and

**WHEREAS**, the Comprehensive Plan has the stated goal on page 32-33 to avoid flamboyancy in signage by keeping internally illuminated signs subdued through restrictions on sign face illumination; and,

**WHEREAS**, the Comprehensive Plan on page 33 has the stated goal to coordinate sign designs on multi-tenant buildings through the use of master sign plans designed to allocate signage among tenants and to unify the site design; and,

**WHEREAS**, the Comprehensive Plan has the stated goal on page 34 to restrict use of off-premise signage and to avoid signage design for viewing beyond the street on which a business is located; and,

**WHEREAS**, the Comprehensive Plan identifies SR-16 as an enhancement corridor which should require an extensive level of design review; and,

**WHEREAS**, the Planning Commission recognized that the Growth Management Act requires

that any amendments to the City's sign code must be consistent with the Comprehensive Plan; and

**WHEREAS**, after carefully evaluating the existing sign code's effectiveness in implementing the goals and policies of the Comprehensive Plan by reviewing signs installed since the 1995 sign code update was adopted, and also after reviewing concerns over the complexity of some of the language in the existing code, the Planning Commission has made the following findings:

1. Since the adoption of the master sign plan requirement, it has become evident that signs installed prior to the master sign plan requirement often exceeded the allotted signage allowances because they were installed without the full knowledge of existing signage on a building. The master sign plan provides complete knowledge of existing and allocated signage prior to issuance of a sign permit and therefore assures that maximum sign allowances are not exceeded.
2. Signs installed under the master sign plan requirement have resulted in a more unifying site design and better reflect the architectural qualities of the buildings the signs apply to.
3. To achieve a unified site design, and to assure that signs reflect the architectural qualities of a building, it is not necessary that all signs on buildings look alike, provided there is a limit to the number of types of signs on any given building and that multiple types of signs are not used on the same wall plane.
4. Window signs have as much visual impact on the community as other outdoor forms of advertising. Window signs placed behind or on the inside of clear glass are no less intrusive to the community than window signs placed on the outside of glass. However, interior signs more than 3 feet from the window may be intended for indoor advertisement and are far enough away from a window to allow a legal aisle width between a window and an interior display. While signs placed more than three feet may be visible from public rights-of-way, they are far enough away from the window to soften their visual impacts on the community.
5. Temporary interior window signs are currently allowed without limits on their size, design, or on the number of days temporary window signs may be displayed; permanent window signs are subject to the same restrictions as exterior wall signs. Illuminated window signs have more visual impact on the community than non-illuminated window signs because of their visibility at night, and their greater brilliancy both day and night. Illuminated window signs should therefore be regulated the same as other wall signs. Non-illuminated permanent window signs have no greater visual impacts to the community than temporary window signs and should therefore be regulated the same as temporary signs. However, to assure (a) that the architectural purpose, function and integrity of windows are retained, (b) that windows are not inadvertently converted into large wall signs without the regulations of wall signs, and (c) that signage is a subordinate element in the building design, neither temporary or permanent window signs should be allowed to cover entire window areas.

6. Illumination is necessary for both signage and general site lighting. Illumination of signage increases the effectiveness of signs in the evening hours and is essential for evening viewing. Illumination of sites increases safety by discouraging criminal activity and by illuminating pedestrian areas. Uncontrolled illumination for either signs or site lighting results in light trespass and glare and can impact other evening activities such as astronomical observations or sleeping.

The City's standards for site and building lighting are contained in the City's Design Manual. These standards allow necessary lighting for safety and convenience while mitigating the impacts of lighting by (a) specifying the surface to which lighting may be directed, and (b) regulating the fixture from which light may emanate. Generally, lighting regulations require that light fixtures be shielded, or that fixtures have horizontal cut-offs (shields) which direct light downward. Because such horizontal cut-offs would effectively shield the sign face, it is not possible to allow illumination of signs without either restricting illumination to shielded spot lights focused on a sign surface, or without allowing horizontal light to emanate from a sign fixture. Light emanating from a sign results in more glare than light being directed to a sign from a shielded fixture. It is therefore necessary to limit the amount of horizontal light emanating from the face of internally illuminated signs.

The City's current sign code effectively limits the amount of horizontal light emanating from signs by allowing light to emanate only from a sign's text, and not its entire sign face background. This has resulted in a reduction of glare and also assures that sign faces are consistent with other City lighting standards which, for aesthetic purposes, prohibit internal illumination of translucent panels and awnings. Back-lit panels and awnings are generally incompatible with Gig Harbor's small-town atmosphere and fishing village character.

Some back-lit sign panels have been found to meet the intent of the City's lighting regulations because they are of darker color values which allow very little light to emanate from them. Allowing these darker colors to be internally illuminated requires a criteria for a case-by-case review.

In addition to limiting internal illumination to the text only, the code also minimizes horizontal light emissions by limiting the size of the text. The current code limits the first letter of signs to 24 inches in height, and all remaining letters to 18 inches. Research pertaining to sign legibility indicates that it takes one inch of letter height for every 50 feet of distance it is read from and that speeds of up to 55 mph on a six lane highway requires a letter height of 16 inches (visible from a distance of 800 feet) to allow adequate time to respond to the sign. Restricting internally illuminated letter heights to up to eighteen and twenty-four inches is therefore reasonable in that it allows letter heights that are more than adequate in size to be read from all of Gig Harbor's streets. Nevertheless, allowing the first letter to be larger than all remaining letters does not reflect typical fonts of upper and lower case letters. Allowing 21 inches for all letters would more readily allow both upper and lower case letters while reasonably limiting the amount of horizontal light emanating from

a sign fixture.

Because allowances for individual internally illuminated letters of up to 21 inches are proposed, and because businesses often wish to internally illuminate their logo backgrounds, it is reasonable to conclude that an internally illuminated logo background of up to 21 inches (or 4 square feet) would be no more impacting than an internally illuminated letter of up to 21 inches. Larger logos may be fully illuminated by an external light source directed to the logo if desired.

7. Sign with illuminated text and a non-illuminated background area easier to read at night and therefore represent more effective signage. This has been demonstrated both by personal observation of planning commission members and also by photographs of signs with both illuminated backgrounds and non-illuminated backgrounds. In most cases, the text of signs with illuminated backgrounds were blurred and illegible in the photos because of excess glare emanating from the signs; while signs with opaque backgrounds and illuminated text were fully readable in the photos.
8. Alternate methods of controlling light and glare, such as the use of light meters which measure foot candles, are difficult to administer and regulate because conformance can only be determined with special equipment and only after regular business hours when staff is not available.
9. Portable sandwich board signs are no more or less impacting than other portable signs and should therefore be regulated the same.
10. SR-16 is a designated Enhancement Corridor having visual integrity which should be protected and, where necessary, reestablished. The Green belts and buffering which characterize the SR-16 Enhancement Corridor have been damaged, removed or altered in areas where signage is oriented toward SR-16. Prohibiting signage oriented toward the SR-16 Enhancement Corridor is necessary to assure its continued protection. However, signs oriented toward interchanges would not threaten the Corridor's integrity because the Visually Sensitive Areas map which defines the Enhancement Corridor also defines visual nodes at each interchange.
11. The wall sign calculations have proven cumbersome to calculate and administer. A revised method of determining wall signage using a strict percentage approach would facilitate easier calculations.
12. Excessive use of balloons as attention-getting devices and for advertising result in a carnival atmosphere which is incompatible with the visual quality of Gig Harbor's environment. Without regulations, balloons have been shown to proliferate in use and to dominate entire streetscapes (e.g., the car dealerships along Puyallup's River Road).

13. While the code's current amortization clause is legally defensible, it will be difficult to administer because of the difficulty of identifying all non-conforming signs. Many non-conformities are minor and could not be easily discerned through a windshield survey. However, all non-conforming signs should eventually be eliminated. Without an amortization clause, other "triggers" for the removal of non-conforming signs will be necessary.
14. The current code's prohibition on readerboard signs is based upon concerns over the excess light and glare caused by most readerboard signs, and also over the size, bulk and design of most portable readerboard signs. However, the code's restrictions on sign illumination combined with other restrictions on portable signs address these concerns. There is no reason to prohibit readerboard signs if they conform to all other sign code requirements.
15. National Brand/Product Logo signs are legitimate signs for advertising as long as they advertise a product or service available on the premises. The bulk or volume of the product sold is difficult to determine and should not be a factor in determining if a sign advertises an on-site product or service; and
16. Public event signs are allowed, but it is difficult to determine which events may legitimately be considered "public" events. Traditional events in Gig Harbor, including Tide Fest or Winterfest, have been allowed signage under this definition, but it may be argued that, while they are sponsored by a non-profit organization, individual vendors do receive profits from their sales and should therefore not be considered "public". It would be convenient to define a public event as an event which requires a special event license, but the special events provisions of Chapter 5.28 apply only to those events on public rights-of-way. Many of the traditional events in Gig Harbor would not be covered under these provisions.

**WHEREAS**, the Planning Commission finds that the City has visual integrity which may be threatened by incompatible signage or by inadvertently encouraging removal of the vegetation which provides visual integrity to the City's enhancement corridor by allowing signs oriented to the enhancement corridor which would only be visible if the characteristic vegetation were removed; and

**WHEREAS**, the City Council agrees with the findings of the Planning Commission and hereby adopts the same findings; and

**WHEREAS**, the Planning Commission has proposed amendments to the sign code which reflect its findings stated above and which will (a) further the goals and policies outlined in the City's Comprehensive Plan (b) protect the public health/safety/welfare by avoiding excessive light and glare of illuminated signage, and (c) preserve the visual quality which has attracted tourists and new residents to the Gig Harbor area thereby preserving property values and promoting economic development in the Gig Harbor area; and

**WHEREAS**, the proposed amendments reflect substantial changes intended to address, to the degree possible, the concerns of the business community and any further changes to relax the City's sign code standards would seriously alter the visual integrity of the City and would not protect the welfare of the citizenry; and

**WHEREAS**, the Planning Commission held a public hearing on the proposed sign code amendments of Chapter 17.80 on December 4, 1997 to accept public testimony on the proposed amendments; and

**WHEREAS**, the City Council held a public hearing on the proposed sign code amendments of Chapter 17.80 on February 11, 1998 to accept public testimony on the proposed amendments.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:**

Section 1. Chapter 17.80 of the Gig Harbor Municipal Code is hereby amended as follows:

Chapter 17.80  
SIGN CODE

Sections:

- 17.80.010 Purpose and scope.
- ~~17.80.015~~ 17.80.020 Permits not required.
- ~~17.80.020~~ 17.80.030 Definitions.
- ~~17.80.030~~ 17.80.040 Permit procedures.
- 17.80.050 Variances & Administrative Waivers
- ~~17.80.031~~ 17.80.060 General regulations.
- 17.80.070 Master Sign Plans
- 17.80.080 Sign Districts
- ~~17.80.033~~ 17.80.090 Sign standards for Areas 1 and 2 Area 1.
- ~~17.80.035~~ 17.80.100 Sign standards for Area 3 2.
- ~~17.80.040~~ 17.80.110 Temporary signs.
- ~~17.80.050~~ 17.80.120 Prohibited signs.
- ~~17.80.060~~ 17.80.130 Administration and enforcement Nonconforming Signs.
- 17.80.140 Design Review Board Approval
- ~~17.80.080~~ 17.80.150 Liability.

17.80.010 Purpose and scope.

A. Purpose. It is the purpose of this chapter to promote a quality visual environment by establishing reasonable standards for the size, placement, height and maintenance of outdoor signs, graphics and advertising. It is further intended to encourage quality design and material composition which create an attractive community and business climate. ~~Special emphasis should be placed on achieving harmony with building design, settings and the character of the surrounding areas by implementing~~



the goals and policies described in the Community Design Element of the City's Comprehensive Plan. Implementing these goals and policies will assure that signage is in harmony with building designs and the character of the surrounding areas.

B. Scope. This chapter shall not regulate traffic and directional signs installed by a governmental entity; signs not readable from nor intended to be viewed from a public right-of-way or waterway; interior signs placed more than three (3) feet behind a window or opening of a building unless within an enclosed display window; merchandise displays; points-of-purchase advertising displays on product dispenser machines; national flags; flags of a political subdivision; symbolic flags of an institution; legal notices required by law; barber poles; historic site plaques; gravestones; structures intended for a separate use, such as phone booths, Goodwill containers and recycling containers; or lettering sign graphics or symbols painted directly onto or flush-mounted magnetically onto a motor vehicle operating in the normal course of business. (Ord. 691 § 1, 1995; Ord. 532 § 2, 1988).

~~17.80.015~~ 17.80.020 Permits not required.

The following shall not require a sign permit; provided however, these exemptions shall not be construed as relieving the owner from the responsibility to comply with the provisions of this chapter or any other law or ordinance.

A. The changing of the advertising copy or message on a lawfully erected readerboard or similar sign specifically designed for the use of replaceable copy;

B. Repainting or cleaning of a lawfully erected sign and other normal maintenance which does not involve a change of sign color or design, unless a structural or electrical change is made;

C. Temporary Seasonal decorations customary for special holidays erected entirely on private property;

D. On-premises directional signs not exceeding four square feet. The height of the sign shall not exceed four (4) feet and distance from the ground level at the base of the sign to the top of the sign shall not exceed four feet unless it is attached to a wall, in which case the sign must have a maximum clearance of 27 twenty-seven (27) inches or a minimum clearance as defined in GHMC ~~17.80.035(E)(2)~~ 17.80.090(D)(2) and 17.80.100(E)(2);

E. ~~Poster signs, per GHMC 17.80.040(B)~~ Non-illuminated window signs conforming to GHMC 17.80.090(C)(2) and 17.80.100(D)(2);

F. Campaign and political signs, ~~per conforming to GHMC 17.80.040(F) and (G)~~ 17.80.110(D);

G. One temporary construction sign of up to ~~32 thirty-two (32)~~ square feet or one project identification sign, ~~per conforming to GHMC 17.80.040(D)(1)~~ 17.80.110(C);

H. One wall or projecting gas station price sign or one portable gas station price sign per station limited to a maximum of ~~30 fifteen (15)~~ square feet total area on all sides per sign face, and no more than two (2) faces. In addition to one wall or projecting gas price sign and in lieu of a portable gas station price sign, one gas price sign may be incorporated into an approved freestanding ground sign, subject to maximum size and height allowances for freestanding signs. Portable gas price signs shall ~~have be limited to a maximum height from the ground of five (5) feet; illumination of portable gas price signs shall be limited to an external source or to an opaque face with illuminated letters sign graphics only;~~

I. One lot identification sign per single-family dwelling in the R-1 district with the total area not to exceed two square feet;

~~J. One neighborhood identification sign not exceeding a total of 12 square feet on all its faces and the height from the base of the sign to the top shall not exceed six feet;~~

J. Real Estate signs conforming to GHMC 17.80.110(B).

K. ~~One nonelectric~~ Non-electric portable signs not exceeding four square feet located on premises conforming to GHMC 17.80.060(H) and 17.80.100(F). (Ord. 691 § 1, 1995; Ord. 532 § 6, 1988. Formerly 17.80.050.).

~~17.80.020~~ 17.80.030 Definitions.

The following definitions shall apply for the purpose of this code:

1. "Abandoned sign" means a sign that no longer correctly identifies, exhorts or advertises any person, business, lessor, owner, product or activity conducted or available on the premises where such sign is located and which has not been changed or removed within one hundred eighty (180) days of a tenancy change; or a sign which is damaged, in disrepair, or vandalized and not repaired within sixty (60) days of the damaging event.

2. "Advertising copy" includes any letters, figures, symbols, sign graphics, background colors, logos or trademarks which identify or promote the sign user or any product or service; or which provides information about the sign user, the building or the products or services available.

3. "Awning" means a shelter projecting from and supported by a structure or building wall and constructed of a rigid supporting framework and a flexible or non-rigid covering.

4. "Awning sign" means a sign applied to or incorporated into the covering of an awning.

5. "Building" means a roofed and walled structure built for permanent use.

6. "Bulletin board" means a board or small sign on which notices, community events or hours of operation are posted.

7. "Cabinet sign" means an internally illuminated sign in which a removable sign face (usually with translucent sign graphics) is enclosed on all edges by a metal cabinet. A cabinet sign may be multi-sided.

~~5~~ 8. ~~"Code administrator"~~ "Director" means the city's planning director, or the director's designee, who shall be authorized to administer and enforce all of the provisions of the sign code.

6. 9. District, Sign.

a. "Area 1" ~~Those~~ includes those properties situated 300 feet back from the beginning and ending of the Olympic Drive freeway interchange, including those properties located within the Olympic Village and interchange area; in all B-2 zones except the B-2 zone in the vicinity of the Burnham Drive/Harborview Drive junction; and all C-1 zones except C-1 zones in the height restriction area.

b. "Area 2" includes all properties not defined under Area 1. ~~The Westside business district outside the defined interchange area, the commercial zones on Pioneer Way and Kimball Drive and the commercial zones on the west side of Soundview Drive outside the Olympic Village interchange.~~

c. Area 3. ~~The RB-1 zoning district along Soundview Drive, and all other commercial districts and residential areas.~~

7 10. "Double-faced sign" means a sign that has advertising copy on opposite sides of a single display surface or sign structure.

8 11. "Electric sign" means a sign or sign structure in which electrical wiring, connections and/or fixtures are used as part of the sign proper.

12. "Electronic sign" means a sign designed to allow changes in the sign graphics electronically.

13. "Event" means a current or planned activity or occurrence which involves a gathering of people or solicits their participation. In this context, an event does not include the commemoration of a holiday.
914. "Facade" means the entire building front or street wall face of a building extending from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.
15. "Festoon" means a strip or string of balloons which includes clusters or strings of balloons connected to a fixed object or vehicle on at least one end of the festoon.
16. "Flashing sign" means a sign or a portion thereof which changes light intensity or switches on and off in a constant, random or irregular pattern or contains motion or the optical illusion of motion by use of electrical energy. Changing message centers shall not be considered flashing signs.
17. "Freestanding sign" means a sign supported by a pole(s) or mounted on a sign base and is not connected to or supported by any other structure.
18. Freeway Interchange Area. The freeway interchange of State Route 16 (SR-16) shall be the area between where the present or designed future on and off ramps to the highway are situated measured between the intersection of the fog line of the exit and on ramps that are near SR-16. This designation applies to those properties situated 300 feet back from the freeway interchange. is illustrated on Exhibit I and defines the area where signage may be oriented to SR-16, subject to the provisions of Section 17.80.060(K).
19. "Frontage" means the linear distance of property along a street or highway.
20. "Gas station price sign" means a sign advertising the price of motor fuel and contains no other business advertising.
21. "Grade" means the elevation as measured at the relative ground level in the immediate vicinity of the sign.
21. "Holiday" includes all State holidays as defined under RCW 1.16.050, except Sunday.
22. "Incidental sign" means a small nonelectric information sign four (4) square feet or less in area which pertains to goods, products, services or facilities which are available on the premises where the sign occurs and is intended primarily for the convenience of the public while on the premises.
23. "Internal illumination" means a source of lighting concealed entirely within a sign which makes sign graphics visible by transmitting light through a translucent or semi-translucent material.
24. "Institutional sign" means a sign to identify educational, civic and religious institutions.
25. "Landscaping" means the planned use of trees, shrubs and other living plant materials used in conjunction with a sign and other decorative features.
26. "Logo" means an identifying emblem or insignia containing sign graphics, symbols or colors typically used for identification and/or advertisement.
27. "Logo shield" means a logo contained within an area no greater than four (4) square feet, incorporated into a larger sign face or designed as an individual sign or a component of a sign containing individually mounted sign graphics.
28. "Lot identification sign" means a sign to identify the occupants of the premises.
29. "Mansard roof" means a sloped roof or roof-like facade architecturally able to be treated as a building wall.
30. "Marquee" means a permanent structure attached to, supported by and projecting from a building and providing protection from the weather elements, but does not include a projecting roof. For purposes of this chapter, a freestanding permanent roof-like structure providing protection from

the elements, such as a service station gas pump island, will also be considered a marquee. This also includes canopies.

2+31. "Neighborhood identification sign" means a sign to identify a particular residential area or development four acres or greater in size.

32. "Neon lighting" means illuminated tubing forming sign graphics or which is otherwise used as an exposed lighting source. For the purpose of this ordinance the term "neon" will be considered a generic term for this type of lighting regardless of the type of fluorescing gas or material contained within the tubing.

22-33. "Neon sign" means illuminated neon tubing neon lighting used to draw attention to a business or building in any manner, including (but not limited to) neon text, symbols sign graphics, logos or outlining of a building's architectural features. Neon signs shall not flash, oscillate or revolve.

23-34. "Off-premises directional sign" means a permanently installed sign which provides directional information to a parcel located in the Gig Harbor area, but not located on the same parcel as the sign in question.

24 35. "Off-premises sign" means a sign relating, through its message and content to a commercial or non-commercial business activity, use, product or service not available or conducted on the premises on which the sign is erected.

25 36. "On-premises directional sign" means a permanent sign that directs the public to a specific place such as an entrance, exit, or parking or service area, or a particular aspect of a business establishment.

2637. "On-premises sign" means a sign which carries only advertisements and messages strictly applicable to a lawful use of the premises on which it is located.

38. "Pan-channel" means a sign graphic that is constructed of a three-sided metal channel, usually having a light source contained within the channel. The open side may face inward, resulting in silhouette lighting, or it may face outward to allow full illumination. The open side of the channel may be enclosed with a translucent material.

2739. "Portable sign" means a free-standing sign made of any material, which by its design is readily movable and is not permanently affixed to the ground, structures or buildings.

2840. "Projecting sign" means a sign which is attached to and projects more than one foot from a structure, building face or marquee.

41. "Public event" means an event held no more than once a year by an individual sponsor, business or agency, and which is on a site normally associated with activities or uses other than the event, and which does not represent or promote a use, product or service normally associated with the site of the event. Special sales or promotions of products or services commonly available on the site, or which are readily available at a permanent outlet or site within the City, do not represent public events.

29 42. "Readerboard" means a sign face designed to hold readily changeable letters sign graphics allowing frequent changes of copy.

43. "Returns" are the exposed sides of pan-channel sign graphics and cabinet signs.

30 44. "Revolving sign" means a sign which rotates or turns in a circular pattern.

3+ 45. "Roof sign" means a sign supported by and erected on and above a roof, parapet or fascia of a building or structure (shall not include a sign erected on the face of a mansard roof).

32 46. "Sandwich board/sidewalk sign" means a portable sign consisting of two sign faces hinged

at the top and separated at the bottom to make it self-standing.

47. "Seasonal decorations" mean temporary decorations for holidays which do not fall under the definition of a sign and which are installed no sooner than thirty (30) days before a holiday and removed no later than five (5) days after the holiday. Decorations which fall under the definition of a sign must conform to all provisions of the sign code.

33. "Sign" means any visual communication device, structure, or fixture which is visible from any right-of-way or waterway and is intended to aid the establishment in question in promoting the sale of products, goods, services, events or to identify a building, using graphics, letters, figures, symbols, trademarks or written copy. Steel, plastic or similar panels displaying corporate colors, logos or trademarks and as are common on corporate signature buildings to give identity to the business shall be considered signage. Corporate colors which conform to design guidelines as may be adopted by the city shall be excluded from this definition. Inflatable displays, figures, or product representations shall also be considered signage.

48. "Sign" means:

(a) any visual communication device, structure, or fixture which is visible from any public right-of-way or waterway placed for the promotion of products, goods, services, events or to identify a building, using sign graphics or trademarks; or

(b) Steel, plastic or similar panels displaying corporate colors, logos or trademarks and as are common on corporate signature buildings to give identity to the business (Corporate colors which conform to the City's Design Manual requirements for color shall be excluded from this definition of a sign); or

(c) Inflatable figures, balloons (in a display of six or more), festoons, streamers, spinners, product representations and advertisements for services which are attached to a fixed object or stationary vehicle.

34 49. "Sign area" means the entire area of a sign on which advertising copy, logos, trademarks, and business or corporate colors are to be placed. Sign structures and associated architectural embellishments, framework and decorative features which contain no written or advertising copy, which are not illuminated and which contain no logos or trademarks shall not be included. Sign area shall be calculated by measuring the area of the smallest rectangle, circle, triangle or parallelogram that can be drawn around all parts of the sign from the viewpoint exposing the largest sign surface area, including the sign face background, and including all spaces and voids between or within letters or symbols which comprise a single word, statement, description, title, business name, graphic symbol or message, excluding simple support structures. Sign supporting structures which are part of the sign display shall be included in the area of calculation.

50. "Sign graphics" include all lines, strokes, text, symbols and logo shields applied to a sign surface and does not include the background surface to which they are applied.

51. "Silhouette lighting", sometimes called "halo lighting" means lighting being emitted from the back side of pan-channel sign graphic which has the open side of the channel facing the wall or sign face it is mounted to, thereby silhouetting the sign graphics.

35 52. "Temporary construction sign" means a sign jointly erected and maintained on premises undergoing construction by an architect, contractor, subcontractor and/or materialman upon which property such person is furnishing labor or material.

36 53. "Temporary sign" means any sign or advertising display constructed of cloth, canvas, light

fabric, paper, cardboard or other light materials, with or without frames, intended to be displayed for a limited time only and not permanently attached to a building or site.

54. "Trim caps" are the corner trim pieces holding the translucent materials or sign faces on pan-channel sign graphics and cabinet signs.

37 55. "Wall graphics" means a wall sign of which color and form are part of an overall design on the building.

38 56. "Wall plane" includes that portion of a facade which is contained on one general plane. If there is a shift in the facade, forward or back, a new plane is created. A single wall plane may contain windows and doors but it is generally a solid surface, notwithstanding the fascia of projecting porches or colonnades may be considered part of the wall plane the porch or colonnade projects from for calculating signage area.

39 57. "Wall sign" means a sign attached or erected parallel to and extending not more than one foot from the facade or face of any building to which it is attached and supported throughout its entire length, with the exposed face of the sign parallel to the plane of said wall or facade. Signs incorporated into mansard roofs, marquees or canopies shall be treated as a wall sign. (Ord. 691 § 1, 1995; Ord. 558 § 1, 1989; Ord. 532 § 3, 1988).

58. "Window Sign" means a sign that is mounted on, painted on or attached to a window, or is placed within three (3) feet of the inside of a window or opening, or is within an enclosed display window (i.e., the display area in the window is separated from the main floor area by a wall, curtain or screen).

~~17.80.030~~ 17.80.040 Permit procedures.

The following regulations shall apply to all signs.

A. Permit Requirements. Signs located on public right-of-way must conform to all provisions of this chapter, except that such signs are exempt from the permit requirements of this section and shall be processed and administered as per Chapter 12.02 GHMC. No sign shall be installed, constructed, painted, structurally altered, posted or applied without first obtaining a sign permit from the code administrator, director, except as allowed under the provisions of Section 17.80.020 or as otherwise unless exempted by this chapter. A separate permit shall be required for each group of signs installed simultaneously on a single supporting structure. Thereafter, each additional sign erected on the structure must have a separate permit.

B. Permit Application Procedures. Applications for signs shall be accompanied by A complete application for a sign permit shall consist of:

1. Two site plans showing the location of the affected lot, building(s) and sign(s), showing both existing and proposed signs;

2. Two copies of a scaled 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;

3. Written consent of the sign owner and the owner of the building, structure, or property where the sign is to be erected;

4. A permit fee as adopted by resolution of the city council;

5. Documentation demonstrating that the sign installer has a valid Washington State contractor's license when a sign requires a building permit unless the sign is being installed by the owner of the sign.

5 6. Exemptions. The director may waive submission of plans and specifications when the structural aspect is of minor importance.

~~C. Administrative Permit Processing Requirements. The code administrator shall ascertain that the sign installer has a valid Washington State contractor's license when a sign requires a building permit unless the sign is being installed by the owner of the sign. A sign permit shall be processed according to the procedures in Title 19 of the Gig Harbor Municipal Code, and is a Type II permit application.~~

#### 17.80.050 Variances and Administrative Waivers

~~D A. 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 shall review a sign variance application in accordance with the applicable procedures established in Chapter 17.10 GHMC. In the examiner's determination whether a sign variance should be granted, the examiner will follow the applicable criteria in lieu of the criteria set forth in GHMC 17.66.030 (B)(1), (2), (3), (4) and (5): A variance may be requested from any requirement in this chapter, with the exception of the requirements described in GHMC Section 17.80.050(B), Administrative Waiver. The variance shall be processed as a Type III application, and the variance criteria described in the Zoning Code (GHMC Section 17.66.030) shall not be used to determine whether a variance may be granted. A variance may be approved if all of the following criteria are satisfied:~~

~~1. 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~~

~~2. The granting of the variance would not be contrary to the objectives of this chapter; and~~

~~3. The signage of the property in question cannot be adequately met under the literal interpretation and strict application of the chapter; and~~

~~4. 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.~~

~~E B. Administrative Waiver - Design Restrictions. Restrictions pertaining to the location of a sign within architectural features of a building or to color of illumination as required in GHMC 17.80.033(B)(2) and 17.80.035(A) 17.80.090(B)(2) and 17.80.100(A) and 17.80.100 (C)(2) shall be observed unless a waiver is granted by the code administrator director. Waivers may be granted by the code administrator director upon a clear demonstration that all of the following conditions apply:~~

~~1. The proposed sign design is consistent with design guidelines in place at the time the waiver is requested the City's Design Manual;~~

~~2. The building for which the waiver is requested lacks usable wall and/or fascia space common to newer buildings;~~

~~3. The waiver shall not be granted for the purposes of increasing advertising effectiveness;~~

~~4. 3. If colored illumination other than white or ivory is desired in Area 3 2, the proposed sign is not visible to any residents from residential property within 200 two-hundred (200) feet of the parcel the sign is located on;~~



5. 4. All reasonable alternative locations for signage have been explored by the applicant. (Ord. 691 § 1, 1995; Ord. 664 § 4, 1994; Ord. 558 § 2, 1989; Ord. 532 § 4, 1988).

~~17.80.031~~ 17.80.060 General regulations.

~~A. Sign District. Three sign districts are created as designated on Map 1. The requirements of this chapter shall be applied to signs in all districts except for the special requirements to be imposed on signs located in each of the three districts.~~

~~B A. Motion Signs Prohibited. 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. Balloons may be permitted on signs if they conform to the provisions of Section 17.80.110(F). Limited use of thematic flags, banners and pennants which are complementary to a specific location or structure may be permitted upon approval of the director. 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.~~

~~C B. Exposed Sign Supports. Exposed braces and angle irons are prohibited unless they are a decorative element in the sign structure (e.g., wrought iron "S" curve braces) or unless there are no other practical means of supporting the sign.~~

~~D C. Flashing Signs. 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 respects to this chapter are allowed.~~

~~E D. Uniform Building Code Compliance. The structure and installation of all signs shall comply with the latest adopted edition of the city's building code. Such sign shall meet all other applicable provisions of this chapter.~~

~~F E. Off-premises Directional Signs. Off-premises directional signs may only be allowed if a variance is granted pursuant to GHMC ~~17.80.030 (D)~~ 17.80.050(A) 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.~~

~~G F. Maintenance Required. 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.~~

~~H G. Illumination Restrictions.~~

~~1. Externally illuminated signs. Signs may be externally illuminated and shall conform to the City's Design Manual standards for lighting. 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.~~

~~2. Internal illumination and neon. Electric signs shall not use incandescent bulbs for internal illumination. Lights on externally illuminated signs shall be so shielded as to contain the light to the sign surface only. Internally illuminated signs shall be limited conform to the following:~~

~~a. Individual pan-channel sign graphics and emblems. Sign graphics and emblems (e.g., fully illuminated logo shields) shall not exceed twenty-one (21) inches in height.~~

~~b. Individual sign graphics using "halo" or "silhouette" lighting. Sign graphic height shall not be restricted on opaque sign graphics using "halo" or "silhouette" lighting where the light is reflected off the surface to which the sign graphics are mounted.~~



c. Internal illumination and neon lighting. All sign graphics which are internally illuminated, or illuminated with neon tubing, are limited to no more than twenty-one (21) inches in height, except that illuminated outlines and borders may extend to the height of the sign face. Sign faces may not be internally illuminated and must be sealed at the seams to avoid light leaks. However, design allowances for illuminated sign faces may be approved by the Design Review Board (DRB) under the provisions of Section 17.80.140 if the sign conforms to all of the following criteria:

i. Illumination may be the minimum required to reveal the background color, but no brighter.

ii. Color Value of the sign face shall be limited to the darker values which are heavily imbued with brown or black undertones. Intensity (or chroma) shall be dull or weak. Examples of acceptable colors and unacceptable contrasts include: deep burgundy or maroon as opposed to red; dark forest green as opposed to kelly or lime green; dark navy blue as opposed to royal or sky blue). These darker hues are naturally more opaque due to their darker values.

d. Internally illuminated awning signs. Awning materials must be totally opaque. Only the sign graphics on an awning may be translucent.

~~individual pan-channel letters or to cabinet or awning signs with individual letters cut out of an opaque sign or awning face. Internally illuminated letters shall be limited to a letter height of 24 inches for the first letter of each word with the remaining letters limited to an 18-inch height maximum. Sign or awning materials must black out all light. Only the text may be translucent. Lighted signs visible from nearby residences shall have low or soft illumination or be shielded in a manner to not adversely affect such residents.~~

† H. Portable Signs. Portable signs shall not exceed 12 square feet in sign area six (6) square feet per side and shall not exceed twelve (12) square feet total. Portable signs shall not exceed four (4) feet in height and not more than one such sign ~~plus one portable sandwich board sign~~ may be displayed per business. Portable signs must be located on the premises to which they relate, except real estate signs and those signs allowed under Section 17.80.100(F).

† I. Abandoned Signs. 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.

J. Color and Material Restrictions. Reflective materials, brilliant luminescent or fluorescent colors shall be permitted for sign graphics and one logo shield per sign face only and may not be used on the background, field, or surface to which graphics or logo shields are applied. Materials which give the appearance of changing color or of movement are prohibited.

K. SR-16 Sign Orientation. Signage shall not be oriented for SR-16 visibility, except as follows:

1. Signage for existing establishments may be oriented to the road or parking lot providing primary access to the customer entrance.

2. Wall signage may be oriented toward designated freeway interchange areas as defined on Exhibit 1, provided all screening or buffering requirements specified in the City's Design Manual or zoning code are in compliance on the subject site, and provided that no more than one sign is visible from the interchange for any one business.

L. Wall Graphics. There are no restrictions on wall graphics except as regulated by the City's Design Manual for color, provided that they do not constitute advertising of a business, product, service or

event normally subject to the provisions for painted signs.

#### 17.80.070 Master Sign Plans

~~K. Master Sign Plan.~~ Before a sign permit can be issued for any commercial multi-tenant building, ~~All commercial buildings shall provide a master sign plan for the entire structure or project~~ a master sign plan shall be developed and approved by the City. Individual buildings on a single site may have separate master sign plans.

A. Required contents of master sign plans. ~~The plan~~ Master sign plans shall indicate the amount and location of signage allocated to each tenant space. ~~The signage plan must be designed so that it establishes a common theme or design, uses similar construction methods, has compatible colors, lettering, lettering style, symbols, scale and size of signs and/or identical background.~~ In addition, master sign plans shall specify from the following list of sign types which sign types are permitted on each building.

1. Individual pan-channel sign graphics - internally illuminated
2. Individual sign graphics - silhouette lighting
3. Individual cut-out sign graphics - no internal light source (e.g., wood, foam, brass)
4. Cabinet signs
5. Sandblasted or carved wood signs
6. Flat wood signs with hand-painted or vinyl graphics.
7. Neon signs
8. Awning signs
9. Fabric signs (e.g., banners)
10. Combination signs - signs which incorporate multiple sign types into one single sign in a specified or pre-determined fashion. (e.g., individual pan-channel sign graphics combined with internally illuminated logo shields or reader lines; cabinet signs with neon mounted to the sign face; wood carved signs combined with metal cut-out sign graphics).
11. Other - The Director may approve other sign types which have specific and unique design characteristics which are visually distinct from other sign types described herein (e.g., mosaic signs, concrete formed signs, etc.).

B. Design limitations. No more than one sign type may be used on any one building, except that up to two sign types plus one combination sign (as described in the above list) are permitted on a single building provided that no more than one sign type is used on any single wall plane, and provided that the separate sign types used on one building have at least two of the following design elements in common with each other:

- a. Common colors on the background or text
- b. Common lettering style.
- c. Common size (e.g., a specified height common to each sign).
- d. Common materials

C. Sign structure color requirements. Regardless of whether one or three sign types are specified, all sign cabinets, trim caps, returns and all sign supports such as poles and braces, shall be of a common color.

D. Approval process. Sign plans shall be approved through the site plan review process except that

existing buildings may have sign plans approved administratively by the Director. Owners, or owner's designees, of all ~~all~~ existing multi-tenant projects or buildings shall submit a master sign plan prior to issuance of any new sign permits for said buildings. The Director may approve a master sign plan prepared by an owner or owner's designee.

E. Amendment procedures. Master sign plans shall be amended no more than once every five years, except that a plan may be amended more frequently if all signs approved under an existing master sign plan are in conformance, or are brought into conformance, with the provisions of the amended sign plan.

~~L. Color Restrictions. "Day-glo", fluorescent, or reflective colored materials that give the appearance of changing color or brilliant luminescent colors shall not be permitted. Additional color restrictions are defined for Area 3. Reflective materials, brilliant luminescent or fluorescent colors shall be permitted for sign graphics only. Materials which give the appearance of changing color or of movement are prohibited.~~

~~M. Sign Orientation. Signage shall not be oriented for distant viewing. At least 70 percent of the allowed signage for a building shall be oriented to the road or main parking lot the project has direct driveway access to. The remaining signage may be oriented to the building side or rear, provided that the building has road frontage along that side or rear and provided that the signage is not oriented to the freeway or freeway interchange areas. (Ord. 691-§ 1, 1995).~~

#### 17.80.080 Sign Districts

Two sign districts are created as defined under Section 17.80.030(9). The requirements of this chapter shall be applied to signs in both districts except for the special requirements to be imposed on signs located in each of the two districts.

#### ~~17.80.033~~ 17.80.090 Sign standards for Areas 1 and 2 Area 1.

In addition to other applicable requirements of this chapter, signs located in ~~Areas 1 and 2~~ Area 1 shall conform to the following:

##### A. Freestanding Signs.

1. Height Measurement. Freestanding signs shall be measured from the highest point of the sign to the finished grade at the base of the sign support. Finished grade shall be the final grade approved through the site plan review process and shall not be increased for purposes of increasing overall sign height.

2. Height Standards. Freestanding ground signs shall not exceed eight feet in height.

3. Clearance Standards. Freestanding signs which abut the edge of a sidewalk shall have a maximum clearance of ~~27~~ twenty-seven (27) inches.

4. Maximum Sign Area. Fifty (50) square feet for a single side or ~~100~~ one hundred (100) square feet total ~~both sides on all sides, not to exceed 50 square feet on any one side,~~ or one square foot of sign area for every three (3) feet of frontage the sign is located on, whichever is less.

5. Location. Freestanding signs may not be located on public property. The placement of freestanding signs shall be in such a fashion and location as to not obstruct the view of signs of adjacent property owners.

6. Density. One freestanding sign shall be permitted on each street frontage of property on

which the business is located. Sites on a corner of two public streets may have one sign on the corner instead of a sign for each frontage, subject to approval by the public works director. Commercial properties with more than 1,000 one-thousand (1,000) feet of continuous street frontage and with more than one (1) entrance may install a freestanding sign at each entrance, provided that no single sign exceeds the maximum sign area described under GHMC 17.80.033(A)(4) 17.80.090(A)(4). Where there is frontage on more than one street, each frontage is treated independently.

7. Landscaping. Freestanding signs must be landscaped around the base of the sign.

a. Each sign shall have a landscaped area twice the size of the sign area. The landscaping and sign base shall be protected from vehicles by a six-inch high curb (or equivalent) at least three (3) feet from the sign base.

b. Landscaping shall be installed in the planting season closest to the date of the sign permit issuance. Signs installed after the planting season shall be landscaped by no later than the following planting season.

c. These requirements may be waived by the administrator if the sign is located in an area that is part of an approved overall site landscape plan.

#### B. Wall Mounted Signs.

1. 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 commercial building front or 50 square feet of sign area, whichever is greater, is allowed each business provided that signage does not exceed 10 percent of the wall plane it is mounted to.~~

~~Area 2 One and one-half square feet of sign area to one lineal foot of commercial building front, provided that signage does not exceed 10 percent of the wall plane it is mounted to.~~

3 percent (3%) of the wall plane the sign is mounted to, except that signage covering up to ten percent (10%) of a wall plane is allowed if the wall plane conforms to all solid/void ratio requirements specified in the City's Design Manual, and if all on-premise yards on the side of the building the sign faces conform to all landscaping provisions of the City's Design Manual and of Chapter 17.78. In no case may a single sign exceed one-hundred (100) square feet.

2. Architectural Details. Signs may not cover or obscure important architectural details of a building such as stair railings, turnings, windows, doors, decorative louvers, or similar elements intended to be decorative features of a building design. Signs must appear to be a secondary and complementary feature of the building facade. Wall signs must be located within architectural signs bands or other blank spaces which visually frame the sign. Blank wall sections above or between windows and doors, for example, may provide an effective location for signage. Signs hanging between pillars and archways may also be an effective design solution. However, to avoid a "maxed out" appearance, signs shall be no larger than 70 seventy percent (70%) of the width or height of the blank wall space or fascia the sign is mounted to so as to leave reveal on all sides of the sign and to maintain an appropriate balance between the sign and wall. For example, a pillar between a door and window which is 30 thirty (30) inches wide may have a sign which is 21 twenty-one (21) inches wide.

3. Height Restriction. Wall signs shall not project above roof lines or fascia boards.

#### C. Window Signs.

1. Allowed Size. Illuminated Window Signs. ~~Where a window sign is utilized in place of a wall sign, the area standards contained in GHMC 17.80.033(B)(1) shall apply.~~ Illuminated

window signs shall conform to the total wall sign area standards in 17.80.090(B) and shall conform with all master sign plan requirements in 17.80.070.

2. Non-illuminated Window Signs. Non-illuminated window signs are allowed in addition to the standards in 17.80.090(B), provided that they do not exceed fifty percent (50%) of the nominal window size (i.e., the window size as specified by the manufacturer). Additionally, non-illuminated window signs are not required to conform to the design standards of master sign plans.

~~2. Extra Sign Allowed. In addition to the area requirements of GHMC 17.80.033(B)(1), businesses are allowed one painted window sign identifying the business. The maximum area of these signs is six square feet.~~

~~3. Second Story Signs. Window 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.~~

#### D. Projecting Signs.

1. Surface Area. Projecting signs are limited to ~~32~~ thirty-two (32) square feet total both sides. Projecting sign area shall be deducted from the allowable wall signage determined under GHMC ~~17.80.033(B)(1)~~ 17.80.090(B)(1).

2. Clearance Requirements. All projecting signs must be at least eight (8) feet above sidewalks and walkways and ~~15~~ fifteen (15) feet above vehicular ways.

3. Maximum Projection. Projecting signs shall have a maximum width of three (3) feet with a maximum clearance of six (6) inches from the building wall.

4. Design Restriction. Projecting signs may not be cabinet-type signs and may not be internally illuminated.

~~E. Sidewalk/Sandwich Board. One sidewalk or sandwich board sign per business building entrance (not to exceed one sign per business) may be permitted subject to the following:~~

~~1. Location. If allowed in public right-of-way such as a sidewalk, sandwich board signs shall be located next to the sidewalk curb edge in such a manner so as not to interfere with the opening of car doors, bus stops, loading zones, car or pedestrian traffic, as approved by the public works director. No sign may be located so as to create a traffic safety hazard by interfering with the vision of drivers entering or leaving the premises.~~

~~2. Hours of Display. Signs shall be located directly in front of the sponsoring business, within 12 feet of the building entrance and during business hours only.~~

~~3. Owner Liability. 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.~~

~~4. Allowed Size. Maximum allowable sign area shall be 12 square feet total both sides. Such signs shall have a maximum height of three feet and width of two feet located in front of the business.~~

~~5. Signs in Public Right-of-Way. In order to place a sandwich board or portable sign in the public right-of-way, the sign owner must comply with the requirements of this chapter as well as the requirements of Chapter 12.02 GHMC, Right-of-Way Permits.~~

~~F. 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. (Ord. 691 § 1, 1995).~~

~~17.80.035~~ 17.80.100 Sign standards for Area 3 2.

The following sign standards shall apply:

A. Illumination. When illumination is desired in Area 3 2, the city encourages use of external light sources subject to the provisions of GHMC ~~17.80.031(H)~~ 17.80.060(G)(1). ~~Internally illuminated signs are permitted~~ Internal illumination is permitted on all signs except neighborhood identification signs, subject to the provisions of GHMC ~~17.80.031(H)~~ 17.80.060(G)(2). ~~except that illuminated text must be a light color contrasted against a dark background.~~ Internally illuminated sign graphics are limited to white or ivory colors if the proposed sign is visible from residential property within 200 feet of the parcel the sign is located on;

B. Freestanding Signs.

1. Height Measurement. Freestanding signs shall be measured from the highest point of the sign to the finished grade at the base of the sign support. Finished grade shall be the final grade approved through the site plan review process and shall not be increased for purposes of increasing overall sign height.

2. Height Standards. Freestanding ground signs shall not exceed six (6) feet in height.

3. Clearance Standards. Freestanding signs which abut the edge of a sidewalk shall have a maximum clearance of ~~27~~ twenty-seven (27) inches.

4. Maximum Sign Area. Twenty-four (24) square feet for a single side or ~~48~~ forty-eight (48) square feet ~~for both total on all sides.~~ If a carved or sandblasted wooden sign is used, freestanding signs may be ~~30~~ thirty (30) square feet for a single side or ~~60~~ sixty (60) square feet total on all sides ~~both sides.~~

5. Location. Freestanding signs may not be located on public property. The placement of freestanding signs shall be in such a fashion and location as to not obstruct the view of signs of adjacent property owners.

~~6. Density. One freestanding sign shall be permitted on each street frontage of property on which the business is located. Sites on a corner of two public streets may have one sign on the corner instead of a sign for each frontage, subject to approval by the public works director. Commercial properties with more than 1,000 feet of continuous street frontage and with more than one entrance may install a freestanding sign at each entrance, provided that no single sign exceeds the maximum sign area described under GHMC 17.80.035(B)(4). Where there is frontage on more than one street, each frontage is treated independently.~~

6. Density. Freestanding signs shall be limited to the following number and locations::

a. Commercial. One freestanding sign shall be permitted on each street frontage of property on which the business is located. Sites on a corner of two public streets may have one sign on the corner instead of a sign for each frontage, subject to approval by the public works director. Commercial properties with more than one-thousand (1,000) feet of continuous street frontage and with more than one entrance may install a freestanding sign at each entrance, provided that no single sign exceeds the maximum sign area described under GHMC 17.80.100(B)(4). Where there is frontage on more than one street, each frontage is treated independently.

b. Residential. One freestanding neighborhood identification sign is permitted at each entrance to a residential neighborhood.

7. Landscaping. Freestanding signs must be landscaped around the base of the sign.

a. Each sign shall have a landscaped area twice the size of the sign area. If a carved

or sandblasted wooden sign is used, landscaping may be reduced by 50 fifty percent (50%) for all grade level landscaping, or by 75 seventy-five percent (75%) if landscaping is contained in a raised planter around the base of the sign. Raised planters must be at least 18 eighteen (18) inches high. Planter and organic materials shall be installed within 30 thirty (30) days of sign installation. The landscaping, sign base or planter shall be protected from vehicles by a six inch high curb stop or sidewalk edge at least three feet from the planter base.

b. Landscaping shall be installed in the planting season closest to the date of the sign permit issuance. Signs installed after the planting season shall be landscaped by no later than the following planting season.

c. These requirements may be waived if the sign is located in an area that is part of an approved overall site landscape plan.

#### C. Wall Mounted Signs.

1. Total Sign Area. ~~Painted or attached wall signs must meet each of the following size criteria:~~

~~a. Allowed Signage per Facade. The combined area of wall signs on a given facade shall not exceed one square foot of sign for every lineal foot of commercial wall upon which it is mounted.~~

a. Allowed Signage per Wall Plane. Total allowed signage in Area 2 shall not exceed three percent (3%) of the wall plane the sign is mounted to, except that signage covering up to eight percent (8%) of a wall plane is allowed if the wall plane conforms to all solid/void ratio requirements specified in the City's Design Manual, and if all on-premise yards on the side of the building the sign faces conform to all landscaping provisions of the City's Design Manual and of Chapter 17.78.

b. Individual Sign Size. No single wall sign shall exceed 50 fifty (50) square feet.

~~c. Allowed Signage per Wall Plane. Wall signage may not exceed 10 percent of the wall plane or surface it is mounted to (see definition of wall plane).~~

~~d. c. Increased Size Option. If a carved or sandblasted wooden sign is used, the sign size may be increased by 20 twenty percent (20%) of its underlying allowable sign area.~~

e. d. Size Restriction. Wall signs must meet the 70 seventy percent (70%) space coverage allowances described under the surface coverage requirements in GHMC 17.80.035(C)(2) 17.80.100(C)(2).

2. Architectural Details. Signs may not cover or obscure important architectural details of a building; they should appear to be a secondary and complementary feature of the building facade. Wall signs must be located within architectural signs bands or other blank spaces which visually frame the sign. Blank wall sections above or between windows and doors, for example, may provide an effective location for signage. However, to avoid a "maxed out" appearance, signs shall be no larger than 70 seventy percent (70%) of the width or height of the blank wall space or fascia the sign is mounted to so as to leave reveal on all sides of the sign and to maintain an appropriate balance between the sign and wall. For example, a pillar between a door and window which is 30 thirty (30) inches wide may have a sign which is 21 twenty-one (21) inches wide.

3. Height Restriction. Wall signs shall not project above roof lines or fascia boards.

#### D. Window Signs.

1. Allowed Size. ~~Illuminated Window Signs. Where a window sign is utilized in place of a wall sign, the area standards contained in GHMC 17.80.035(C)(1) shall apply. Illuminated window signs shall conform to the total wall sign area standards in 17.80.100(C)(1) and shall~~



conform with all master sign plan requirements in 17.80.070.

2. Non-illuminated Window Signs. Non-illuminated window signs are allowed in addition to the standards in 17.80.100(C)(1), provided that they do not exceed 50 percent (50%) of the nominal window size (i.e., the window size as specified by the manufacturer). Additionally, non-illuminated window signs are not required to conform to the design standards of master sign plans.

~~2. Extra Sign Allowed. In addition to the area requirements of GHMC 17.80.035(C)(1), businesses are allowed one painted window sign identifying the business. The maximum area of these signs is six square feet.~~

~~3. Second Story Signs. Window 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.~~

#### E. Projecting Signs.

1. Surface Area. Projecting signs in Area 3 2 are limited to ~~32~~ thirty-two (32) square feet total for both sides. Projecting sign area shall be deducted from the allowable wall signage determined under GHMC ~~17.80.035(C)(1) and (D)(1) respectively~~ 17.80.100(C)(1).

2. Clearance Requirements. All projecting signs must be at least eight (8) feet above sidewalks and walkways and ~~15~~ fifteen (15) feet above vehicular ways.

3. Maximum Projection. Projecting signs shall have a maximum width of three feet with a maximum clearance of six inches from the building wall.

4. Design Restriction. Projecting signs may not be cabinet-type signs and may not be internally illuminated.

F. ~~Sidewalk/Sandwich Board~~ Portable Sign. One (1) portable sidewalk or sandwich board sign per customer building entrance (not to exceed one sign per tenant ~~thirty~~ (30) feet of building frontage) shall may be permitted subject to the following:

1. Location. Signs shall be located on the premises or directly in front of the sponsoring business at a point on the sidewalk right-of-way which is closest to the building entrance. ~~Signs shall be located in such a manner so as not to interfere with the opening of car doors, bus stops, loading zones, car or pedestrian traffic. 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. No sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, or any other type of street furniture, or otherwise create a hazard, including a tripping hazard.~~

2. Hours of Display. Signs may be displayed during business hours only.

~~3. Owner Liability. 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.~~

~~4-3. Allowed Size/Height. Maximum allowable sign area shall be 12 square feet total both sides; height of portable sidewalk signs shall be three (3) feet. All other size requirements of portable signs described in Section 17.80.060(H) shall apply.~~

~~5 4. Signs in Public Right-of-Way. Right-of-Way Permit. In order to place a sandwich board or portable sign in the public right-of-way, the sign owner must comply with the requirements of this chapter as well as the requirements of Chapter 12.02 GHMC, Right-of-Way permits.~~

G. ~~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. (Ord. 691 § 1, 1995).

~~17.80.040~~ 17.80.110 Temporary signs.

Except for business signs described under subsection A of this section and balloon signs described under subsection F of this section, no permit is required for temporary signs. Temporary signs are not allowed to continually advertise goods, services, political messages or events on a site; permanent signs shall be used for that purpose. Temporary signs located within public right-of-way shall be subject to the requirements of Chapter 12.02 GHMC.

A. Exterior Business Signs. Such signs include grand opening signs, sale signs, promotional signs, quitting business signs, and other nonpermanent exterior signs used by businesses. Exterior business signs shall be limited to ~~20~~ twenty (20) square feet in size. No more than one (1) exterior business sign may be displayed at any one time for any one business or tenant. Exterior business signs may be displayed for no more than ~~60~~ sixty (60) cumulative days per calendar year. A permit is required for each exterior business sign.

~~B. Poster Signs. Notwithstanding the business sign restrictions in subsection A, each business may continually display temporary poster-type signs. Poster signs are allowed on the inside of windows only.~~

~~C~~B. Real Estate (On-Premises and Off-Premises Signs).

1. Residential "For Sale", "For Rent" and "Sold" Signs. Such signs shall be limited to one sign per street frontage not to exceed six (6) square feet in sign area per side, placed wholly on the property for sale, and not to exceed a height of six (6) feet. One off-premises "For Sale" or "For Rent" sign no larger than two (2) square feet and no further from the subject house than the nearest arterial street intersection is permitted. No more than one (1) "For Sale" or "For Rent" sign may be used at any street intersection for any one developer, broker, seller or owner. No off-premises "Sold" signs are allowed. All real estate signs shall be removed within five (5) days of the final sale or rental.

If a development or subdivision with more than eight (8) parcels or units has more than ~~50~~ 25 percent (25%) of the parcels or units for sale at any one time by a single or joint developer, agent, or seller, signage shall be limited to one (1) project identification sign, no larger than ~~32~~ thirty-two (32) square feet, at the subdivision or project entrance with a map showing available lots or units by number. Each lot or unit may have a corresponding number sign not exceeding one (1) square foot.

2. Residential Directional "Open House" Signs. Such signs shall be limited to one (1) sign per street frontage on the premises for sale ~~and which is no further from the open house than the nearest arterial street intersection. No and no~~ more than one (1) open house sign may be used at any street intersection for any one developer, broker or seller. Such "Open House" signs are permitted only during daylight hours and when the broker/agent or seller is in attendance at the property for sale. No such sign shall exceed ~~five~~ six (6) square feet in sign area per side. The sign may be placed along the periphery of a public right-of-way, provided it does not interfere with traffic safety, but it may not be attached to a utility pole or traffic safety device.

3. Undeveloped Commercial and Industrial Property "For Sale or Rent" Signs. One sign per street frontage advertising undeveloped commercial property for sale or for rent is permitted while

the property is actually for rent or sale. The sign shall not exceed ~~32~~ thirty-two (32) square feet in sign area per side and six (6) feet in height.

4. Developed Commercial and Industrial Property "For Sale or Rent" Signs. Such signs shall be limited to one (1) sign per street frontage not to exceed sixteen (16) square feet in sign area per side, placed wholly on the property for sale, and not to exceed a height of six (6) feet.

DC. Construction Signs. Sign copy shall be limited to information about a building under construction or being remodeled. Maximum duration shall be until construction is completed or one year, whichever is shorter. Maximum area shall be ~~32~~ thirty-two (32) square feet.

ED. Campaign/Political Signs. Campaign/political signs may be posted on private property or on the planting strip between the sidewalk and the street, ~~which~~ when such planting strip is immediately adjacent to the sign owner's property, provided that it does not present a safety hazard to pedestrian or vehicular traffic. ~~These signs may be posted for a period not to exceed 90 days.~~ If related to an event or election, such signs shall be removed within seven days after the event or election. It shall be the responsibility of the property owner, tenant or candidate to remove such signs as required by this section. Maximum sign area shall be ~~12~~ twelve (12) square feet. Maximum height shall be ~~three~~ six (6) feet.

FE. ~~Seasonal Decoration Signs and~~ Signs Advertising a Public Event. Maximum duration shall be from one month before the event to five days after the event. ~~Because public events are allowed on a limited time basis and on sites not normally associated with the event, public event signs may be located off-premise within the City right-of-way, subject to the provisions of Chapter 12.02 GHMC, Right-of-way permits, or within the windows of buildings, subject to the building owner's approval and all other window sign requirements.~~ Signs shall be removed by the promoters of the event, or the city will remove such signs at the promoter's expense. (Ord. 691 § 1, 1995; Ord. 558 § 3, 1989; Ord. 532 § 5, 1988).

F. Balloon signs. Such signs include display of six (6) or more balloons, either individually or as festoons, connected to one or more fixed objects or vehicles. ~~Balloon sizes shall not exceed eighteen (18) inches in any dimension.~~ Balloon signs may be displayed for no more than sixty (60) cumulative days per calendar year. A permit is required for each balloon sign display.

G. Temporary window signs conforming to Section 17.80.020(E).

~~17.80.050~~ 17.80.120 Prohibited signs.

The following signs are prohibited:

A. Signs which by coloring, shape, wording or location resemble or conflict with traffic-control signs or devices;

B. Signs which the director of public works determines to be a safety hazard for pedestrian or vehicular traffic. Such signs may be removed if they already exist;

C. Flashing signs or lights;

D. Signs or parts of signs which revolve or otherwise have mechanical or motorized motion;

E. Portable signs exceeding six square feet each side;

F. Signs attached to or placed on a vehicle or trailer parked on public or private property; provided, however, this provision shall not be construed as prohibiting the identification of a firm or its products on a vehicle operating during the normal course of business. Franchised buses and taxis are exempt from this provision;

- G. Off-premises signs, except as specifically allowed in this chapter;
- H. Any sign affixed to or painted on trees, rocks or other natural features or utility poles;
- I. Roof signs;
- J. All readerboard signs, including portable readerboard signs except such signs used for theaters or public schools;
- K. Signs that display the symbol, slogan or trademark of national brands of soft drinks or other products that do not form the bulk of the business transacted on the premises;
- J. Electronic signs
- L. Signs not meeting the requirements of this section. (Ord. 691 § 1, 1995; Ord. 558 § 4, 1989; Ord. 532 § 7, 1988. Formerly 17.80.060.).

~~17.80.060 — Administration and enforcement:~~

~~The code administrator shall be responsible for enforcing the provisions of this code.~~

~~A. Removal of Signs. The code administrator or the public works director may order the removal of any sign erected, installed or maintained in violation of this chapter. Where there is no immediate threat to public safety or welfare, written notice shall be first given to the sign owner, the sign permittee or the owner of the property where the sign is placed, pursuant to Chapter 15.18 GHMC. Any sign located in the city's right-of-way which violates this chapter or Chapter 12.02 GHMC shall be subject to immediate removal by the city. Temporary or sandwich board signs removed by the city may be reclaimed by the owner after paying the city's administrative costs associated with storage. Signs not reclaimed after five working days shall be deemed refuse and may be discarded by the city.~~

~~B. Cumulative Civil Penalty. In addition to any other remedy available to the city, a person violating or failing to comply with any of the provisions of this chapter shall be subject to the procedures for violation, hearing and penalties as set forth in Chapter 15.18 GHMC.~~

~~C. Nonconforming Signs:~~

~~1. Nonconforming sign(s) shall be required to be brought into compliance with this chapter upon the earlier occurrence of any of the following events:~~

~~a. Abandonment of the sign or premises;~~

~~b. Destruction of the sign beyond 50 percent of its value;~~

~~c. A change in the use of the property where the sign(s) is located requiring additional permits or approvals from the city; or~~

~~d. On June 1, 2002; provided that such time limitation may be extended for periods not to exceed two years at a time by the administrator upon the granting of a hardship variance as set forth in subsection (C)(2) of this section.~~

~~2. Hardship variances may be granted by the administrator to extend the time period for compliance with subsection (C)(1)(d) of this section, if the administrator finds that all of the following are true:~~

~~a. Strict compliance with the provisions of subsection (C)(1)(d) of this section may impose an undue hardship upon the sign owner. This showing of "undue hardship" may be met, for example, by the sign owner's demonstration that the sign has not fully depreciated for federal income tax purposes. A sign owner's expenditures toward improvement or repair of any nonconforming sign shall not be considered by the administrator in the showing of hardship.~~



b. Granting of the variance from the provisions of this chapter will not:

- i. Depreciate or damage neighboring property;
- ii. Create a safety hazard; or
- iii. Be contrary to the purposes of this chapter.

e. The nonconforming sign has been and will be properly maintained. (Ord. 691 § 1, 1995; Ord. 585 § 1, 1990; Ord. 532 § 8, 1988. Formerly 17.80.070.)

17.80.130 Nonconforming signs.

A. A sign is legally nonconforming if it is out of conformance with this code, and:

1. The sign was lawfully erected in compliance with the applicable sign ordinance of the city or county which was effective at the time of sign installation, and a valid permit for such sign exists; or

2. The sign was erected prior to January 1, 1992.

B. A sign must be brought into compliance with the requirements of this code unless it conforms to Section 17.80.130(A).

C. Changes to the sign face and sign graphics may be made to a legally nonconforming sign except that such changes must conform to this code as to colors, sign graphics, materials, and illumination. A permit for such changes must be obtained.

D. A legal nonconforming sign shall be brought into compliance with this ordinance or shall be removed if:

1. The sign is abandoned; or

2. The sign is damaged in excess of fifty percent (50%) of its replacement value, unless said destruction is the result of vandalism or intentional destruction or removal by someone not authorized by the sign owner; or

3. The owner seeks to change the sign structure supporting, holding, or surrounding the sign, other than minor maintenance or repair.

4. The tenant space(s) to which the sign applies is undergoing an expansion or renovation which increases the size of the tenant space floor area or site coverage area by twenty percent (20%) or more, unless the sign is brought into conformance under the provisions of Section 17.80.130(E).

5. The building to which the sign applies is demolished.

E. An owner of a nonconforming sign may, under the provisions of Section 17.80.140, request the Design Review Board (DRB) to approve a design allowance deeming the sign conforming if the DRB makes all findings of fact specified for the following sign types:

1. Signs attached to buildings.

a. The sign is not a dominant feature on a blank wall, but is positioned within architectural features of a building specifically designed and intended for signage, such as parapets, sign bands, or fascias, or is positioned between other architectural features such as doors, windows or projections which provide architectural relief and detailing.

b. The sign is smaller than the architectural space the sign fits within so as to leave wall reveal around all sides of the sign.

c. The sign face conforms to all restrictions on background illumination and sign color.

d. The sign is consistent with the intent and general scope of the sign code and



Design Manual standards.

2. Freestanding signs.

a. The sign has design features which reflect design elements of surrounding structures, or the sign is incorporated into a landscaped area with large and mature plantings which provide a backdrop to the sign and which are at least as tall as the sign.

b. The sign has the characteristics of a monument sign rather than a pole sign (e.g., the base of the sign support where it meets the ground is at least as wide as the sign face).

c. The sign is consistent with the intent and general scope of the City's sign code and Design Manual standards.

17.80.140 Design Review Board Approval.

Those sections of this chapter which require a determination by the Design Review Board shall be processed as a design allowance in accordance with GHMC Chapter 17.98.035, and not as a design variance.

~~17.80.080~~ 17.80.150 Liability.

This chapter shall not be construed to relieve from or lessen the responsibility of any person owning, building, altering, constructing, or removing any sign for damages to anyone injured or damaged either in person or property by any defect or action therein, nor shall the city, or any agent thereof, be held as assuming such liability by reason of permit or inspection authorized herein or a certificate of inspection issued by the city or any of its agents. (Ord. 532 § 9, 1988).

Section 2. 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 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

\_\_\_\_\_  
Gretchen A. Wilbert, Mayor

ATTEST/AUTHENTICATED:





\_\_\_\_\_  
Mark E. Hoppen, City Administrator

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO:



followed in this chapter;  
trees or other natural features or utility poles;  
readerboard signs except such signs used for theaters or  
or trademark of national brands of soft drinks or other  
business transacted on the premises;  
of this section. (Ord. 691 § 1, 1995; Ord. 558 § 4, 1989;

ment.  
for enforcing the provisions of this code:  
tor or the public works director may order the removal  
n violation of this chapter. Where there is no immediate  
notice shall be first given to the sign owner, the sign  
the sign is placed, pursuant to Chapter 15.18 GHMC.  
which violates this chapter or Chapter 12.02 GHMC shall  
y. Temporary or sandwich board signs removed by the  
paying the city's administrative costs associated with  
in days shall be deemed refuse and may be discarded  
ny other remedy available to the city, a person violating  
ns of this chapter shall be subject to the procedures for  
in Chapter 15.18 GHMC.

be brought into compliance with this chapter upon the  
vents:

t of its value;  
e the sign(s) is located requiring additional permits or  
y limitation may be extended for periods not to exceed  
on the granting of a hardship variance as set forth in  
-administrator to extend the time period for compliance  
re administrator finds that all of the following are true:  
bsection (C)(1)(d) of this section may impose an undue  
of "undue hardship" may be met, for example, by the  
not fully depreciated for federal income tax purposes.  
ment or repair of any nonconforming sign shall not be  
ing of hardship.

lect design elements of surrounding  
with large and mature plantings which  
is the sign.  
ment sign rather than a pole sign (e.g.,  
east as wide as the sign face).  
neral scope of the City's sign code and

by the Design Review Board shall be  
chapter 17.98.035, and not as a design

ie responsibility of any person owning,  
images to anyone injured or damaged  
ior shall the city, or any agent thereof,  
action authorized herein or a certificate  
12 § 9, 1988).

hrase of this ordinance should be held  
tent jurisdiction, such invalidity or  
onality of any other section, sentence,

and be in full force five (5) days after

OVED:

\_\_\_\_\_  
en A. Wilbert, Mayor

\_\_\_\_\_  
Mark E. Hoppen, City Administrator

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO:



**Peninsula Neighborhood Association**

P.O. Box 507, Gig Harbor, WA 98335 (206) 858-3400

March 4, 1998

Gig Harbor City Council  
3105 Judson Street  
Gig Harbor, WA 98335

Re: Sign Code Amendments

Dear Mayor and Council Members:

I would like to reiterate PNA's strong support for the Planning Commission's recommendations regarding the City Sign Code. In our opinion, your adoption of these recommendations would improve the Code significantly and resolve many of the issues causing difficulty with the existing code.

With respect to the height limit on internally illuminated sign letters, we support the Planning Commission's recommendation of a 21" height limit. The existing code permits 18" letters (with the exception of the first letter). Most of the businesses in the Olympic Village Shopping Center are well within this limit. The business community's proposal for 24" letters, if adopted, would represent a 33% increase over the existing limit. In our opinion such a request is unwarranted and excessive. And we certainly do not support a rationale which appears to give great weight to the convenience factor for sign manufacturers.

The City's Comprehensive Plan includes the stated goal to "keep internally illuminated signs subdued." We trust that the Council will give this goal the weight it deserves when making your decision on this matter.

Sincerely,

Tom Morfee

for:

Peninsula Neighborhood Association



PAUL L. KABZIK D.D.S.  
3518 Harborview Drive NW  
Gig Harbor, Washington 98332

March 1, 1998

To: Mayor Wilbert and City Council Members  
Re: Proposed revisions to sign code - sign graphic height

Dear Madam Mayor and Council Members,

After reading individual Council Members' notes on the sign code which were submitted for the February 23rd, 1998 meeting of the council, I respectfully submit my comments concerning the Planning Commission's recommendation to raise the allowable internally illuminated sign graphic height from a base of 18" to 21", and the possibility that the City Council might further raise it to 24".

I am concerned that the council is looking at this as "what's another three inches?" issue, rather than exploring the rationale behind the 21" height recommendation. In the current code the height limitation is 18" with an allowance of up to 24" for the **first letter of text only**. This was to allow for a larger uppercase first letter while keeping the majority of text to no more than 18". At our public hearings the business community pointed out that this regulation was irrational, did not allow for a variety of type faces, and penalized those signs which used all upper or lower case letters. Additionally the code did not address logos or other non-text sign graphics. The Planning Commission agreed with these observations and three different options were discussed:

1. Remove the 24" first letter allowance, leaving a maximum of 18" for all sign graphics.
2. Raise the limit to 24" for all sign graphics.
3. Reach a solution based upon research, public testimony, and our discussions.

Option 1. (max. 18") would be the closest to what the current sign code allows and would be in keeping with the dimensions of a significant percentage of existing signs. It was decided however that this option would be regressive, would be viewed as punitive, and would not allow for a desired variety in signs. For these reasons it was rejected.

Option 2. (max. 24") was also discussed, but the impact of 24" and larger sign graphics when used repetitively by many businesses in a typical multi-tenant complex was very significant, especially when tenant spaces were narrow. Also, when used individually, these signs often tend to overwhelm their neighbors. While it is true that this problem currently does not exist in the Gig Harbor area, the commission felt that it was important to be proactive to a worse case scenario, rather than reactive as in the past. Particularly since these signs are the ones that have resulted in considerable negative reaction from the community. The 24" height was therefore rejected.

Option 3. inspired lively debate resulting in a majority of commission members agreeing that 21" provided adequate coverage and visibility, and was appropriate for the typical two - four foot signage band available on many commercial developments. We therefore utilized that dimension in our recommendation. (Please see attachment discussing readability and visibility)

In your deliberations please keep in mind that this regulation effects **internally illuminated sign graphics only**. It does not limit the height of externally illuminated or silhouetted sign graphics, nor does it limit the overall height of any sign regardless of the type of illumination utilized. Those businesses which might be effected would be limited to: **Franchise operations** which have available **only internally illuminated** signs which are supplied **only in six inch increments**. Information has not been made available to the Planning Commission on what proportion of proposed businesses would have all three conditions apply, nor has the commission been given any documentation that a significant number of franchisers only supply their signs in six inch increments. The commission did, however, see numerous examples of national franchise operators who modified their signage to conform to community standards. I feel that Gig Harbor is no less worthy of such consideration.

If the 24" height is approved the net result would be a **six inch increase in height and a proportional increase in the brush stroke from the current standard** for internally illuminated sign graphics. As previously mentioned, these are the very signs which most concern the citizens of Gig Harbor and have drawn the most criticism. The issue is significantly more than "just another three inches". I urge you to accept the recommendation of the Planning Commission on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Kadzik". The signature is fluid and cursive, with a large initial "P" and "K".

Paul L. Kadzik D.D.S

enc: Two issues of sign industry publication and discussion.



## SIGN READABILITY

Attached are two copies of SIGNLINE, a publication of the sign industry put out by the Midwest Sign Association. SIGNLINE was one of a number of sign industry publications which were used for research. I found this publication was quite useful in representing the sign industry's point of view in a rational, informative, and non-emotional way. I have included Issue One for background information only. It is Issue Nine which I wish to discuss.

The general topic of Issue Nine is that of Free Standing signs and their readability from an automobile as a function of vehicle speed, letter height, and distance to the sign. On page 2 there is a chart (CHART A) which relates speed to distance traveled. On page 4 it is stated that a typical driver reaction time is 10 seconds. Also on page 4 is a VISIBILITY CHART (CHART B) derived from the Guideline Sign Code of the National Electric Sign Association, another sign industry association.

The publication figures the average text content of a sign (48 letters) and uses a vehicle speed of **50 MPH** to determine that, at that speed, with a **10 second** reaction time a minimum **letter size of 16" is needed** for readability. It also uses a number of calculations to determine a minimum overall sign size (in this case 155 square feet - discussed below).

Calculations: from CHART A 50 MPH = 73.3 feet/second X 10 seconds = 733 feet  
from CHART B 733 feet = 16" letter height

Using the same calculations in reverse for 21" letters (having to interpolate between 18" and 24") it can be shown that a **21" letter** would be readable to a vehicle traveling at **70 MPH**, quite adequate for freeway interchanges.

Calculations: from CHART B 21" letter = 900 feet (interpolated) /10 seconds = 90 feet /second  
from CHART A 90 feet /second = 70 MPH

Using a more reasonable **35 MPH** within the city a minimum letter size of **12"** is found.

Calculations: from CHART A interpolation for 35 MPH = 51.3 feet/ second X 10 seconds = 513 feet  
from CHART B 513 feet = 12" letter height

If one were **standing still, or walking, a 21" letter** height would be readable at **900 feet**

Calculations: from CHART B interpolating for 21" = 900 feet

It is recognized that these charts and calculations are meant for Free Standing signs located close to the street, however most wall signs are located within 100 feet of the street to which they are oriented. A difference of 100 feet of reading distance yields a difference of 2" of letter height on CHART B. For readable wall signs therefore, the above examples should show the following:

50 MPH = 18" letter height  
21 letter height = 60 MPH  
35 MPH = 12 " letter height

It is also recognized that recommended letter sizes are minimums. Notwithstanding that fact, it would appear that from the data contained in this article, published by the sign code industry , **a good argument could be made for retaining the 18" maximum letter height and eliminating the 24" first letter allowance.** I mention this only to emphasize that the 21" sign graphic height is both adequate and fair.

As previously mentioned ,SIGNLINE also calculates the minimum sign area needed for various speeds and distances. It will <sup>NO</sup> ~~be~~ doubt be pointed out that these calculations result in minimum sign sizes that are above the Planning Commissions maximum sign of 100 square feet, however the calculations use a very liberal definition of average sign ( 48 letters - not many signs contain that much text) and use generous "fudge" factors.

# SIGNLINE

ISSUE ONE

QUARTER ONE / 1990

## About Signline . . .

**S**ignline is a publication of the Midwest Sign Association, whose membership comprises a wide range of individuals and corporations interested in the development of effective and aesthetically harmonious environmental on-premise signage throughout the Midwest region; which includes the states of Indiana, Kentucky, Michigan, Ohio, the western portion of Pennsylvania and West Virginia.

Representing the interests of on-premise sign producers, users, and to an increasing extent, the broad range of consumers who daily must rely on the communicative, directional, and informational content of on-premise signage, the Midwest Sign Association is acutely aware of its responsibility to make its resources available to the communities it serves. To this end, MSA, through the sponsorship of its member contributors, now provides a wide array of community oriented services, including technical counsel and data, audio visual and video programs on the efficacy of properly planned signage systems; case studies; plant tours; environmental marketing analyses; legal monographs and case law; and numerous other materials relating to the design, marketing, and use of on-premise signs.

In the vital areas of planning, zoning and legislation, MSA is particularly active in fulfilling its avowed educational role. To both planners and legislators alike, the association offers literature and audio visual programs

specifically designed to address on-premise sign zoning issues. Guideline sign codes and model ordinances, uniquely tailored to the needs of the Midwest Region, are a significant part of the Association's involvement in the area of sign legislation, and have, for many years, been instrumental in providing numerous community planners and legislators with a source of information and insight into the complex issues involved with sign zoning and regulation. In addition to these resource materials, the Association, through its Legislative Committee, maintains a fully informed cadre of local and national sign industry experts who are ready to offer assistance, frequently at the local level, to community planners regarding on-premise sign zoning issues.

Because MSA fully recognizes that on-premise signage must not only serve the needs of consumers and businesses, but must serve the best interests of the community as well, it always has welcomed the opportunity to make its resources available to planners and community leaders throughout the region it serves . . . *and to help bring this dedication to service through communication to as many communities as possible, Signline now exists!!*

Scheduled for quarterly publication, *Signline* will be sent to those individuals or groups interested in on-premise sign zoning, planning, regulation and marketing throughout the Midwest region. Its purpose is to provide valuable and viable information concerning on-premise signs and sign

*Continued on Page Four*

SIGNLINE

# Some Thoughts About Sign Zoning . . . and t



What an ugly sign! . . . to be sure, some ugly signs, by almost any reasonable standard, do exist. And because they exist, it is not unexpected that communities initiate some effort to prevent their proliferation . . . thus, many sign ordinances, regardless of their ostensible purposes, represent a concerted attempt to control the visual efficacy of signs by limiting their size - the prevailing theory being that "small ugly" is preferable to "big ugly"!

The irony of this approach, however, is that, when undertaken without a full understanding of the marketing and design process involved in the creation of on-premise signage, it can more often than not, lead to precisely the result it attempts to eliminate.

On-premise signs are among the most complex elements in the contemporary landscape. They represent not only a means of concise communication, but also a means of projecting positive or negative imagery - and, as such, they can literally set the visual tone for an individual business or even an entire community.

A sign code which recognizes this dual function of a community's on-premise sign system, and which provides adequate space for valid graphic expression, can be a powerful catalyst for an aesthetically pleasing environment. Conversely, a code which severely restricts artistic presentation because of rigid size constraints may produce exactly the opposite condition . . . a quite natural consequence of the manner in which visual and market forces impinge on the design process of on-premise signage.

Contemporary on-premise signs are, for the most part, designed by university trained graphic and environmental design professionals with extensive experience in both visual communication and environmental marketing. In fulfilling their function, on-premise signage designers face a

number of constraints and challenges, not the least of which are imposed by three major, and sometimes contradictory, requirements. These are:

1. Budgetary limitations;
2. Visibility and site characteristics; &
3. Local zoning requirements.

In addition, pre-existing graphic, color, and shape parameters imposed by corporate or institutional design programs may not readily adapt to the visual expanse presented by the exterior landscape in which the on-premise sign must function.

It is not surprising, then, that given these constraints, along with the obvious responsibility of utilizing on-premise signage to optimize the marketing and communicative value of the site, that occasionally, sign design may fail to achieve the high aesthetic standards to which designers aspire. Significantly, the sign code under which a designer must operate has a great influence on the outcome of the design process. A sign code structured to encourage good design makes a designer's task easy and his results predictably worthwhile. Conversely, a code structured without consideration of the design process can make the task a virtually impossible one.

For example: Drawing 1 depicts a contemporary approach to a letterform construction of a logotype for a typical restaurant located on a major suburban highway. As with all logos of this type, careful attention has been given to the selection and juxtaposition of the letterforms themselves, with the aim of projecting an image of understated distinction, service and quality. As seen in Drawing 2, a logo of this type would typically be used on menu covers and other graphic material required by the restaurant, including the on-premise sign. Unlike the other forms of visual communication on which the logo would be used, however, the on-premise sign must be able to command a visual range sufficient to allow safe and

# Aesthetic Consequences of Legal Constraint

convenient access to the site by potential patrons transiting the highway at an average speed of 45 mph . . . and herein lies the design quandry.

Faced with a zoning code allowing a maximum of 24 square feet for total roadside signage, the obvious design choice represented by Drawing 3 must be rejected in favor of the less graphically appealing but much more visible option indicated by Drawing 4. This is because in a competitive roadside market environment, it must be understood that one of the prime requisites of the on-premise sign is that its message be seen, read, interpreted, and processed in a finite and rapidly diminishing time interval.

Traveling at 45 mph, or 66 feet per second, the average motorist can expect to read the foot high characters of sign #4 at a range of 600 feet, allowing 9 seconds of decision making time. Conversely, although sign #3 clearly maintains and reinforces the overall graphic image desired by the restaurant, its use of the delicate letterform logo reduces its visual range to a maximum of 200 feet, allowing only 3 seconds before the site is passed. In this case, which although hypothetical is not uncommon in everyday experience, the sign was designed not by the graphic designer, *but by the sign code itself!*

And although we have made this example quite specific to illustrate the point, it is food for thought nonetheless . . . particularly the thought that sign codes can have a significant effect on design, both bad and good. We've got some ideas and recommendations to help improve on-premise sign design through creative sign code provisions; and we'll discuss a number of them at length in the next issue of *Signline*. These will include:

1. The provision of bonus space for
  - a. graphic symbols
  - b. landscaping
  - c. decorative incidental embellishment, and,
  - d. analagous color and architectural themes

---

---

Joseph's  
Elegant  
Cuisine

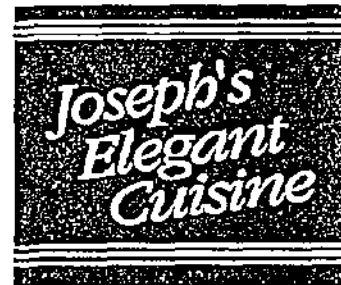
---

---

Drawing 1



Drawing 2



Drawing 3  
(Sign 3)



Drawing 4  
(Sign 4)

2. A concept of copy area versus background area computation; and
3. A concept promoting the use of varied letterforms and background shapes thru flexible computational schemes.

*Continued From Page One*

systems to those who may find some professional benefit from its use - and, in so doing, work toward a cooperative partnership between on-premise sign producers, sign users and local zoning and planning departments, who, working together, may better be able to provide on-premise sign systems capable of satisfying both the aesthetic and commercial requirements of their communities!

Issues of **Signline** will feature discussions on a broad variety of on-premise sign and environmental graphic topics with particular emphasis on creative and innovative solutions to commonly experienced problems.

Planned topics for future issues of **Signline** include: Visibility and legibility analyses in the landscape . . . Site distance requirements . . . Guideline code definitions and recommendations . . . Flashing, animated, and variable message signs - their uses and control . . . Signs and traffic accidents - myth or reality . . . New tech-

nologies and trends in environmental communication . . . Differences in signs by type, by use, by message content . . . Signs as marketing tools . . . Linkage between on-premise signs and other media . . . Control of portable and other temporary type signage . . . Symbol and letterform design and presentation . . . Backlit awnings . . . Public perceptions regarding on-premise signage . . . The value of on-premise signs . . . Neon in the contemporary landscape . . . Size, height, and spacing criteria . . . and, of course, specific information occasioned by readership request!

But **Signline** must be much more than a conduit of information. In the final analysis, **Signline** will succeed or fail on the basis of its ability to engender an atmosphere of creative cooperation between all of us involved in the difficult task of making the landscape a better place in which to work and live. **Signline** is a first step in this direction - and, we are convinced, it is both a timely and necessary one. We hope you agree!

## **Can We Help?**

*If you would like more information concerning on-premise signage, or if you are wrestling with the prospect of updating an existing sign ordinance or with the creation of a completely new sign code, the Midwest Sign Association is ready to provide counsel and assistance.*

*Simply call or write the Midwest Sign Association executive offices, or complete and mail the enclosed postage paid postcard. A member of the MSA executive staff will contact you without delay and without obligation.*

**Midwest Sign Association**  
Attn: Dee Scott, Exec. Director  
P.O. Box 36232  
Cincinnati, Ohio 45236  
Phone: (513) 984-8664  
Call MSA Toll Free:  
1-800-247-8664

## **Signline . . .**

is a public service publication of the  
Midwest Sign Association  
P.O. Box 36232, Cincinnati, Oh 45236

Phone: (513) 984-8664  
FAX: (513) 984-1539

Dee Scott  
Executive Director

Cal Lutz  
President

Andrew D. Bertucci, Editor

## **PASS IT ON !**

If you found **Signline** interesting and think that someone else might enjoy receiving a copy as well, Why not do them a favor and pass it on! Just call the MSA Toll Free Number **(1-800-247-8664)** and we'll be happy to add their name to our mailing list.

# SIGNLINE

ISSUE NINE

1992

## FREE STANDING SIGNS

### OVERVIEW

In the American suburban landscape, nothing better defines the presence of economic activity as pointedly as the free standing sign. Designed specifically to communicate in an environment created essentially to capitalize on the exceptional mobility of people made possible by the automobile, free standing signage has become the almost universal icon of roadside enterprise . . . and because of its ability to stand alone from other architectural or landscape elements, it is the free standing sign that most frequently defines the essential character of the sign system in most suburban or rural communities.

All environmental signs are stationary, graphic communication devices which depend upon the flow of people around and past them in order to

transmit messages. As the velocity of this flow increases, the time required for both message transmission by a sign and message assimilation by a viewer necessarily decreases. Because free standing signs, as a type, are generally positioned to transmit messages to rapidly moving viewers, their design, size, height and placement are critical if they are to function properly.

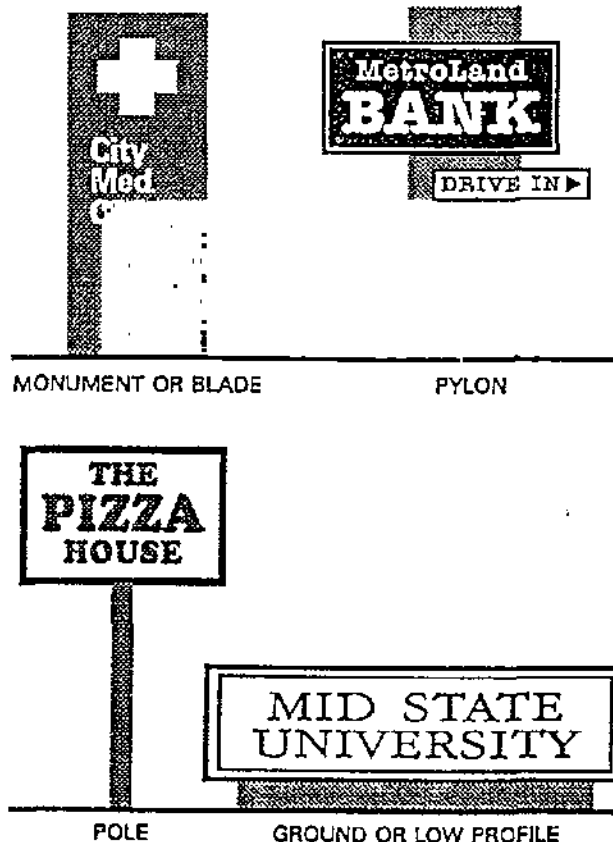
In addition, free standing signs define the use of a space or place, rather than simply identify a building. It is this characteristic which makes them so useful to a broad range of roadside activity, and which also demands that their messages be unequivocally clear, concise, and readily assimilated. And after dark, as other visual landscape cues disappear, it remains for the illuminated free standing sign alone to serve motorists with a reliable guide to the environment.

### TYPES

A free standing sign may be defined simply as *any sign supported permanently upon the ground by varied means and not attached to any building or structure whose purpose is not to support such sign*. Within this definition, a relatively wide variety of design types can exist. Drawing 1 illustrates a few basic free standing sign types, from which numerous variations are possible.

Because of the varied types, regulation of free standing signs by means of overall size limitation can create unintended results. For example, many communities may wish to encourage the use of monument type free standing signage instead of the pole type. An ordinance that does not recognize the difference between the two types, however, and which proscribes a limited amount of square footage for total sign area, regardless of type, will actually serve to encourage the pole mount sign. This is because when square footage is limited, most sign users will maximize the space allotted for copy, rather than utilize it as part of a monolithic design element.

Ordinances which regulate the copy area, rather than the overall sign area,



DRAWING 1  
FREE STANDING SIGNS - GENERAL TYPES

can, in this context, be useful in promoting a variety of free standing sign usage without adversely affecting the communicative value of one type over another. Additionally, depending on topography or other landscape factors, an ordinance may be tailored to encourage one type of free standing sign over another in particular zones. Thus, in relatively low speed, low density zones, the monument or ground type sign could be encouraged by ordinance, while in high speed, high density zones, the more easily readable pole and/or pylon signs could be encouraged.

### VIEWING TIME

A number of factors can impact the readability of free standing signage. Principal among them are setback, size, height and copy content. Additionally, because most free standing signage is designed to communicate with the inhabitants of moving vehicles in a complex environment, viewing time - measured as the time span during which the message on the sign can be read and understood - is critical. More so than with any other form of signage, viewing time is essential to the proper functioning of free standing signs. This time span, usually only a few seconds, represents the sole window of opportunity during which the free standing sign can transmit its message to the moving motorist. From the standpoint of the motorist, viewing time translates into a kind of comfort index - the greater the time to view and assess the environment, the greater the comfort. Thus, in the dynamic commercial environment, there is a clear interaction between the road, the roadside free standing signage, and the motorist as he traverses that road at a given speed. An understanding of this interaction is fundamental to the proper use and regulation of free standing signage.

Motorists generally are assumed to require at least ten seconds reaction time to safely negotiate a substantial change in vehicle direction or speed. Based upon information available to the motorist from a relatively constant visual scan of approaching roadside features, appropriate maneuvers will be initiated to effect lane changes or to decelerate prior to a turn into a desired location. With adequate perception, recognition, and reaction on the part of the motorist, these maneuvers usually can be made in a safe manner. If recognition of a roadside feature requiring vehicle maneuvering is slow or late, however, drivers may be forced to choose between an abrupt, unsafe maneuver or an inconvenient drive-by of the location.

Free standing signs make up part of the motorist's visual scan, and to the degree that the information on the signs can be readily processed and understood, the essential driving task is unimpaired. When signage is too small, improperly situated, or lacks contrast between copy and background, however, it is frequently necessary for the motorist

attempting to locate a particular site or curb cut to either divert attention from the road in order to search out the information required, or to decelerate rapidly.

In attempting to locate a particular site, most motorists scan for the existence of a free standing sign which defines the general location sought. Given sufficient time after the sign has been seen and recognized, a safe deceleration and lane change maneuver can be made by the motorist preparatory to entrance into the curb cut. As the site is approached in decelerated mode, additional smaller scale free standing signs may be in place to further assist the motorist in clearly identifying the entrance to the location.

In actual practice, this optimized use of roadside signage is seldom approached. Occasionally, topographical factors - such as road curvature or severe changes in elevation - interfere with optimum visibility. More often than not, however, this interference is the result of zoning size and/or placement restrictions which fail to take into account the dynamics of a landscape in which the principal views are from the seat of a moving vehicle.

In this environment, even a relatively slow moving vehicle covers a surprising amount of ground. At 30 MPH, for instance, an automobile travels 44 feet per second, or about two and one-half car lengths. In bumper-to-bumper traffic at even the relatively slow speed of 30 MPH, it is obvious that as little as a one-second distraction of the driver's attention could result in a severe rear-end collision. Driver's who are responsible for causing such collisions, in fact, frequently cite that their attention was diverted "for only a second!" At 60 MPH, distance covered is doubled to 88 feet per second, and in the ten seconds normally necessary for the average motorist to recognize, react, and safely turn into a roadside location, 880 feet - or the length of almost three football fields - has been covered.

Chart A below lists distance covered in feet per second at varying travel speeds.

It is precisely because of this time-speed ratio that federal and state department of transportation "guide" signs are large, high in contrast, and placed in direct view of the driver, usually

**CHART A**

Miles Per Hour MPH	Feet/Second
30	44
40	58.6
50	73.3
60	88
70	102



overhead and clearly within a comfortable visual scan. On high speed roads especially, guide signage follows a typical pattern, with at least one or more signs placed well in advance of a turning point to afford motorists ample time to change lanes and decelerate, before the final destination guide sign is encountered at the turning point itself.

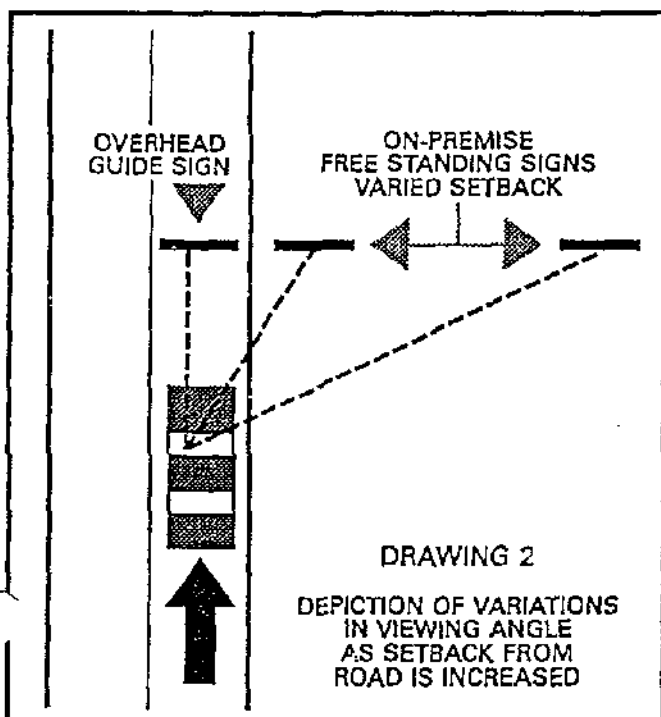
### SIGN PLACEMENT

For the most part, free standing signs are viewed through the windshield of an automobile which is rapidly closing the distance between itself and the sign at the roadside. At some point, as the view angle between the auto and the sign decreases, effective communication becomes impossible, unless the viewer is blessed with exceptional peripheral vision. It is this "windshield view" that makes both the design and regulation of free standing signs so challenging, particularly if designer and regulator share an equal concern with assisting motorists through optimum roadside communication. The windshield view, incidentally, which causes free standing signs at the roadside to "disappear" as they are approached, is not a factor for most traffic control guide signs which, whenever possible, are placed directly above the road itself and remain viewable almost to the instant when they are passed.

Drawing 2 illustrates how setback alone can seriously affect the deterioration of view angle as a free standing roadside sign is approached.

The danger of setback is that as sign setback from the road right-of-way is increased, viewing time is decreased, unless a motorist, in order to read the sign, turns his head and takes his eyes off the road.

Although there is no definable correlation



between the existence of roadside signage and traffic safety, the ability to process information through the windshield of a rapidly moving vehicle without losing sight of the road is obviously a critical component of traffic safety. A number of automobile manufacturers, to this end, are now offering "heads-up" displays in which vital information is projected directly on the windshield of the automobile - similar in concept to the now common "heads-up" display of vital targeting information available to pilots of modern fighter aircraft. Sign regulation which requires the setback of free standing signs serves to cut down windshield viewing time, and to the degree that setback cuts down viewing time, traffic safety may also be impaired. Thus, when at all possible, free standing signs should be located as close to the roadside as practicable where they will be capable of transmitting their messages over a greater span of time and thereby allow motorists a more manageable, and safer, windshield view of the total environment.

### SIGN SIZE

Of all the factors involved in sign visibility, adequate size may be the most significant. Yet, in far too many zoning deliberations involving regulation of free standing signs, the question frequently seems to be, "How small can we make them?" A more cogent question, however, might be asked, and that is, "How safe and effective can we make them?" Using this latter question as the benchmark, minimum as well as maximum size considerations can be explored. In this context, it is clearly important that roadside signage be easily readable . . . and, just as viewing time is a function of traffic speed, readability of the message is a function of letterform size and legibility.

Chart B, extrapolated from the Guideline Sign Code of the National Electric Sign Association, offers readability distances based upon the height of optimally designed letters. It should be noted that this chart is predicated upon the use of exceptionally readable letterforms, such as sans serif Helvetica or Univers Medium and also assumes maximum contrast of black letters on a white background. In practice, the ideal readability conditions expressed in the chart seldom exist in the landscape. For this reason, some degree of "error margin" should always be added to the readability figures when they are used to effect regulation of signage in actual landscape conditions.

By using readability as expressed by Chart B, and distance over time (as expressed by Chart A), a minimum size expectation for free standing signage can be derived. The following procedural analysis is intended to demonstrate how a reasonable minimum size for on-premise free standing signage can be calculated, based on the interaction of traffic speed, viewing time,

and optimally readable copy. To accomplish this, three factors must be resolved.

They are: (1) Average copy content of the signage, (2) Average readability of the signage as expressed by letter size, and, (3) Average speed of traffic past the signage site.

In general, the copy or content of free standing signage is kept by designers to relatively few words or symbols. Such signage is usually limited to six or seven words averaging seven or eight letters each. By multiplying average words by average letters per word (6 words x 8 letters), the result is an average copy component of 48 letters per free standing sign. Assuming visibility conditions in which the speed of traffic is 50 MPH with a typical driver reaction time of 10 seconds, a minimum size standard for free standing signage under these conditions can be approximated as follows:

### VISIBILITY CHART

MAXIMUM READING DISTANCE (Ft.)	HEIGHT OF LETTERS	WIDTH OF LETTERS	LETTERSPEACE (Space Between Letters)
500	12"	7"	4 1/2"
600	14"	8"	5 1/2"
700	16"	9 1/2"	6"
800	18"	11"	7 1/2"
1000	24" (2)	14"	9 1/2"
1500	36" (3)	2' - 2"	1' - 2 1/2"
2000	48" (4)	2' - 5"	1' - 7"
2500	60" (5)	3' - 0"	2' - 0"
3000	72" (6)	3' - 7"	2' - 5"
3500	84" (7)	4' - 10"	3' - 2"
4000	96" (8)	5' - 5"	3' - 6 1/4"
5000	120" (10')	6' - 0"	4' - 0"

per letter of 256 square inches. 256 square inches times 48 letters equals 12288 square inches, or 85 square feet, which represents the area required for average copy only. To this must be added a factor of at least 40 per cent to account for space between words, space between copy lines, and space around the edges of the total copy component. 40 per cent of 85 square feet equals 34 square feet, which, when added to 85 square feet results in a minimum sign copy area

### CHART B

size of 119 square feet under ideal viewing conditions. By adding an "error" factor of at least 30 percent to account for variations in driver visual acuity, letterform complexity, haze, traffic density, and other extraneous conditions, the minimum size for a free standing sign in a 50 MPH zone can more appropriately be calculated at 155 square feet.

In the next issue of *Signline*, we will continue the discussion of free standing signage with an examination of height considerations, how copy variations affect readability, and offer some regulatory formulae for control of clutter and for minimum/maximum size considerations related to both speed of traffic and property frontage in various zones.

Chart A shows that at 50 MPH, vehicle travel is 73 feet per second, or 730 feet over 10 seconds time. Reference to Chart B indicates that at 730 feet (the distance at which the sign should be initially readable), minimum readability requires letters of at least 16 inches in height. Allowing for spacing between letters of approximately 1/3 their height, each 16 inch high letter will occupy 16 inches of horizontal space as well, for a total

## Can We Help?

If you would like more information concerning on-premise signage, or if you are wrestling with the prospect of updating an existing sign ordinance or with the creation of a completely new sign code, the Midwest Sign Association is ready to provide counsel and assistance.

Simply call or write the Midwest Sign Association executive offices. A member of the MSA executive staff will contact you without delay and without obligation.

**Midwest Sign Association**  
 Attn: Dee Scott, Exec. Director  
 P.O. Box 36232  
 Cincinnati, Ohio 45236  
 Phone: (513) 984-8664  
 FAX: (513) 984-1539  
 Call MSA Toll Free: 800-247-8664

## Signline . . .

is a public service publication of the  
 Midwest Sign Association  
 P.O. Box 36232, Cincinnati, OH 45236  
 Phone: (513) 984-8664 / FAX: (513) 984-1539  
 Subscription: \$12.00 annually  
 Dee Scott, Executive Director  
 Carl W. Wagner, Jr., President  
 Andrew D. Bertucci, Editor

"Signline" Committee:  
 Dan Kasper, Chairman  
 Bob Kraabel  
 Jerry Sanford  
 Noel Yarger

Wade Perrow  
P O Box 1728  
Gig Harbor, WA 98335

---

City of Gig Harbor  
3105 Judson Street  
Gig Harbor, WA 98335

February 27, 1998

ATT: Steve Osguthorpe  
RE: Sign Orientation

Dear Steve:

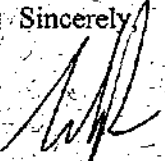
Thank you for the clarification letter of February 25<sup>th</sup> regarding The Inn at Gig Harbor. I would appreciate these facts being explored as it relates to the orientation of the sign based on the information provided in your letter.

1. **At least 70% of the allowed signage for a building shall be oriented to the road or main parking lot of the project has direct driveway access to.** *My question is "The Inn presently is not using its total allocated signage. Therefore, 30% of it could be located on other parts of the building. Is that correct?"*
2. **"The remaining signage may be oriented toward the building side or rear, providing the building has road frontage along that side or rear..."** *Attached is a drawing which indicates the roadway frontage including the roadway easement across Holmaas' property to the south. This roadway between the building and State Route 16 is a primary entrance to the building. As you will note, there is a set of double doors entering this side of the building for banquet purposes. I would appreciate clarification as to why the easement across Holmaas' and the road in front of The Inn between State Route 16 is not considered a road in the interpretation of the present sign code.*
3. **Currently an issue with The Inn at Gig Harbor is the signage would be oriented toward the freeway or freeway interchange areas.** *My question is, the Wesley Inn sign, which is located high at the peak of the roof, is clearly oriented toward the freeway. How can that sign be allowed and the sign we are requesting at The Inn not be allowed. Clarification and equity is really what I am asking for.*

Again, I appreciate your rapid response to my request as these items are issues I would like to address and get clarified during the sign code review and adoption. As you can imagine, I am looking for parity and fairness in the sign code. It is no secret that I feel the Best Western sign, high on the peak of the roof, is a sign which is clearly oriented to the freeway and interchange areas for viewing and not to denote the front entrance.

The City can be assured that we will cooperate in complying with the City's sign code as it is formalized. In the interim I am bringing out my concerns in the hope that we can create reasonable parity within our community.

Sincerely,



Wade Perrow

cc: City Council Members

# The Inn at Gig Harbor

The P & T Partnership ♦ Pacific Design Group

## Preliminary Project Information

**Project:** The Inn at Gig Harbor  
**Client:** The P & T Partnership  
**Address:** 3211 56th Street N.W.  
 Gig Harbor, Washington 98335  
**Parcel No.:** 0221176020, 0221176021, & 0221172092

**Zone:** Urban Growth Area Community Center (Pierce County)  
 Westside Commercial Zone (Gig Harbor Municipal Code)

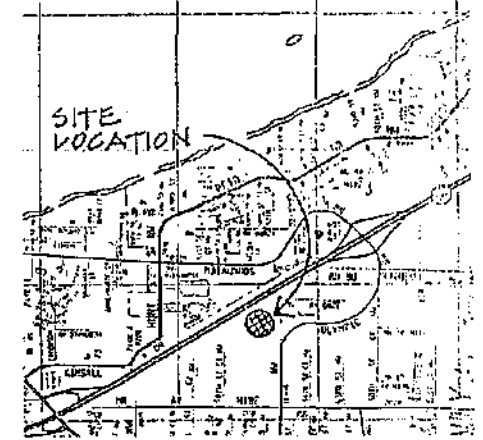
**Setbacks:** SR 16 = 25 ft  
 Rear = 0 ft  
 Interior = 4 ft

**Zone Height:** 60 ft allowable > 54'-6" nominal proposed.

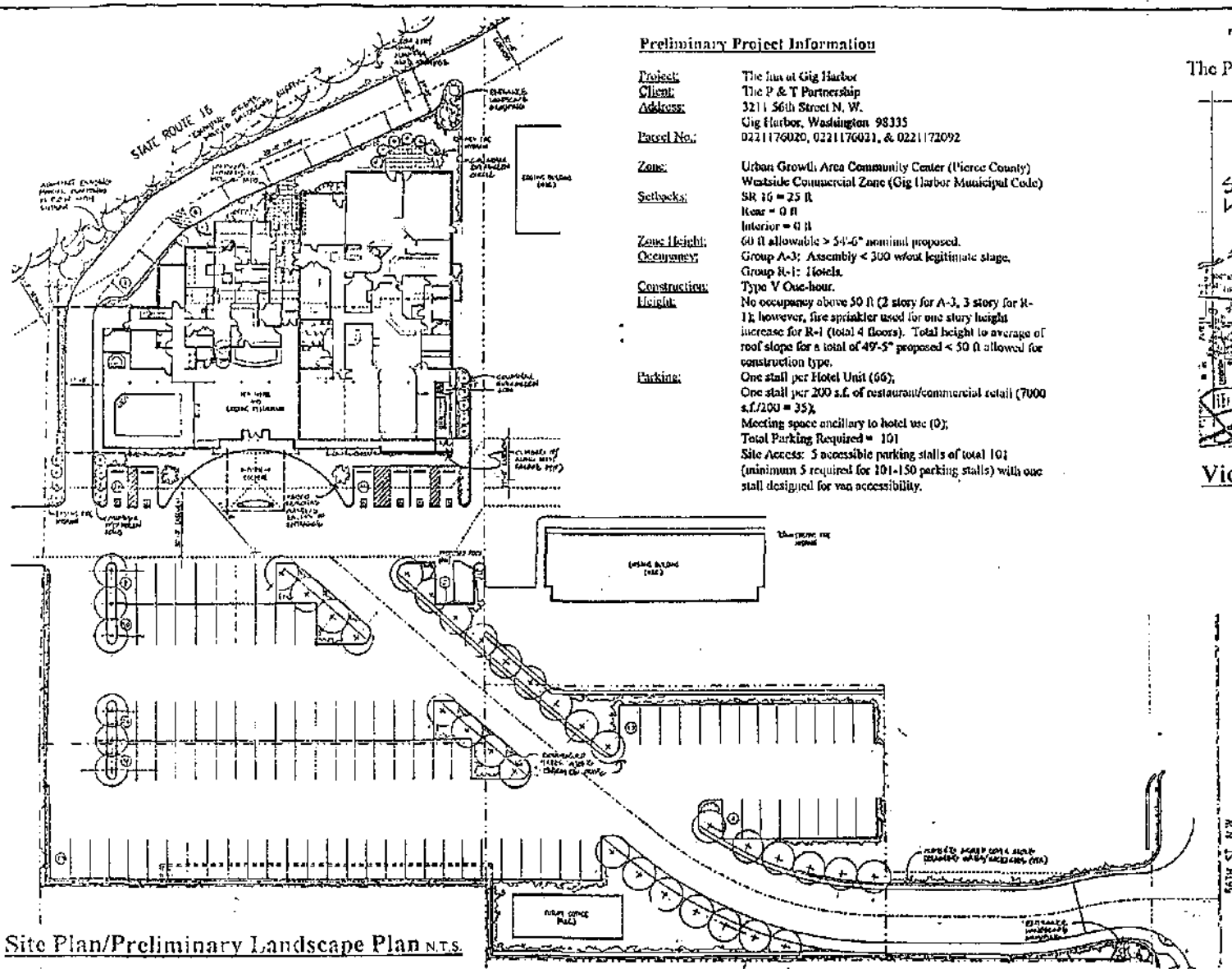
**Occupancy:** Group A-3: Assembly < 300 w/out legitimate stage.  
 Group R-1: Hotels.  
 Type V One-hour.

**Construction Height:** No occupancy above 50 ft (2 story for A-3, 3 story for R-1); however, fire sprinkler used for one story height increase for R-1 (total 4 floors). Total height to average of roof slope for a total of 49'-5" proposed < 50 ft allowed for construction type.

**Parking:** One stall per Hotel Unit (66);  
 One stall per 200 s.f. of restaurant/commercial retail (7000 s.f./200 = 35);  
 Meeting space ancillary to hotel use (0);  
 Total Parking Required = 101  
 Site Access: 5 accessible parking stalls of total 101 (minimum 5 required for 101-150 parking stalls) with one stall designed for van accessibility.




Vicinity Map N.T.S.



Site Plan/Preliminary Landscape Plan N.T.S.

02/17/98

To: My fellow councilmembers

From: Steve 

Re: Thoughts and comments on the sign code revision

After reviewing what the Planning Commission has suggested for adjustments to the sign code, I have a few areas that I thought we might want to consider for some additional changes. Overall, I feel that the Planning Commission did an outstanding job identifying and correcting the areas that were in need of adjusting in the code. I bring up the following for our discussion and consideration and look forward to your comments.

#### 17.80.030 Definitions

##### 1 - Abandoned Signs

Increase from 30 to 90 days the time for allowance due to tenancy change. Also increase from 30 to 60 days time to repair damaged sign.

##### 15 - Flashing Signs

Amend second line to read "... and off in a constant or random pattern. Also I think we need to add a definition for **Changing message centers**.

##### 40 - Readerboard

I think we need to add the words *non-electric* in here somewhere. I think we are trying to define here the type of readerboard sign that has manually changeable letters and I want to be sure we do not allow electric type readerboards.

##### 56 - Window Sign

Amend first line to read "... means a sign which is mounted on, painted on, attached to, or placed within...

- Another thought on Window signs...while we limit them to no more than 50% of the window area, do we want to limit them to the lesser of 50 % of window area or allowable building signage allowed. For example, if the total allowable signage for a business was 50 sq. feet but they had 200 sq

feet of window area, should we limit their window signage to 50% of the window space (100 sq feet) or no more than the allowable business sign area of 50 sq feet?

17.80.090 Sign Standards for Area I

A.4. Maximum Sign Area

Amend second line to read "... (100) square feet total *on all sides*, not to exceed 50 square feet on any one side, or one square..."

17.80.110 Temporary Signs

D Campaign/Political Signs

While we limit when the signs have to come down ( 7 days after the election) I think we also need to limit when they go up. Possibly no sooner than the official filing date for the office.

17.80.130 Nonconforming Signs

C - Amend line two to read "... changes must conform to this code as to color, sign graphics, materials, illumination, and *height*."

D.4. - We need to make sure that the wording here applies to signs only in the area of the 20% increase. We don't want this to apply, in the case of a multiple occupancy building, to tenants who did not participate in or benefit from the increase building size.

If anyone has any questions please give me a call at work 756-2000 or home 851-7937. Thanks.

# Memorandum

To: The Community of Gig Harbor, Mayor Wilbert and Council  
CC: Planning Commission and City Staff  
From: Marilyn E. Owel, City Council  
Date: February 18, 1998  
Re: Proposed Revisions to Sign Code: Planning Commission and Staff Recommendations

---

Of the 13 issues reviewed by Planning Commission and their proposed revisions thereto, I support Planning Commission Recommendations as follows:

1. Master sign plans;
2. Window signs;
3. National brand product or logo signs;
5. Amortization.
6. Illumination restrictions on internally illuminated signs.
8. Allowable wall signage.
9. Portable signs.
10. Real Estate Signs.
11. Reader boards.
12. Sign areas.

My point of view on Item 4 (Freeway visibility of signage) and Item 7( Inflatable Displays) are as follows

4. Freeway visibility of signage:

I am opposed to treating the interchange nodes differently from non-interchange nodes. Defining them as "Interchange Nodes" in effect, creates another signage 'area' separate and apart from the area a given business may be in – it creates an overlay zone of sorts – is this really what we want to do?

I am not willing to consign public rights of way to private use for any purpose (advertising included). I don't expect to ever understand why, if freeway visibility is so important, it is that the least attractive aspects of commercial buildings face the freeway (the trash cans, the dumpsters, the loading zones) and why business would want to put their signature on it. Be that as it may, there is a difference between incidental visibility and the grossly insensitive, "in your face", visibility that has come to dominate those areas having no restrictions whatever. Largely, here in Gig Harbor, the status quo in signage does not violate the premise that the general public has a legitimate interest in the public rights of way as well.. That is what I would like to protect and retain, and that is what I would like this section to address. I think an attractive environment is as important to businesses as it is to anyone.. and I suggest that we not prohibit limited (size, height, illumination) wall signage, but that we require landscaping , screening, etc anytime signage is visible across freeway public right of way. These landscaping requirements are not intended to obscure the limited wall signage, but rather to integrate it into an area so that it does not dominate a scenic right of way that belongs to everyone.

Should the interchange node concept remain, I am completely opposed to expanding its current definition.

#### Item 7: Inflatable Displays

Spent, burst, fragmented balloons are a specific environmental hazard to birds. Therefore, my preference would be to ban outdoor inflatable displays.

#### Item 13: Miscellaneous Housekeeping

##### A. Definitions: 18.80.030

1. Define frontage. Use the Black's Law Dictionary definition (attached)
2. Definition, 1.: Abandoned Sign: Increase the time – 120 days.
3. 46. "Sign"(a): delete: "of the sale". Sentence now reads (a) any visual communication. . .placed for the promotion of products, goods, . . ." Rationale: This should apply to all signage, not just those "of the sale"
4. 47. " Sign Area" next to the last sentence, after: . . .the largest sign area. . ., insert, "all sign graphics including all spaces and voids between or within letters or



symbols which comprise a single statement word, description, title, business name, graphic symbol or message.

5. 48. "Sign Graphics" insert "sign face" after "... does not include and just before "background surface".

6. Section 17.80.040: Second sentence. . .after "...first obtaining a sign permit..." insert "except as outlined in Section 17.80.020. (so people understand a permit is not required for normal maintenance.

7. Section 17.80.120 Prohibited Signs

D. Signs or parts of signs which revolve or otherwise have mechanical or motorized motion. . .ADD " or change text or graphics electronically".

**MEMORANDUM**

**TO: Mayor Wilbert, City Council Members  
and Planning Staff**  
**FROM: Nick Markovich**  
**SUBJECT: Proposed Revisions to Sign Code - First Reading.**  
**DATE: February 23, 1998**

At the conclusion of the last sign code hearing, it was determined that we submit comments in writing if suggesting changes to the Planning Commission Recommendations.

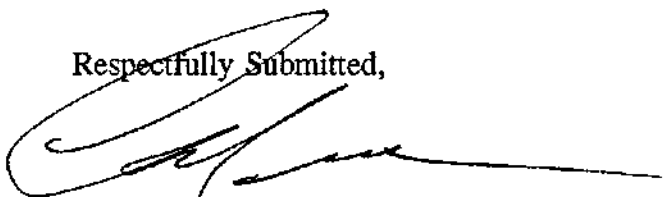
The Planning Commission worked through a difficult process in arriving at their recommendations for revision to the current sign code. I applaud each and every member of the Planning Commission for their dedication to this process. I also applaud them for their conscientious and well reasoned recommendations.

I support the recommendations of the Planning Commission, including those recommendations pertaining to non-conforming signs and open house signs. There are a few other minor issues which were not entirely resolved in my mind at the last hearing, but which I am hopeful can be resolved at the first reading. These areas are as follows:

1. Whether references and preferences for certain colors might be discriminatory or foster arbitrary decision making;
2. Whether we care if individual pan-channel sign graphics are 21" or 24" in height;
3. Whether the definition of "abandonment" provides for a sufficient period of time; and
4. Whether it is necessary or desirable to refer sign permitting to the design review process.

I want to make it very clear that I can live with the Planning Commission Recommendation in its entirety. However, the above issues have been raised and we will do well to address them at this time.

Respectfully Submitted,



Nick L. Markovich

To: Mayor Wilbert and Council Members  
From: Derek Young  
Date: February 18, 1998  
Subject: Sign Code areas that need amending

1) Remove the "color" wording from 17.80.020 B (permits not required), 17.80.060 2cii (general regulations), and 17.80.130 C (non-conforming signs). These all have to do with the colors that are allowed in signage, especially regarding the general regulation section. I have philosophical problems with trying to objectively determine what colors are allowed when the most offensive ones are already regulated (neon and fluorescent). Please take the time to look at some of the signs that would be non-conforming. For example, Safeway, Bartells, and even possibly the Pierce County Library signs, none of which are "heavily imbued with brown or black undertones" but I do not perceive them as offensive. Lighting intensity is already regulated around residential areas in 17.80.100 A.

2) Change the number of days for removal of abandoned signs from 30 to 60 days, 17.80.030 1. (definitions). This time period, while one needs to be in place, is relatively short and already examples are popping up around the city where this could be a problem (Chesapeake Bagel Company, Borgen's, etc.)

3) It seems that there might be good reason, as pointed out in the Public Hearing, that we should consider altering the freeway interchange node in 17.80.030 17. (definitions) as per request of Mr. Perrow and Mr. Holmaas.

4) As I believe the color content should be removed it follows that 17.80.040 A. (permits) we should remove the word "painted" from the list of changes that require a permit.

5) 17.80.060 2a and 2c (general regulations) Three inches of signage does not seem that detrimental to aesthetics to warrant additional financial burden to franchises or other stores that would have to special order 21 inch signs. Therefore, I would propose altering the limit from 21 to 24 inches.

6) Finally, re: 17.80.110 B1 and B2 (temporary signs) I am convinced that open house signs are self regulated by the realty companies as they are expensive and in most cases, the agents are personally financially responsibly for the return of those signs.

*If any questions call me at home  
857-2067*

2/18/98

Set 17:80:030

① change 30 days to 150 days  
for tenancy  
change 60 days for damages  
vacancies

② Review the Review of the  
Design Manual. If we  
are going to not it, it  
should be reviewed in one  
year.

③ Reconsider the planning Commission  
resolution on non-empowering signs.

④ I believe we should have public  
input on Council recommendations  
Monday night.

⑤ Impact on Wade Rivers Networks.  
JETA dated 1/12/98

John Hiron



*City of Gig Harbor. The "Maritime City"*

DEPARTMENT OF PLANNING & BUILDING SERVICES  
3125 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-4278

**TO:** MAYOR WILBERT AND CITY COUNCIL MEMBERS  
**FROM:** PLANNING STAFF  
**SUBJECT:** PROPOSED REVISIONS TO CHAPTER 17.98 REDEFINING THE  
DESIGN REVIEW PROCESS - FIRST READING  
**DATE:** MARCH 5, 1998

#### **INTRODUCTION/BACKGROUND**

The Planning Commission has prepared a draft amendment of the sign code which includes criteria for Design Review Board (DRB) consideration of specified sections of the sign code. Currently, however, there is no legally defined process for the DRB's review of anything outside the City's Design Manual. The Planning Commission has therefore prepared draft amendments of Chapter 17.98 which redefines the design review process to allow the DRB to consider design criteria specified in the zoning code, which includes the sign code.

#### **STAFF ANALYSIS**

The staff concurs with the amendments as proposed by the Planning Commission.

#### **STAFF RECOMMENDATION:**

A draft ordinance to adopt the proposed amendments to Chapter 17.98 is attached. This item was introduced to the Council on January 12<sup>th</sup> at the same time the sign code amendments were introduced. Following the public hearing on February 11<sup>th</sup>, the item was re-introduced for a first reading of the ordinance at the February 23<sup>rd</sup> meeting. As this is a second reading of the ordinance, Council may consider action on this ordinance at this meeting. Staff recommends approval of the proposed changes as defined in the draft ordinance.

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO THE DESIGN REVIEW BOARD PROCESS OF REVIEWING SPECIFIED SECTIONS OF THE ZONING CODE; MAKING REVISIONS TO TITLE 17.98 OF THE GIG HARBOR MUNICIPAL CODE.**

**WHEREAS**, the Planning Commission has proposed amendments to the City's sign code which would allow the City's Design Review Board (DRB) to make decisions on specified sections of the sign code; and

**WHEREAS**, there are currently no defined provisions in GHMC Chapter 17.98 which allow the DRB to review or act on regulations outside the City's Design Manual; and

**WHEREAS**, it is expected that future amendments to the City's zoning code will also include criteria for DRB consideration of specified sections of the zoning code; and

**WHEREAS**, the Planning Commission's recommendation to amend the sign code includes a recommendation to amend Chapter 17.98 to provide a process for DRB consideration of all sections of the zoning code (including the sign code) which provide a criteria for DRB review; and

**WHEREAS**, the Planning Commission held a public hearing on the proposed amendments to Chapter 17.98 on December 4, 1997 to accept public testimony on the proposed amendments.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:**

Section 1. Chapter 17.98 of the Gig Harbor Municipal Code is hereby amended as follows:

Chapter 17.98

DESIGN STANDARDS AND REVIEW\*

Sections:

- 17.98.010 Intent.
- 17.98.020 Design manual.
- 17.98.030 Design Manual Applicability.
- 17.98.035 Design Allowances
- 17.98.040 Design review application requirements.
- 17.98.050 Design review and project approval.
- 17.98.060 Variances.
- 17.98.070 Appeal of director's or DRB's decision.
- 17.98.080 Design Review Decision Chart.

\*Code reviser's note: Section 2 of Ord. 735 provides as follows:

~~Applicability and Review of Historic District Design Section. The Historic District Design section of the design manual shall be mandatory for the entire Historic District, except that in the R-1 zone within the Historic District, development may, at the option of the property owner, conform strictly to either the standards of Chapter 17.16 GHMC or the standards contained in the Design Manual. The Design Manual shall be reviewed by the Planning Commission two years after the date of adoption of this ordinance to evaluate its effectiveness.~~

17.98.010 Intent.

This chapter is intended to implement the goals and policies established in the design element of the city's comprehensive plan by providing design standards and procedures for the review of outdoor projects and development as described herein to determine their compliance with design standards as adopted by the city. The design review process is not intended to determine the appropriateness of a given use on a given site or to address technical requirements which are otherwise reviewed under the site plan review process. It is intended to protect the general health, safety and welfare of the citizens by protecting property values; protecting the natural environment; promoting pedestrian activities; promoting community pride; protecting historical resources; preserving the aesthetic qualities which contribute to the city's small town characteristics which have attracted residents, businesses and customers; and promoting the economic viability of the community by preserving and creating well designed commercial districts which attract customers and businesses. (Ord. 735 § 1, 1996).

17.98.020 Design manual.

The city's design standards are primarily contained in the design manual which is hereby adopted by the city. A copy of the design manual is on file with the city clerk. In those cases where the design manual is found to be in conflict with performance standards of the zoning code, the standards in the design manual shall prevail. (Ord. 735 § 1, 1996). The Design Manual shall be reviewed by the Planning Commission two years after the date of adoption of this ordinance to evaluate its effectiveness.

17.98.030 Design Manual Applicability.

A. **General Applicability.** The design manual applies to all proposals to build, locate, construct, remodel, alter or modify any facade on any structure or building or other visible element including, but not limited to, landscaping, parking lot layout, signs, outdoor furniture in public or commercial locations, outdoor lighting fixtures, fences, walls and roofing materials (hereafter referred to as outdoor proposals), as described in the design manual. Design review approval is required for all outdoor proposals which require a building permit, clearing and grading permit or which are part of a project or development requiring site plan, conditional use, or city council approval. (Ord. 735 § 1, 1996). All outdoor proposals, whether requiring permits or not, must comply with adopted development and design standards. Specific application requirements may be waived by the Planning Director if they are found to be unrelated to the proposed project, or if the application requirements are addressed under a separate and concurrent application.

B. **Applicability and Review of Historic District Design Section.** The Historic District Design section of the design manual shall apply to all activities described in subsection (A) above in the

entire Historic District, except that in the R-1 zone within the Historic District, development may, at the option of the property owner, conform strictly to either the standards of Chapter 17.16 GHMC or the standards contained in the Design Manual. Exercise of this option by the property owner shall not affect the City's ability to require compliance with all other applicable codes.

#### 17.98.035 Design Allowances

All sections of Title 17 which provide a criteria for DRB decision making shall be considered criteria for design allowances and not design variances. Design allowances shall be processed as a Type II application in accordance with all design review application and review criteria of this chapter.

#### 17.98.040 Design review application requirements.

Application for design review, whether administrative or through the city's design review board (DRB), shall be submitted in such detail as to allow the review of the specific project on the merits of the city's design manual and other applicable city codes. A formal Design Review Application must be submitted for any project requiring City approval or permits, or for any project which will be reviewed by the DRB.

Projects which require design review in one or more of the categories listed under 17.98.040 (A - E) shall be reviewed under one application addressing each category under review, or under a separate application for each individual category. ~~may be reviewed in one complete application or may be reviewed by category.~~ To be considered complete, the following information must be submitted with applications for each category of requested design review.

##### A. Site Plan Review.

1. Site Plan. A site plan, drawn to scale no smaller than one inch equals 30 feet showing location and size of all structures, buffer areas, yards, open spaces, common areas or plazas, walkways, vehicle areas.
2. Vegetation Plan. A significant vegetation plan which accurately identifies the species, size and location of all significant vegetation within the buildable area and within five feet of all setback lines.
3. Landscape Plan. A preliminary landscape plan showing the species size and location of all significant natural vegetation to be retained.
4. Site Section Drawings. Section drawings which illustrate existing and proposed grades in specified areas of concern as identified by the staff. Alternatively, a topographic map delineating contours, existing and proposed, at no greater than five-foot intervals and which locates existing streams, marshes and other natural features may be submitted.
5. Grading and Drainage Plan. An accurate grading and drainage plan which indicates all cuts, fills and required areas of disturbance necessary to construct all retaining walls and structures.
6. Utilities Plan. A utilities plan showing location of utilities in relation to landscape and buffer areas (utility plan must be consistent with proposed areas of non-disturbance).

##### B. Landscaping and Paving Review.



1. Final Landscape Plan. A final landscape plan showing type, size, species, and spacing of all retained and new vegetation.

2. Irrigation Plan. Showing irrigation of all domestic vegetation.

3. Paving Materials. Description of all pedestrian and vehicular paving materials. Descriptions must specify type, color and/or texture.

C. Architectural Design Review.

1. Elevation Drawings. Complete elevation drawings of all buildings showing all trim details, dimensions and proposed materials including roofing, siding, windows and trim.

2. Sign Plan. A master sign plan or individual sign plans showing the location of signage on buildings, proposed sign colors, materials, design and methods of illumination, consistent with Chapter 17.80 GHMC.

3. Architectural Lighting Details. Details on all lighting proposals which affect architectural detailing (e.g., indirect lighting), or which are for architectural enhancement.

4. Screening Details. Details on how all mechanical and utility equipment will be screened.

D. Color and Material Review.

1. Color Palette. A color palette of the building's exterior including roof, siding, trim.

2. Material Samples. Sample colors of all factory finished materials including roofing and masonry materials.

3. Fencing Details. Color, type and specification of all fencing and screening materials.

E. Outdoor Lighting and Accessories Review.

1. Light Fixture Details. The type, model, color, location, height, and area of illumination for all outdoor light fixtures.

2. Accessory Details. The type, model, color, and location of all outdoor furniture, trash receptacles, and accessories. (Ord. 735 § 1, 1996).

17.98.050 Design review and project approval.

Design review shall be processed by the director as a Permit Application Type II (refer to GHMC Title 19), or may be reviewed at a public meeting by the city's design review board (DRB), as follows:

A. Project Review Time. Design review must be completed as defined in GHMC Title 19, except that if an applicant requests DRB review under GHMC 17.98.050(B)(1) below, ~~the DRB review option is requested;~~ the applicant must submit a signed statement waiving rights to be reviewed under the time limits defined in GHMC Title 19. An applicant may also be requested to sign a waiver of GHMC Title 19 time limitations, if the applicant chooses to allow the planning director additional time under Section 17.98,050(B)(2). ~~A waiver of GHMC Title 19 time limitations may also be issued if the applicant chooses to grant the planning director additional time for the director's review.~~

B. Project Approval. All outdoor proposals must comply with the design manual and zoning code development standards. Outdoor proposals shall be reviewed according to the following review options:

1. Design Review Board (DRB) Approval. Outdoor projects which conform to the general requirements of the design manual (as defined within the design manual) or DRB review criteria for design allowances specified in the zoning code shall be approved by the DRB unless the DRB

makes specific findings for denial as defined in GHMC ~~17.98.030(C)~~ 17.98.050(C). The DRB shall issue a written decision on the proposal within 14 days of full-quorum DRB review, unless the DRB and the applicant agree to continue review of the proposal to the next DRB public meeting.

2. Director Approval. Outdoor proposals which conform to the specific requirements of the zoning code and design manual (as defined within the design manual) shall be approved by the planning director (or designee). The planning director's decision shall be issued in writing.

C. Project Denial. The planning director (or designee) shall deny projects or portions of projects which he/she finds are not in compliance with the specific requirements of the design manual. The applicant may appeal the director's decision to deny a project to the design review board if he or she believes the director interpreted the specific requirements of the design manual incorrectly, or if he or she believes that the project conforms to the general requirements of the design manual. Projects may be denied by the DRB if it finds that the project does not comply with the specific or general requirements of the design manual, or if it finds that the project does not conform to the DRB review criteria in specified sections of the zoning code.

D. Notice of Decision. For projects requiring site plan approval, notice of the staff director or DRB decision on the project design shall be included in the site plan staff report to the hearing examiner.

E. Site Plan Review Design Amendments. Design approval as granted by the planning director or DRB shall not be revisited by the hearing examiner except upon appeal or where specific health/safety considerations as determined by the hearing examiner require changes to a site plan. Changes to project designs resulting from site plan review shall be consistent with the specific or general requirements of the design manual as determined by the hearing examiner. (Ord. 735 § 1, 1996).

#### 17.98.060 Variances.

A. Required Findings. Variances from the requirements of the design manual may be granted by the DRB as a Type II application, except that variances affecting height and setbacks which exceed the limitations established in GHMC 17.66.020(A) must be reviewed by the hearing examiner as per the Type III general variance procedures established in GHMC 17.66.030. Before a design variance can be granted, the design review board shall make findings of fact setting forth and showing that all of the following circumstances exist:

1. Special conditions and circumstances exist which render a specific requirement of the design manual unreasonable, given the location and intended use of the proposed development;
2. The special conditions and circumstances are characteristic of the proposed general use of a site and not of a specific tenant;
3. The special conditions and circumstances are not representative of typical retail, professional office or residential-type development which may be allowed within the zoning district;
4. The requested variance is based upon functional consideration rather than economic hardship, personal convenience or personal design preferences;
5. Architectural changes in the project design as a result of the variance have been sufficiently compensated by other architectural embellishments, and site plan changes as a result of the variance have been sufficiently compensated by other site amenities; and

6. The requested variance will not result in a project which is inconsistent with the intent and general scope of the design manual standards.

B. Notice. Notice of ~~variances affecting increased height or setbacks~~ approved by the DRB under the increased height options described in the Design Manual shall be sent to owners of all contiguous parcels. (Ord. 735 § 1, 1996).

17.98.070 Appeal of director's or DRB's decision.

The planning director's decision may be appealed to the ~~DRB~~ Hearing Examiner if the applicant believes the director interpreted the specific requirements of the design manual incorrectly, ~~or if the applicant believes his or her project conforms to the general requirements of the design manual.~~ The decision of the DRB may be appealed to the hearing examiner by ~~the applicant, parties of record, or contiguous property owners,~~ if the parties of record believe that the DRB interpreted the general requirements of the Design Manual incorrectly. Appeals are subject to the provisions of Chapter 19.06 GHMC. (Ord. 735 § 1, 1996).

Section 2. 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 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

\_\_\_\_\_  
Gretchen A. Wilbert, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Mark E. Hoppen, City Administrator

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO:



*City of Gig Harbor. The "Maritime City"*

DEPARTMENT OF PLANNING & BUILDING SERVICES  
3125 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-4278

**TO:** MAYOR WILBERT AND CITY COUNCIL  
**FROM:** RAY GILMORE, PLANNING STAFF  
**SUBJ.:** RESOLUTION – FEE SCHEDULE UPDATE FOR 1998  
**DATE:** MARCH 4, 1998

### **Background/Summary**

At the last regular Council Meeting, several suggestions were offered by Council respective to proposed fee schedule adjustments. Specifically, Council directed staff to consider:

- Not charging a fee for the first DRB meeting and requiring fees for any subsequent meetings before the DRB
- Establishing a "step-rate" fee structure for Master Sign Plans
- Pre-application Review Fees

Attached is the modified resolution which reflects these concerns.

### **Policy Issues**

#### Design Review Board

As stated at the previous Council meeting, application for review before the Design Review Board is optional. It is not unusual for a client to have several meetings with staff before an application for the DRB is submitted. Applications before the DRB have proven very popular, but it consumes a large amount of staff time in the preparation of reports and attendance at night meetings. Council directed staff to modify the proposed fee schedule so that there is no charge for the first pre-application meeting. Staff does not favor a "first-ticket free" approach to the DRB as every opportunity is given to clients to meet design requirements without having to apply to the DRB. The fee proposed by staff is reasonable and should discourage "speculative" applications. Nonetheless, should Council desire, a modification is added to the fee schedule which provides no charge for the first DRB meeting.

#### Preapplication Meeting Fees

Pre-application review requires attendance by several staff members from various departments. Follow-ups to pre-application meetings includes a written summary of the meeting. The fee proposed by staff is modest and does not cover the total costs of a pre-application meeting. It is the same fee we have charged before where a written summary of the meeting is provided to the applicant. Staff does not favor a "total-cost" fee as this might discourage pre-application filings.

If Council desires a fee that covers the total cost of a pre-app meeting, an alternative is to charge an hourly rate which is an aggregate of all of the staff that attended the meeting and any staff time expended as a follow-up to the meeting. This would require accurate "record-keeping" by all staff that attended and the total fee would be billed and payable at the time an application is filed. Of course, the principle disadvantage is that if the applicant decided not to file a permit application after the pre-app, the applicant may not wish to pay the pre-app fee. Another disadvantage is the "time-tracking" required for the various departments involved to produce a billing.

#### Sign Permit Applications/Master Sign Plans

Staff has proposed a modified fee schedule for master sign plans. It is a step-rate schedule similar to what is used for shoreline permits. The rate is determined by the number of tenants affected by the master sign plan.

Critique has also been presented on the overall structure of the City's sign code permits. The fees currently charged are based upon what staff feels is a reasonable estimation of time expended on the review of an application for each type of permit. As a comparison, Pierce County simply charges the UBC rate schedule, which is based on the sign's value (much like a building permit). It does not distinguish sign type or sign size, simply the sign value. As a general rule, this would result in application fees 2 – 3 times greater than what the City currently charges.

#### General

Testimony was offered on various fees that were not subject to any proposed changes. The general concern was that these fees were excessive. An example cited was the \$450 fee for a conditional use permit in the City. By comparison, Pierce County charges a minimum of \$2,300 for a conditional use permit. Staff is not proposing any change to conditional use permit fees at this time.

#### **Fiscal Impact**

There would be no impact to the city's financial resources.

#### **Recommendation**

Staff recommends adoption of the proposed resolution.

RESOLUTION NO. \_\_\_\_

**A RESOLUTION OF THE CITY OF GIG HARBOR, WASHINGTON, WHICH ESTABLISHES FEES FOR LAND USE PLANNING AND BUILDING APPLICATIONS AND PERMITS; AMENDING THE FEE SCHEDULE TO INCLUDE FEES FOR DESIGN REVIEW AND PRE-APPLICATION REVIEW AND TO UPDATE CURRENT FEES; REDUCING THE FEES FOR SITE PLAN REVIEW.**

**WHEREAS**, the City of Gig Harbor has established such fees by Resolution; and,

**WHEREAS**, the Gig Harbor City Council has requested that the Planning-Building Department evaluate fees on an annual basis and, as necessary, propose adjustments to the fee schedule; and,

**WHEREAS**, the last update occurred in March of 1997; and,

**WHEREAS**, since the last fee schedule update, the city adopted an ordinance regulating telecommunication facilities and which further established a review process for wireless communication facilities; and,

**WHEREAS**, the Department of Planning and Building Services is proposing several adjustments to the Fee Schedule during this annual evaluation, said adjustments consisting of adding fees for design review, wireless communication facilities applications and pre-application meetings, reducing site plan review fees for developments not requiring design review; and,

**WHEREAS**, the revised fee schedule provides appropriate adjustments to existing fees, and reflects the average allocation of staff resources per the respective application and recently adopted amendments to the Uniform Building Code; and,

**WHEREAS**, the proposed fee schedule adjustments are deemed necessary to maintain fair and equitable application fees.

**NOW, THEREFORE, THE GIG HARBOR CITY COUNCIL HEREBY AMENDS THE PLANNING AND BUILDING SERVICES FEES FOR 1998 AND ESTABLISHES THE FEE SCHEDULE AS PER THE ATTACHED EXHIBIT "A".**

APPROVED:

---

Gretchen A. Wilbert, Mayor

ATTEST:

---

Molly Towslee, City Clerk  
City Clerk

Filed with City Clerk:  
Passed by City Council:

Exhibit "A"

**CITY OF GIG HARBOR  
DEPARTMENT OF PLANNING AND BUILDING  
SERVICES  
FEE SCHEDULE**

**A. LAND USE DEVELOPMENT APPLICATION FEE**

**1) Amendment to Comprehensive Plan**

Land Use Map Designation	\$750
Urban Growth Area Adjust	\$750
Text	\$400
Land Use Map change + text	\$1,000

**2) Amendments to Zoning Code**

Zoning District Boundary	\$425
Text	\$275
Boundary change + text	\$650

**3) Conditional Use Permit** \$450

Associated with Site Plan Review \$50  
if site plan fee is \$400 or greater

**4) Variance** \$450

Associated with Site Plan Review \$50  
if site plan fee is \$400 or greater

Administrative Variance No Charge

**5) Planned Residential District** \$75

(Exclusive of Subdivision fees)

**6) Planned Unit Development** \$150

(Exclusive of subdivision fees)

**7) Site Plan/Binding Site Plan Review**

Administrative Review	\$75
Base Fee	\$325

~~0 - 10,000 sq. ft. commercial \$75/each 1000 sq. ft.~~



~~floor area (CFA)~~

~~10,001-20,000 sq. ft. CFA \$100/each 1000 sq. ft.~~

~~>20,000 sq. ft. CFA \$125/each 1000 sq. ft.~~

~~Multifamily (3 or more attached dwelling units) \$200 + \$25/dwelling unit~~

**7) 8) Design Review**

**Basic Application Fee**

0 - 10,000 sq. ft. commercial floor area (CFA) \$75/each 1000 sq. ft.

10,001-20,000 sq. ft. CFA \$100/each 1000 sq. ft.

>20,000 sq. ft. CFA \$125/each 1000 sq. ft.

Multifamily (3 or more attached dwelling units) \$200 + \$25/dwelling unit

Request for Review before the Design Review Board No Charge for First Meeting  
\$150 for each subsequent request + \$30 for each general requirement under review by the DRB as requested under the DRB checklist

**8) 9) Land Clearing/Erosion Control**

Permit \$100

**8) 9) Subdivisions**

Preliminary Plat \$550 ~~\$600~~ + \$25 per lot

Final Plat \$25 ~~\$50~~ per lot

Replats \$225

Plat Amendments \$150

**9) 10) Short Subdivisions**

Summary Action \$375

Plat Amendment \$75

Boundary Line Adjustment \$30

**10) 11) Shoreline Management Permits**

Substantial Development (based upon actual costs or fair market value, whichever is higher)

< \$10,000	\$100
> \$10,000 < \$100,000	\$350
> \$100,000 < \$500,000	\$700
> \$500,000 < \$1,000,000	\$1,200
> \$1,000,000	\$1,700
Variance (w/o SDP)	\$400
Variance with SDP	\$75
Conditional Use (w/o SDP)	\$400
Conditional Use with SDP	\$75
Revision	\$150
Request for Exemption	\$15

**11) 12) Wetlands/Critical Areas Analysis**

Steep Slopes/Erosion Hazard	<del>\$15</del> <u>\$30</u>
Critical Habitat	\$35
Wetlands Preliminary Site Investigation	<del>\$35</del> <u>\$50</u>
Wetlands Report Review	\$75

**12) 13) Appeals**

To the Hearing Examiner:	
Administrative Variance	<del>\$225</del> <u>\$245</u>
Administrative Decision	<del>\$120</del> <u>\$130</u>
Requests for Reconsideration of Examiner's decision	<del>\$85</del>
To the Building Code Advisory Board:	\$250

**13) 14) Appeals to City Council**

Appeal of Hearing Examiner Decision:	<del>\$100</del> <u>\$120</u>
--------------------------------------	-------------------------------

**14) 15) Sign Permits**

All signs less than 25 sq. ft.	\$20
Change of Sign, all sizes	\$20
Request for Variance	\$150
Projecting	\$35
Wall Sign, <del>nonelectri</del> <u>non-illuminated</u>	
25-50 sq. ft.	\$35
51-99 sq. ft.	\$45
>100 sq. ft.	\$55
Wall Sign, <del>electric</del> <u>illuminated</u>	
25-50 sq. ft.	\$40
51-99 sq. ft.	\$50
>100 sq. ft.	\$60
Ground Sign, <del>nonelectri</del> <u>non-illuminated</u>	
25-50 sq. ft.	\$50
51-100 sq. ft.	\$60
Ground Sign, <del>electric</del> <u>illuminated</u>	
25-50 sq. ft.	\$60
51 -100 sq. ft.	\$70
<u>Master Sign Plan Review (per Building)</u>	
<u>1 - 5 Tenants</u>	<u>\$50</u>
<u>6 - 12 Tenants</u>	<u>\$75</u>
<u>13+ Tenants</u>	<u>\$100</u>

**16) Communications Facilities Application Review**

<u>General Application Review</u>	<u>\$50</u>
<u>Special Exception</u>	<u>\$65</u>

**B. ENVIRONMENTAL REVIEW (SEPA)**

1) Checklist	\$150
2) Environmental Impact Statement	
Prepared by Staff	\$1,000 + \$45/hour
Prepared by Private Party	\$250 + \$45/hour
3) Appeals of Decisions	
Conditioning/Denying of Permit	\$200

Administrators Final

Determination (DNS or EIS)

\$150 + Hearing Examiners costs for review (Examiner costs waived for listed parties of record within 300 feet of project site).

**C. ANNEXATION PETITION**

Less than 10 acres	\$200
10 - 50 acres	\$300
50 - 100 acres	\$400
100 + acres	\$500

**D. UTILITY EXTENSION REQUEST** \$100

**E. REQUESTS FOR INFORMATION**

- |  |                                     |
|--|-------------------------------------|
| 1) Land-use information, verbal  | No Charge                           |
| 2) Land-use information, written response requested related to active permit | No Charge                           |
| 3) Land-use information, written response requested, file search required    | Cost of Copying Requested Documents |
| <del>3) Preapplication Conference</del>                                      | <del>No Charge</del>                |
| <del>4) Preapplication Conference, written summary of meeting</del>          | <del>\$75</del>                     |

**F. PREAPPLICATION REVIEW** ~~No Charge~~ \$75 (includes a written summary of the meeting)

**F.G. SPECIAL INSPECTIONS (AND PERMITS):**

1) **Fire Marshal Inspections.** There is hereby imposed a ~~\$20.00~~ \$47.00 inspection fee for all inspections carried out pursuant to the provisions of Section 2.201 of the Uniform Fire Code as now enacted or hereafter amended. The ~~\$20.00~~ \$47.00 inspection fee shall include two re-inspections for the purpose of ensuring the correction of any deficiencies noted in a prior inspection. If additional reinspections are necessary to ensure correction of any deficiency or defect, the Gig Harbor fire marshal shall charge a fee of ~~\$30.00~~ \$47.00 per hour with a one-hour minimum and to be computed in one-quarter-hour increments, not to include travel time. All requested inspections which require a report will be processed under subsection Q4 of this section, Building Official Inspections.

2) **Article IV Permits.** The ~~fire prevention bureau~~ Planning-Building Department shall charge fees for processing permit applications required pursuant to ~~Article IV Section 105, 1997 UFC,~~ of the Uniform Fire Code as now enacted or hereafter amended. The amount of the fee shall be set by resolution of the Gig Harbor City Council and fee schedules shall be made available to members of the public upon payment of photocopying charges. When any occupancy requires multiple permits, the Gig Harbor fire marshal shall charge the highest of the several fees plus one-half of all other required fees.

3) **After Hours Inspection.** For any inspections authorized or required pursuant to the Uniform Fire Code and for which it is necessary to have an inspection made after normal business hours, which are Monday through Friday, 8:30 a.m. until 5:00 p.m., or on recognized City of Gig Harbor holidays, the Gig Harbor City Fire Marshal shall charge an inspection fee of ~~\$45.00~~ \$47.00 per hour with a minimum of ~~one~~ two hours to be measured in quarter-hour increments including travel time.

4) **Building Official Inspections**

Non-classified request	\$50
Re-inspection fee assessed under provisions of Section 305 G	\$30 <u>\$47</u> each
Additional Plan Review required by changes, additions or revisions to previously approved plans	\$30 <u>\$47</u> /hour (minimum charge of 1/2 hour)
<u>For use of outside consultants for</u>	<u>Actual Costs</u>
<u>Plan checking and inspections or</u>	
<u>Both.</u>	

~~5) **Radon Testing.** The applicant for a building permit to construct a new single-family or multi-family building within the City of Gig Harbor shall pay \$15.00 for each living unit to cover the cost of supplying the owner of each new living unit a three-month etched track radon measuring device in accordance with a new section to RCW Chapter 19.27.~~

6) **Building /Plumbing/Mechanical Permit Fees.** Building /Plumbing/Mechanical permit fees shall be based upon the most recent fee schedule as adopted by the State Building Code Council in the respective Uniform Code.

7) **Energy Code Inspection.** Energy Code Inspection Fees shall be those as established in the Special Plans Examiner/Special Inspector Program, Policies and Procedure Handbook (April, 1994, Utility Code Group, Bellevue, WA).

**G.H. ADVERTISING FEES:**

For those applications which require a notice of public hearing to be published in a newspaper of general circulation, the applicant shall bear the costs of all advertising.

**H.L. COPY SERVICES**

1)	Zoning Map/Comprehensive Plan Land Use Map (24" x 36")	\$ 3.50
2)	Zoning Code	\$10.00
3)	Comprehensive Plan	\$16.00
4)	Shoreline Master Program	\$7.50
5)	Critical Areas Map (24"x 36")	\$3.50
6)	Visually Sensitive Area (24"x 36")	\$3.50
7)	Design Review Manual	\$6.00

**H.J. FEE WAIVERS AND REQUIREMENTS**

Application fees may be waived upon approval of the City Administrator if any of the following conditions exist:

1. The application submitted is in direct response to a capital construction project by the City of Gig Harbor.
2. The City determines that the direct benefit accrued from the applicant=s project is in the public=s interest and welfare.
3. The proposal is a City of Gig Harbor project.

Application fees may be reimbursed at the following rate (percent of total fee):

Request to withdraw application prior to any public notice issued.....	100%
Request to withdraw application after public notice issued. ....	85%
Request to withdraw application following a public hearing.....	35%
Request to withdraw application after final action on permit by Hearing Examiner or City Council.....	0%

**J.K. REVIEW OF PROJECTS IN UGA OUTSIDE CITY LIMITS WHERE CITY SEWER AND/OR WATER IS REQUESTED**

The fee for city staff review of applications which have submitted a request to the City Council for utility extension services is 50% of the fee charged for comparable projects within the city.



*City of Gig Harbor Police Dept.*  
3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-2236

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: MITCH BARKER** *MB*  
**SUBJECT: COMMUNICATIONS MAINTENANCE CONTRACT**  
**DATE: MARCH 9, 1998**

#### **INFORMATION/BACKGROUND**

We have used the services of the Pierce county radio shop for our communications maintenance for a number of years. This is a year-to-year contract and requires renewal to continue. The renewal date was January 1, 1998. The County was late in sending out the renewal contracts so there has been a delay in presenting this copy.

#### **FISCAL IMPACTS**

The rates quoted in the submitted contract were used in our budget planning for 1998.

#### **RECOMMENDATION**

The Police Department recommends that the Council authorize the Mayor to renew the contract with Pierce County for communications maintenance services for 1998.

## AGREEMENT FOR COMMUNICATIONS MAINTENANCE PROGRAM

AGREEMENT made January 1, 1998, between PIERCE COUNTY, herein referred to as "County", and CITY OF GIG HARBOR POLICE DEPARTMENT referred to as GIG HARBOR P.D.

### SECTION I. THE PARTIES

This is a communications maintenance and installation program contract between GIG HARBOR P.D. and PIERCE COUNTY.

### SECTION II. TERM OF AGREEMENT - TERMINATION

This agreement shall commence as of January 1, 1998 and terminate on December 31, 1998. Either party may terminate this agreement upon thirty (30) days written notice.

### SECTION III. OBLIGATIONS OF COUNTY

- A. All maintenance, repair, installation, engineering, and upgrading of GIG HARBOR P.D.'s radio communications system previously agreed to or requested in writing by GIG HARBOR P.D. shall be carried out by County, according to schedules or arrangements to be negotiated by the parties giving due consideration to the immediacy of the need and the workload of the County.
- B. On notice from GIG HARBOR P.D., County shall make any repairs necessitated by normal wear and tear resulting from normal operation, whenever such repairs are required for safe and proper operation of radio system unit.
- C. County and its agents and representatives shall at all reasonable times be given access to the radio system unit for the purpose of inspecting, altering, repairing, improving or adding to or removing the same.
- D. The described work on base station and associated equipment will be done on site. Work on all equipment, including portables, will be performed at the County radio shop, which shall include installation of radio equipment in all GIG HARBOR P.D.'s vehicles.

### SECTION IV. FEES

GIG HARBOR P.D. shall reimburse the County for its services described above, at the rate of Sixty-Five (\$65.00) Dollars per hour from 7:30 a.m. through 3:00 p.m., plus time and one-half or double time adjustments required by law, where performed outside these hours as authorized by GIG HARBOR P.D.. In addition, the County shall be reimbursed its cost plus 20% for all materials and parts provided by County, except that prior written authorization by GIG HARBOR P.D. shall be required for materials or parts in excess of Five Hundred (\$500) Dollars. Payment shall be made by GIG HARBOR P.D. within thirty (30) days of presentation of invoice, listing time, parts and materials by the County.



SECTION V. INDEMNITY

Notwithstanding anything to the contrary contained in this agreement, GIG HARBOR P.D. shall not be responsible or liable in any manner whatsoever for, and County shall indemnify GIG HARBOR P.D. against any and all claims, suits, damages, costs or expenses arising from or growing out of, or caused directly or indirectly by any defect or error in, or any negligence or error, in connection with the installation, maintenance, engineering or upgrading of the radio system unit performed by the County, except for the sole negligence of GIG HARBOR P.D.. The County will not be responsible for claims arising out of the Antenna Supporting Structures.

SECTION VI. ASSIGNABILITY

This agreement shall not be assigned by County without the written consent of GIG HARBOR P.D.. If this agreement is assigned without GIG HARBOR P.D.'s written consent either by act of County or by operation of law, it shall thereupon terminate subject to the provisions herein-before set forth.

SECTION VII. GOVERNING LAW

This agreement shall be governed by and construed under the laws of the State of Washington.

IN WITNESS WHEREOF, the parties have executed this agreement this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

CITY OF GIG HARBOR  
POLICE DEPARTMENT

BY: \_\_\_\_\_  
Authorized Signatory

PIERCE COUNTY

\_\_\_\_\_  
Steven C. Bailey, Director

Department of Emergency Management  
Radio Communications Division





City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-8136

**TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS**  
**FROM: WES HILL, P.E., PUBLIC WORKS DIRECTOR** *Wes Hill*  
**SUBJECT: BACKHOE ATTACHMENT – PURCHASE AUTHORIZATION**  
**DATE: MARCH 4, 1998**

#### **INTRODUCTION/BACKGROUND**

The 1998 budget provides for purchase of a small backhoe attachment for our John Deere tractor. Staff evaluated several different units and determined that the Bradco Model 609 provided the best performance characteristics relative to our requirements, and is compatible with the John Deere 2155 tractor.

Price quotations were solicited from three vendors in accordance with the City's Small Works Roster in accordance with Resolution 411 (Small Works Roster Process). The price quotations are summarized below:

<u>Respondent</u>	<u>Base Amt.</u>	<u>Sales Tax.</u>	<u>Total</u>
Jennings Equipment Co. *	\$ 8,997.00	\$ 755.75	\$ 9,752.75
Sumner Tractor & Equip. Co.	\$ 9,251.00	\$ 777.08	\$ 10,028.08
Western Power & Equipment	\$ 11,000.00	\$ 945.00	\$ 11,946.00

\* Corrected sales tax amount.

The lowest price quotation received was from Jennings Equipment, Inc., of Puyallup, in the amount of \$9,752.75, including state sales tax.

#### **ISSUES/FISCAL IMPACT**

Budgeted funds of \$10,000 are available for purchase of the backhoe attachment.

#### **RECOMMENDATION**

Staff recommends that Council authorize purchase of the backhoe attachment for the John Deere 2155 tractor from Jennings Equipment Co., as the lowest responsible respondent, for their price quotation proposal amount of nine-thousand seven-hundred fifty-two dollars and seventy-five cents (\$9,752.75), including state sales tax, as corrected.





City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-8136

**TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS**  
**FROM: WES HILL, P.E., PUBLIC WORKS DIRECTOR** *Wes Hill*  
**SUBJECT: FEDERAL-AID PROJECTS, RIGHT-OF-WAY ACQUISITION PROCEDURES**  
**DATE: MARCH 3, 1998**

#### **INTRODUCTION/BACKGROUND**

In order to acquire right-of-way on federally funded projects, the Federal Highway Administration (FHWA) and the Washington State Department of Transportation (WSDOT) require that local agencies adopt right-of-way acquisition procedures conforming to FHWA and WSDOT requirements. These procedures must be adopted and approved regardless of whether federal funds are used in the acquisition, or if the land is donated.

The attached procedures are based on models recommended by WSDOT that have previously been approved and approved by both WSDOT and FHWA. WSDOT staff have reviewed the procedures and confirmed their preliminary concurrence. Once adopted by the City, the procedures will be routed back to WSDOT for further processing and review through FHWA.

#### **POLICY/FISCAL CONSIDERATIONS**

FHWA and WSDOT approval of the City's adopted right-of-way acquisition procedures is essential in order for the City to acquire, whether by purchase or donation, and whether federal or local funds, any additional right-of-way determined necessary for project completion on federally-funded projects.

#### **RECOMMENDATION**

Staff recommends that the Council approve the attached right-of-way acquisition procedures for federally funded projects, as set forth in the attached "Right-of-Way Procedural Contract as Required by the Local Agency Guidelines Manual," and authorize the Public Works Director to execute the agreement with the Washington State Department of Transportation.

## **RIGHT-OF-WAY PROCEDURAL CONTRACT AS REQUIRED BY THE LOCAL AGENCY GUIDELINES MANUAL**

The City of Gig Harbor, hereinafter referred to as AGENCY, desiring to acquire Real Property in accordance with the state Uniform Relocation Assistance and Real Property Acquisition Act (Chapter 8.26), state regulations (Chapter 468-100 WAC), and applicable federal regulations, hereby adopts the following procedures to implement the above statutes and Washington Administrative Code when Federal or Washington State Department of Transportation (WSDOT) funds are being used for the acquisition of real property for street improvements. The Public Works Department of the AGENCY is responsible for the Real Property acquisition and relocation activities on street and utility projects administered by the AGENCY. To fulfill the above requirements, the Public Works Department will acquire right-of-way in accordance with the policies set forth in the Washington State Department of Transportation Right of Way Manual (M 26-01) and Local Agency Guidelines Manual (M 36-6) when Federal or WSDOT funds are being used for right-of-way acquisition. The AGENCY has the following expertise and personnel capabilities to accomplish these functions:

1.     **PROGRAM ADMINISTRATION**  
Public Works Director/City Engineer
  
2.     **APPRAISAL**  
Services will be contracted as needed.
  
3.     **APPRAISAL REVIEW**  
Services will be contracted as needed.
  
4.     **ACQUISITION**  
Public Works Director/City Engineer with direct supervision from the Washington State Department of Transportation (WSDOT) Region's Local Agency Coordinator. At a minimum, the WSDOT Coordinator must review all parcel files prior to first offers being made to the property owners.
  
5.     **RELOCATION**  
Services will be contracted as needed.
  
6.     **PROPERTY MANAGEMENT**  
Services will be contracted as needed.

Any ADMINISTRATIVE SETTLEMENT proposals that are submitted to the AGENCY for consideration during project negotiations shall be submitted to the Public Works Director/City Engineer for review and acceptance or rejection.

All projects shall be available for review by the Federal Highway Administration and WSDOT at any time, and all project documents shall be retained and available for inspection during the plan development, right-of-way acquisition, and construction stages, and for a three-year period following acceptance of the projects by WSDOT.

Approval of the AGENCY's procedures by WSDOT may be rescinded at any time the AGENCY is found to no longer have qualified staff, or is found to be in noncompliance with the regulations. The rescission may be applied to all or part of the functions approved.

---

CITY OF GIG HARBOR

Approved by:

---

Gretchen Wilbert, Mayor

---

Date

---

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

Approved by:

---

Real Estate Services  
Local Agency Coordination Manager

---

Date

---

Approved as to form:

---

Carol Morris, City Attorney

---

Date

---

Attest:

---

City Clerk

---

Date

## WAIVER OF APPRAISAL

The City of Gig Harbor (Agency), desiring to acquire Real Property according to Code of Federal Regulations (CFR) 23, Part 635, Subpart C, and State of Washington directives, and to take advantage of the \$5,000.00 appraisal waiver process approved by the Federal Highway Administration for Washington State, hereby agrees to follow the procedure approved for the Washington State Department of Transportation (WSDOT) when Federal or WSDOT funds are being used to acquire Real Property as follows:

### Rules

- A. The Agency may elect to waive the requirement for an appraisal if the acquisition is simple, and the compensation estimate indicated on the Project Funding Estimate (PFE) is \$5,000 or less, excluding cost-to-cure items. Documented and reasonable cost-to-cure items not to exceed \$10,000 may be included in addition to the acquisition amount. Cost-to-cure items shall be limited to fencing, utility rehabilitation, driveway rehabilitation, and on-premise advertising sign relocation. *The rules for developing the project funding estimate are attached.*
- B. The Fair Offer Letter issued must make the property owner(s) aware that an appraisal has not been done on the property and that one will be completed if he/she/they desire.
- C. Special care should be taken in preparation of the waiver. As no review is mandated, the preparer needs to be assured that the compensation is fair and that all of the calculations are correct.

### Procedures

- A. An Administrative Offer Summary (AOS) is prepared using data from the PFE.
- B. The AOS is submitted to the Public Works Department for approval.
- C. The Public Works Director signs the AOS authorizing a first offer to the property owner(s).

---

AGENCY

Washington State Department of Transportation

Approved:

\_\_\_\_\_  
Wes Hill, P.E.  
Public Works Director

\_\_\_\_\_  
Director, Real Estate Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



## WAIVER OF APPRAISAL

The City of Gig Harbor (Agency), desiring to acquire Real Property according to Code of Federal Regulations (CFR) 23, Part 635, Subpart C, and State of Washington directives, and to take advantage of the \$5,000.00 appraisal waiver process approved by the Federal Highway Administration for Washington State, hereby agrees to follow the procedure approved for the Washington State Department of Transportation (WSDOT) when Federal or WSDOT funds are being used to acquire Real Property as follows:

### Rules

- A. The Agency may elect to waive the requirement for an appraisal if the acquisition is simple, and the compensation estimate indicated on the Project Funding Estimate (PFE) is \$5,000 or less, excluding cost-to-cure items. Documented and reasonable cost-to-cure items not to exceed \$10,000 may be included in addition to the acquisition amount. Cost-to-cure items shall be limited to fencing, utility rehabilitation, driveway rehabilitation, and on-premise advertising sign relocation. *The rules for developing the project funding estimate are attached.*
- B. The Fair Offer Letter issued must make the property owner(s) aware that an appraisal has not been done on the property and that one will be completed if he/she/they desire.
- C. Special care should be taken in preparation of the waiver. As no review is mandated, the preparer needs to be assured that the compensation is fair and that all of the calculations are correct.

### Procedures

- A. An Administrative Offer Summary (AOS) is prepared using data from the PFE.
- B. The AOS is submitted to the Public Works Department for approval.
- C. The Public Works Director signs the AOS authorizing a first offer to the property owner(s).

---

AGENCY

Washington State Department of Transportation

Approved:

\_\_\_\_\_  
Wes Hill, P.E.  
Public Works Director

\_\_\_\_\_  
Director, Real Estate Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## INTEROFFICE MEMORANDUM

**DATE:** February 10, 1998

**TO:** Right-of-Way Procedures File

**FROM:** Wes Hill, P.E.  
Public Works Director

**SUBJ:** Right-of-way Acquisition Experience

I have the following experience with right-of-way acquisition on Federal-Aid and locally funded projects:

1. Right-of-way research.
2. Preparation and review of right-of-way plans.
3. Preparation of RFQ, and negotiation of scope and fee for contract appraisal services.
4. Review of title and appraisal reports.
5. Preparation of true cost estimates for the purpose of acquiring construction easements and voluntary donations.
6. Negotiation for and preparation of Administrative Settlement offers.

Representative projects include:

1. Britton Road (Phases 2 and 3)
2. West Axton Road
3. Heron Lane Bridge
4. Lakeway Boulevard
5. West Hemmi Road Bridge
6. S. 272<sup>nd</sup> Street



*City of Gig Harbor. The "Maritime City."*

3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-8136

**TO: CITY COUNCIL**  
**FROM: MAYOR GRETCHEN WILBERT** *GW*  
**SUBJECT: NOMINATION TO THE PIERCE TRANSIT BOARD OF COMMISSIONERS**  
**DATE: MARCH 4, 1998**

**INFORMATION/BACKGROUND**

The small cities and towns of Pierce County are losing their representation on the board of Commissioners with the resignation of Mary K. Joyce of Ruston.

David Viafore, the Mayor of Fircrest, has volunteered to serve in the position as soon as he receives the necessary votes from the Council's of Cities and Towns of Pierce County.

**RECOMMENDATION**

A motion to support the nomination of David Viafore for the position on the Pierce Transit Board of Commissioners to provide representation on the Board for the fourteen small cities and towns of Pierce County.

RECEIVED

MAR 2 1998

CITY OF GIG HARBOR



## THE CITY OF FIRCREST

115 RAMSDALL STREET • FIRCREST, WASHINGTON 98466-6999 • (206) 564-8901 • FAX (206) 566-0762

February 25, 1998

City of Gig Harbor  
3105 Judson Street  
Gig Harbor, WA 98335

Dear Mayor Wilbert and Councilmembers:

As Mayor of the City of Fircrest and President of the Pierce County Cities & Towns Association, I have had the pleasure of meeting some of you. For those of you I have not met, I wish to introduce myself. I am in my third term as Mayor of Fircrest and have been an elected official since 1992.

I am seeking your support and vote to represent you on the Pierce Transit Board of Commissioners. At their February 24 meeting, the Fircrest City Council voted to place my name in nomination for the Board position which represents fourteen cities and towns and is a three-year term starting May 1, 1998. Mary K. Joyce of Ruston has very capably filled this position for the past several years; however, she has chosen to step down. The Board also has three representatives from Tacoma, two from Pierce County, and one from Lakewood. I feel the role of Pierce Transit is to provide efficient and affordable service to all of Pierce County and to that end, the smaller cities and towns must have a voice.

1998 is bringing a record amount of new bus and vanpool service and the budget for SHUTTLE, special transportation for disabled, has been increased by one-half million. In the future, the light rail line is coming to downtown Tacoma and there will be design of Phase II of the Tacoma Dome Station. As a Board member, I will work to continue these efforts and do the necessary homework to become informed before making decisions. In addition to my experience with City budgets and policy making, I have also served on the P.C. Economic & Community Development & Housing City Advisory Board and was co-chair of the P.C. Sheriff's Specialized Services Task Force.

I feel my experience, expertise, and interest in transportation issues will complement the Board's composition. Please feel free to contact me if you have any questions about this request. I greatly appreciate your support and look forward to bringing your city's transportation suggestions and concerns to the Board's attention.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Viafore", is written over the word "Sincerely,".

David M. Viafore  
Mayor

CD90080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE: 3/03/98

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR  
(BY ZIP CODE) FOR EXPIRATION DATE OF 5/31/98

RECEIVED

MAR 4 1998

CITY OF GIG HARBOR

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	CLASSES
1 HAGEN & NELSEN ENTERPRISES, IN	MARITIME MART (CHEVRON) 7102 STINSON GIG HARBOR WA 98325 0000	078669	E F
2 FRATERNAL ORDER OF EAGLES GIG HARBOR AERIE NO. 2809	FRATERNAL ORDER OF EAGLES GIG HARBOR 2809 BURNHAM DR NW GIG HARBOR WA 98335 0000	360395	H
3 GRANITE SERVICE, INC.	GIG HARBOR TEXACO 7101 PIONEER WAY GIG HARBOR WA 98335 0000	365485	E F
4 DYLAN ENTERPRISES INC.	TIDES TAVERN 2925 HARBORVIEW DR GIG HARBOR WA 98335 0000	356387	B C E F



STATE OF WASHINGTON  
WASHINGTON STATE LIQUOR CONTROL BOARD  
1025 E Union • PO Box 43098 • Olympia WA 98504-3098 • (360) 664-0012

## Notice to Local Authorities Regarding Procedure for Objecting to Liquor License Renewal

The attached list of liquor licensed premises in your jurisdiction will expire in approximately 60 days. The procedure for objecting to a license renewal is as follows:

- Fax or mail a letter detailing the reason(s) for your objection. **This letter must be received at least 15 days before the liquor license expires.**
- When your objection is received, our licensing staff will prepare a report for review by the Board. This report will include your letter of objection, a report from the Liquor Control Agent who covers the licensed premises, and a record of any past liquor violations. The Board will then decide to either renew the liquor license, or to proceed with non-renewal.
- If the Board decides not to renew a license, we will notify the licensee in writing, stating the reason for this decision. The non-renewal of a liquor license may be contested under the provisions of the Administrative Procedure Act (as provided by RCW 66.08.150 and Chapter 35.05 RCW). Accordingly, the licensee may request a hearing before an administrative law judge. If a hearing is requested, you will be notified and required to present evidence at the hearing to support your recommendation. The Administrative Law Judge will consider the evidence, and issue an Initial Order for the Board's review. The Board has final authority to renew the liquor license, and will subsequently enter a Final Order announcing its decision.
- If the Board decides to renew the license over your objection, you may also request a hearing, following the aforementioned procedure.
- You or the licensee may appeal the Final Order of the Board to the superior court for judicial review (under Chapter 34.05 RCW).
- During the hearing and any subsequent appeal process, the licensee is issued a temporary operating permit for the liquor license until a final decision is made.

Please call me if you have any questions on this process. Thank you.

Sincerely,

Chuck Dalrymple  
Manager, Licenses and Permits  
Licensing and Regulation  
(360) 753-6259  
Fax (360) 753-2710

Attachment



*City of Gig Harbor. The "Maritime City."*

3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-8136

**TO: CITIZENS OF GIG HARBOR**  
**FROM: MAYOR GRETCHEN WILBERT**  
**SUBJECT: VACANCIES ON THE PLANNING COMMISSION**  
**DATE: MARCH 4, 1998**

I would like to invite the Gig Harbor City residents interested in serving in a volunteer capacity on the Gig Harbor Planning Commission to send letters of interest to Mayor Gretchen Wilbert, 3105 Judson Street, Gig Harbor, WA 98335 no later than April 1<sup>st</sup>.







*City of Gig Harbor Police Dept.*  
3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-2236

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: MITCH BARKER, CHIEF OF POLICE** *MB*  
**SUBJECT: FEBRUARY INFORMATION FROM PD**  
**DATE: MARCH 5, 1998**

Attached are the activity statistics for February 1998. The occurrence numbers are about what we anticipated. As a reminder, the percentages won't begin to moderate until about April due to last year's annexations in late March.

The Reserves contributed over 189 hours of service in February. This included 124.5 hours of patrol time, 25.5 hours administrative duties, and 39.5 hours of training. One Reserve Officer resigned, due to schedule conflicts. We are continuing to look for viable Reserve officer candidates to add to the program.

The Explorers are busy preparing for the annual Blue Mountain Challenge. They accounted for 66 hours of service in February. This included two training meetings, and two regular meetings. Four new Explorers joined the Post in February.

The Marine Services Unit responded to 3 calls for service in February.



City of Gig Harbor Police Dept.  
3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-2236

## GIG HARBOR POLICE DEPARTMENT

### MONTHLY ACTIVITY REPORT

February 1998

	<u>FEB</u> <u>1998</u>	<u>YTD</u> <u>1998</u>	<u>YTD</u> <u>1997</u>	<u>%chg to</u> <u>1997</u>
CALLS FOR SERVICE	<u>365</u>	<u>744</u>	<u>491</u>	<u>+ 52</u>
CRIMINAL TRAFFIC	<u>23</u>	<u>46</u>	<u>27</u>	<u>+ 70</u>
TRAFFIC INFRACTIONS	<u>64</u>	<u>144</u>	<u>103</u>	<u>+ 40</u>
DUI ARRESTS	<u>10</u>	<u>24</u>	<u>7</u>	<u>+ 243</u>
FELONY ARRESTS	<u>5</u>	<u>6</u>	<u>16</u>	<u>- 63</u>
MISDEMEANOR ARRESTS	<u>12</u>	<u>23</u>	<u>17</u>	<u>+ 35</u>
WARRANT ARRESTS	<u>9</u>	<u>21</u>	<u>7</u>	<u>+ 200</u>
CASE REPORTS	<u>94</u>	<u>204</u>	<u>126</u>	<u>+ 62</u>
REPORTABLE VEHICLE ACCIDENTS	<u>7</u>	<u>19</u>	<u>13</u>	<u>+ 46</u>

**SPECIAL MEETING OF THE GIG HARBOR CITY COUNCIL  
FEBRUARY 11, 1998 6:00 p.m.**

**CALL TO ORDER:**

**OPEN THE PUBLIC HEARING ON THE SIGN CODE:**

**STAFF PRESENTATION:**

**PUBLIC COMMENT ON SIGN CODE:**

**CLOSE PUBLIC HEARING ON SIGN CODE:**

**COUNCIL DISCUSSION / ACTION:**

**ADJOURN:**





City of Gig Harbor. The "Maritime City"

DEPARTMENT OF PLANNING & BUILDING SERVICES  
3125 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(253) 851-4278

TO: MAYOR WILBERT AND CITY COUNCIL  
FROM: *Rk* RAY GILMORE, PLANNING STAFF  
SUBJ.: SIGN CODE HEARING - FEBRUARY 11, 1998  
DATE: FEBRUARY 5, 1998

#### **Background/Summary**

At its January 12 meeting, Council decided to conduct its own public hearing on the Planning Commission's recommendations on revisions to the City Sign Code, Chapter 17.80 GHMC. The meeting has been set for Wednesday, February 11<sup>th</sup>, 1998 at 6:00pm, in the City Council Meeting Room.

#### **Policy Issues**

The Council hearing is *de novo*. Therefore, there is no restriction on the content of testimony which the Council may consider. As advised earlier, the Council may wish to limit the amount of time for oral presentations. Council is not obligated to render a decision on the 11<sup>th</sup>.

Following the hearing and at the next available regular meeting (Feb. 23<sup>rd</sup>), the ordinance amending the sign code will be reintroduced for a first reading. Council may want to utilize this opportunity to discuss any outstanding issues prior to the second reading of the ordinance on March 5<sup>th</sup>.

#### **Recommendation**

Staff advises that the Council utilize the documents introduced at the January 12<sup>th</sup> Council meeting for its review of the issues upon which the Planning Commission based its recommendation. If you do not have the material from the January 12<sup>th</sup> packet, please contact Molly at 851-8136.



RECEIVED

FEB 2 - 1998

CITY OF GIG HARBOR

1-3098

TO: GIG HARBOR CITY COUNCIL

FROM: JIM BOGE

6606 SOUNDVIEW DRIVE

GIG HARBOR, WA. 98335-1935

RE: SIGN CODE CHANGES:

- ① — AMORTIZANTON SHOULD NOT BE ELIMINATED, BUT IF IT IS, NEW SIGN PERMITS SHOULD BE REQUIRED WITH ANY CHANGE.
- ② — ABSOLUTELY NO TO UNLIMITED REAL ESTATE SALES & OPEN HOUSE SIGNS.
- ③ — NO SIGNAGE FACING HIGHWAY 16. OR INTERCHANGES.
- ④ — BANNERS, SMALL FLAGS, BALLOONS etc (MOVABLE OBJECTS) BUSINESS ZONES ONLY BY SPECIAL PERMIT. (I DONT WANT REALTY SIGNS FLYING BALLOONS ESPECIALLY ON WEEKENDS WHEN NO ONE IS AROUND TO ENFORCE CODE)
- ⑤ — ENFORCEMENT! I'VE SEEN OR READ NOTHING THATS GOING TO GIVE ANY REAL TEETH TO THE SIGN CODE.

GOOD LUCK! THE MONKEY IS ON YOUR BACKS TO PRESERVE "OUR" GIG HARBOR FOR "OUR" CITIZENS.

Boge





WADE PERROW  
P. O. BOX 1728  
GIG HARBOR, WA 98335

RECEIVED  
JAN 13 1998  
CITY OF GIG HARBOR

City of Gig Harbor  
City Council Members  
3125 Judson Street  
Gig Harbor, WA 98335

January 12, 1998

RE: Sign Visibility from State Route 16

Dear Council Members:

Attached you will find several letters I have written to the Planning Commission regarding concerns I have regarding visibility from existing properties along State Route 16.

As you are aware, as a property owner at The Inn at Gig Harbor, we feel the proposed sign ordinance does not properly address the unique situation and location of The Inn at Gig Harbor. In lieu of repeating everything in the attached letters, I will hit the high points. They are:

- The present sign code represents the fog line of the Olympic Drive interchange. It does not represent the fog line of the once open exit at 56<sup>th</sup> and an exit which the Mayor stated during out approval process for The Inn at Gig Harbor, was a desire of hers to reopen. *(Please extend interchange reference in Exhibit 1 to include this exit.)*
- Were the 56<sup>th</sup> Street off ramp, which still exists except for asphalt, to be reopened, the Inn would clearly be in an interchange once again. *(See above note.)*
- The Inn at Gig Harbor was built on an existing footprint which existed before the development of the State Route 16 Interchange. *(Existing condition of site to be considered by Council.)*
- The Inn at Gig Harbor is known as a landmark facility as outlined in the Gig Harbor Comprehensive Plan. Not being able to identify it with the simple words *The Inn* makes this landmark less than recognizable. *(Deference Gig Harbor Comprehensive Plan for landmark structures to be seen.)*

It is our hope that the Council can see that **this facility can in no way ever be shielded from State Route 16. Therefore its landmark status would certainly deserve inclusion into the freeway interchange area.** I have suggested several approaches on the attached sheet that could be considered to make this happen.

I appreciate your help and assistance in making sure that the investment we've made in the community can be recognized by the traveling public for which it is in desperate need of support for its economic viability.

Sincerely,



Wade Perrow



WADE PERROW  
P. O. BOX 1728  
GIG HARBOR, WA 98335

COPY

City of Gig Harbor  
Planning Commission  
3125 Judson Street  
Gig Harbor, WA 98335

December 12, 1997

RE: Freeway Interchange Areas

Dear Commission Members:

I feel somewhat obligated to respond to the discussion the Planning commission had on December 10<sup>th</sup> for which public comment could not be presented.

During this work session, items discussed relating to the freeway interchange area and sign visibility presented several viewpoints, both which had very specific merit. **Regrettably, the outcome is still quite unfair to property owners located along State Route 16 which have property that has developments on them that cannot be screened from State Route 16.**

As you are aware, The Inn at Gig Harbor is of such size and architectural mass that it would be impossible to screen it from State Route 16. This building did receive approval from the City Council of the City of Gig Harbor based on the comprehensive plan which allows and finds desirable the inclusion of landmark structures. It should go without saying, landmark structures are structures that do stand out and represent a point or mode of reference within the community. **To expect a landmark structure to go without signage from its prominent facade seems to be inconsistent with this section of the Comprehensive Plan.**

Secondly, there was discussion regarding the Comprehensive Plan's intent to provide visual screening along the Highway 16 corridor. (The inclusion of any exposure along the corridor would suggest a variation in this statement of the Comprehensive Plan which is expected if common sense is applied to this thought.)

Many of the businesses located along State Route 16 at interchange areas were located there for the specific need of freeway visibility. In the case of The Inn at Gig Harbor, the freeway interchange originally was at 56<sup>th</sup> Street directly in front of The Inn at Gig Harbor property. This interchange location was closed several years after the completion of the Olympic Village overpass. **During our approval process with the City Council, Mayor Wilbert discussed her desire to reopen this interchange exit at 56<sup>th</sup>. Based on the existing development on The Inn at Gig Harbor property as it relates to easements, existing structures and location to the freeway, I believe the inclusion of this specific piece of property is not a creep in the freeway visibility section of the Comp. Plan as it relates to the now closed 56<sup>th</sup> Street ramp.**

In re-evaluating my request for an extension of the 300 foot Olympic Drive interchange mapping, I can appreciate the concern of Planning Commission members that this could be construed as a creep in the area of freeway visibility. Unfortunately, I must also recognize the Comprehensive Plan statement that landmark facilities are desirable and the Council has likewise approved The Inn at Gig Harbor as a landmark facility and to not properly identify it in an appropriate manner is likewise inconsistent with the Comprehensive Plan.



At this time I would request the Planning Commission reconsider my request as it relates to the elements of the Comp. Plan in both areas of landmark facilities and freeway visibility. I would suggest the following approaches for the inclusion of The Inn at Gig Harbor should you deem this appropriate.

- 1) Item 17 - Freeway interchange area. Suggest inclusion of the previous sign code language which states "...shall be the area between present or designated future on and off ramps to the highway." This would then include the previous on ramp that was closed and now the Mayor would like to see reopened at 56<sup>th</sup> Street. By including this, The Inn at Gig Harbor would be in full compliance and not create any creep.
- 2) Item 17.80.050, Variance and Administrative Waivers, item 2 - The granting of a variance would not be contrary to the objectives of this chapter or the Gig Harbor Comprehensive Plan. Another would be under 17.80.06 - General Regulations, Item K - "Signage shall not be oriented for SR 16 visibility, except as follows:

2. Wall signage may be oriented toward designated freeway interchange areas as defined on Exhibit 1... (and visible from SR 16) ...and provide that no more than one sign is visible from the interchange for any one business."

(I believe this is a necessary inclusion that would state "and visible from State Route 16" since there are many businesses along Kimball Drive which are not in the freeway interchange area but are clearly visible from the freeway which have not complied with the screening requirements)

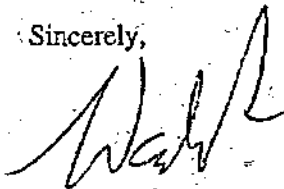
It is my hope that the Planning Commission can establish some common sense language that would include The Inn at Gig Harbor which was approved by the City as a landmark structure and now under the proposed sign code, unable to identify itself while at the same time the Best Western located on Kimball Drive is being afforded every opportunity for freeway visibility under this code and previous code. To me, equity must exist in this code.

Had the City of Gig Harbor felt it absolutely imperative that all structures be screened from State Route 16, how and why, when applying common sense, would they allow The Inn at Gig Harbor to be nearly 60 feet high on the highest point in town, unless they recognize the value of a landmark structure. Now I ask that you, the Planning Commission, recognize the importance of identifying a landmark structure with minimal architecturally compatible and pleasing signage, similar to what is presently installed on the project.

It is my hope that the Planning Commission recognizes this request is not a request for creep in the State Route 16 visibility corridor but the proper identification of a facility allowed within a freeway interchange area which I truly believe is 300 feet short of being properly identified since the original freeway exit was at 56<sup>th</sup> Street and may be reopened if Mayor Wilbert's desire is heard by the Department of Transportation.

Fairness and common sense does become challenging. I pray that you as a Planning Commission can recognize the terrible inequity that would be placed on The Inn at Gig Harbor under the present language of the sign code.

Sincerely,



Wade Perrow

bw

cc Steve Osguthorpe



WADE PERROW  
P. O. BOX 1728  
GIG HARBOR, WA 98335

City of Gig Harbor  
Planning Commission  
3125 Judson Street  
Gig Harbor, WA 98335

December 5, 1997

RE: Freeway Interchange Areas

COPY

Dear Commission Members:

I would like to take this opportunity to once again thank you for your effort and time regarding the sign code.

As I stated during the meeting, there are only two areas that I would like to have you as the Planning Commission review.

- 1) **PROPOSED PROCEDURES FOR DESIGN CODE DBR CRITIQUES.** In reviewing this information there appears to be quite a bit of new language that does not relate in any way to signage and would appear to be an effort to make other substantial changes in the design review process. Not that I am opposed to any of the items included; but I do believe that the inclusion as changes relating to the sign code may be a stretch. I would suggest that you consider having the Design Review Committee Review this and verify that the proposed language will work with their charge.
- 2) **FREEWAY INTERCHANGE AREA** - As I stated during the public testimony, The Inn at Gig Harbor and adjoining property are located very close to the State Route 16 corridor. The location is based on lot size, access easements, etc. The ability to screen the building is not really practical. In the case of The Inn at Gig Harbor, this project was approved by the City Council as a "LANDMARK STRUCTURE" as referred to in the design manual. In approving it as such, it recognizes the fact that this building does provide certain architectural qualities that should not be screened. Likewise, the identification of the building as an Inn or hotel is quite appropriate.

As this item moves forward in the approval, I would ask that the Exhibit 1, Freeway Interchange Areas, be revised in the Olympic Drive Interchange map to extend an additional 300 feet northwest. This extension would thereby include The Inn at Gig Harbor. It is my hope that you can appreciate the importance of quality, sensitive signing, which I believe we have on the building, as to both identification and economic viability.

Once again I thank all of you, staff and community, who have been involved in this long process for the time and effort and hope that these two items can be reviewed.

Sincerely,

  
Wade Perrow

bw

cc: Steve Osguthorpe

