

ORDINANCE NO. 1427

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REPEALING GHMC 17.80 AND ADOPTING PERMANENT ZONING CODE REGULATIONS; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Gig Harbor City Council has determined that the adoption of sign code regulations relating to case law regarding the Reed v. Town of Gilbert United States Supreme Court decision is appropriate to address the allowances of temporary signs; and

WHEREAS, the City Council approved Ordinance 1379, repealing GHMC 17.80 and adopting interim sign code regulations; and

WHEREAS, the City Council approved Ordinance 1396, extending the interim sign code regulations for a period of six months; and

WHEREAS, the City Council approved Ordinance 1414, extending the interim sign code regulations for a period of six additional months; and

WHEREAS, the Gig Harbor Planning Commission met regularly over five months to analyze the City's interim sign code regulations and associated policies to propose edits and a recommendation to City Council in the time allotted by ordinance; and

WHEREAS, on August 15, 2019 the Planning Commission held a public hearing on proposed permanent sign code regulations; and

WHEREAS, the City of Gig Harbor finds that health, safety and welfare is addressed in the proposed language to protect users of the public right-of-way; and

WHEREAS, the City of Gig Harbor finds that private property ownership rights must be accounted for when introducing regulation of signs both on private property as well as within the public right-of-way; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on September 23, 2019; and

WHEREAS, on October 14, 2019, the City Council considered the Ordinance at second reading during a regular City Council meeting; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the recitals expressed above as findings in support of this ordinance.

Section 2. Purpose. The purpose of this ordinance is to enact an update to the Sign Code, which addresses permanent on-site commercial signage, temporary off-site signage and the specific locations of placement for those placed in the public right-of-way. The operational nature of temporary off-premise signs warrants permitting procedures and standards tailored to the transient nature of this use.

Section 3. The Gig Harbor Municipal Code and Chapter 17.80 Sign Code is hereby amended to read as follows:

Chapter 17.80

SIGN CODE*

Sections:

- 17.80.010 Purpose and scope.
- 17.80.020 Permits not required.
- 17.80.030 Definitions.
- 17.80.040 Permit procedures.
- 17.80.050 Variances and administrative waivers.
- 17.80.060 General regulations.
- 17.80.070 Master sign plans.
- 17.80.080 Sign districts.
- 17.80.090 Sign standards for Area 1.
- 17.80.100 Sign standards for Area 2.
- 17.80.110 Temporary signs.
- 17.80.120 Prohibited signs.
- 17.80.130 Nonconforming signs.
- 17.80.140 Design review board approval.
- 17.80.150 Liability.

*Prior legislation: Ords. 532, 558, 664, 691, 1379, 1396, and 1414.

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 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 a public right-of-way or waterway; interior signs placed more than three feet behind a window or opening of a building unless within an enclosed display window; national flags; flags of a political subdivision; legal notices required by law; historic site plaques; gravestones; structures intended for a separate use, such as phone booths; or sign graphics or symbols painted directly onto

or flush-mounted magnetically onto a motor vehicle operating in the normal course of business.

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. Nonilluminated window signs conforming to GHMC 17.80.090(C)(2) and 17.80.100(D)(2);

D. Temporary signs on private property conforming to GHMC 17.80.110(B).

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 180 days of a tenancy change; or a sign which is damaged, in disrepair, or vandalized and not repaired within 60 days of the damaging event.

2. "Advertising copy" includes any 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 nonrigid 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. "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.

7. "Director" means the city's Community Development Department Director, or the director's designee, who shall be authorized to administer and enforce all of the provisions of the sign code.

8. District, Sign.

a. "Area 1" includes those properties situated in PCD-C and PCD-BP districts and all B-2 districts except the B-2 district in the vicinity of the Burnham Drive/Harborview Drive junction; and all C-1 districts except C-1 districts in the height restriction area.

b. "Area 2" includes all properties not defined under Area 1.

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

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

11. "Electronic sign" means a sign designed to allow changes in the sign graphics electronically.
12. "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.
13. "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.
14. "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.
15. "Freestanding sign" means a sign supported by a pole(s) or mounted on a sign base and not connected to or supported by any other structure.
16. Freeway Interchange Area. The freeway interchange of State Route 16 (SR-16) is illustrated on Exhibit 1, attached to Ordinance No. 788 and available in the city clerk's office, and defines the area where signage may be oriented to SR-16, subject to the provisions of GHMC 17.80.060(I).
17. "Frontage" means the linear distance of property along a street or highway.
18. "Holiday" includes all state holidays as defined under RCW 1.16.050, except Sunday.
19. "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.
20. "Landscaping" means the planned use of trees, shrubs and other living plant materials used in conjunction with a sign and other decorative features.
21. "Logo" means an identifying emblem or insignia containing sign graphics, symbols or colors typically used for identification and/or advertisement.
22. "Logo shield" means a logo contained within an area no greater than four 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.
23. "Mansard roof" means a sloped roof or roof-like facade architecturally able to be treated as a building wall.
24. "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.
25. "Neon lighting" means illuminated tubing forming sign graphics or which is otherwise used as an exposed lighting source. For the purpose of this chapter 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.
26. "Neon sign" means neon lighting used to draw attention in any manner, including (but not limited to) neon sign graphics, logos or outlining of a building's architectural features.

27. "Nonresidential Temporary Sign Area" means the area within the public right-of-way immediately adjacent to the Public Institutional (PI), Downtown Business (DB), Neighborhood Commercial (B-1), General Business (B-2), Commercial (C-1), Residential and Business 1 and 2 (RB-1 and RB-2), Planned Community Development Commercial (PCD-C), Employment (ED), Waterfront Commercial (WC), Waterfront Millville (WM), Planned Community Business Park (PCD-BP), and the Planned Community Development Neighborhood Business (PCD-NB) zoning districts.
28. "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.
29. "Portable sign" means a freestanding sign made of any material, which by its design is readily movable and is not permanently affixed to the ground.
30. "Portal sign" means a sign that spans the entrance onto a dock or pier owned and operated by the city of Gig Harbor.
31. "Projecting sign" means a sign which is attached to and projects more than one foot from a structure, building face or marquee.
32. "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.
33. "Readerboard" means a sign face designed to hold readily changeable sign graphics allowing frequent changes of copy.
34. "Residential Temporary Sign Area" means the area within the public right-of-way immediately adjacent to the Single Family Residential (R-1), Planned Community Development Low Density Residential (RLD), Medium Density Residential (R-2), Planned Community Development Medium Density Residential (RMD), Multiple-Family Residential (R-3), and Waterfront Residential (WR) zoning districts.
35. "Returns" are the exposed sides of panchannel sign graphics and cabinet signs.
36. "Revolving sign" means a sign which rotates or turns in a circular pattern.
37. "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).
38. "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 selfstanding.
39. "Seasonal decorations" means temporary decorations for holidays which do not fall under the definition of a sign and which are installed no sooner than 30 days before a holiday and removed no later than five days after the holiday. Decorations which fall under the definition of a sign must conform to all provisions of the sign code.
40. "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.
41. "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. Sign supporting structures which are part of the sign display shall be included in the area of calculation.
42. "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.
43. "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.
44. "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.
45. "Trim caps" are the corner trim pieces holding the translucent materials or sign faces on panchannel sign graphics and cabinet signs.
46. "Underlying property owner" means the individual or entity with legal title to a piece of property where the boundaries of that property include within it the location at issue despite existence of any easement on top of the land.
47. "Wall graphics" means a wall sign of which color and form are part of an overall design on the building.
48. "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. 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.
49. "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.
50. "Window sign" means a sign that is mounted on, painted on or attached to a window, or is placed within three 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).

17.80.040 Permit procedures.

The following regulations shall apply to all signs except for temporary signs defined under GHMC 17.80.030(44) and in conformance with GHMC 17.80.110.

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 director, except as allowed under the provisions of GHMC 17.80.020 or otherwise 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. 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;
6. Exemptions. The director may waive submission of plans and specifications when the structural aspect is of minor importance.

C. Permit Processing Requirements. A sign permit shall be processed according to the procedures in GHMC Title 19 and is a Type I permit application.

17.80.050 Variances and administrative waivers.

A. Variances. A variance may be requested from any requirement in this chapter, with the exception of the requirements described in subsection (B) of this section, Administrative Waiver – Design Restrictions. The variance shall be processed as a Type III application, and the variance criteria described in the zoning code (GHMC 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.

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 17.80.090(B)(2) and 17.80.100(A) and (C)(2) shall be observed unless a waiver is granted by the director. Waivers may be granted by the director upon a clear demonstration that all of the following conditions apply:

1. The proposed sign design is consistent with 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. If colored illumination other than white or ivory is desired in Area 2, the proposed sign is not visible from residential property within 200 feet of the parcel the sign is located on;

4. All reasonable alternative locations for signage have been explored by the applicant.

17.80.060 General regulations.

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, balloons and spinners. These devices, when not part of any sign, are also prohibited. Limited use of thematic flags, banners and pennants which are complementary to a specific location or structure, may be permitted upon approval of the 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.

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.

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.

D. International 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.

E. 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.

F. Illumination Restrictions.

1. Externally Illuminated Signs. Signs may be externally illuminated and shall conform to the city’s design manual standards for lighting.

2. Internal Illumination and Neon. Internally illuminated signs shall 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 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 21 inches in height, except that illuminated outlines and borders may extend to the height of the sign face. Only text and graphics may be internally illuminated; the sign face must remain opaque, and 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 GHMC 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 of the sign face shall be limited to the darker values which diminish glare. Intensity shall be dull or weak.

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

G. 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.

H. 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.

I. 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, attached to Ordinance No. 788 and available in the city clerk’s office, 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.

J. 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.

Before a sign permit can be issued for any commercial multi-tenant building, 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. Master sign plans shall indicate the amount and location of signage allocated to each tenant space. 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 predetermined 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:

1. Common colors on the background or text;
2. Common lettering style;
3. Common size (e.g., a specified height common to each sign);
4. 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 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.

17.80.080 Sign districts.

Two sign districts are created as defined under GHMC 17.80.030(8). 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; and, except for temporary signs defined under GHMC 17.80.030(44) and in conformance with GHMC 17.80.110.

17.80.090 Sign standards for Area 1.

In addition to other applicable requirements of this chapter, signs located in 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 inches.

4. Maximum Sign Area. Fifty square feet for a single side or 100 square feet total on all sides, not to exceed 50 square feet on any one side, or one square foot of sign area for every three 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 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 subsection (A)(4) of this section. 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 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 director if the sign is located in an area that is part of an approved overall site landscape plan.

8. One sign placed per vehicular entrance is allowed without a permit, shall be no larger than four square foot per side, and no taller than three feet in height as measured from the ground.

B. Wall Mounted Signs.

1. Total Area. Painted or attached signs on any wall shall not exceed three percent of the wall plane the sign is mounted to, except that signage covering up to 10 percent 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-premises 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 GHMC. In no case may a single sign exceed 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 sign 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 percent 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 inches wide may have a sign which is 21 inches wide.

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

C. Window Signs.

1. Illuminated Window Signs. Illuminated window signs shall conform to the total wall sign area standards in subsection (B) of this section and shall conform with all master sign plan requirements in GHMC 17.80.070.

2. Nonilluminated Window Signs. Nonilluminated window signs are allowed in addition to the standards in subsection (B) of this section; provided, that they do not exceed 50 percent of the nominal window size (i.e., the window size as specified by the manufacturer). Additionally, nonilluminated window signs are not required to conform to the design standards of master sign plans.

D. Projecting Signs.

1. Surface Area. Projecting signs are limited to 32 square feet total both sides. Projecting sign area shall be deducted from the allowable wall signage determined under subsection (B)(1) of this section.

2. Clearance Requirements. All projecting signs must be at least eight feet above sidewalks and walkways and 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.

17.80.100 Sign standards for Area 2.

The following sign standards shall apply:

A. Illumination. When illumination is desired in Area 2, the city encourages use of external light sources subject to the provisions of GHMC 17.80.060(F)(1). Internal illumination is permitted on all signs subject to the provisions of GHMC 17.80.060(F)(2). 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 feet in height.

3. Clearance Standards. Freestanding signs which abut the edge of a sidewalk shall have a maximum clearance of 27 inches.

4. Maximum Sign Area. Twenty-four square feet for a single side or 48 square feet total on all sides. If a carved or sandblasted wooden sign is used, freestanding signs may be 30 square feet for a single side or 60 square feet total on all 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. Freestanding signs shall be limited to the following number and locations:

a. Nonresidential use. One freestanding sign shall be permitted on each street frontage of property. 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. 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 subsection (B)(4) of this section. Where there is frontage on more than one street, each frontage is treated independently.

b. Residential Use. One freestanding 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 percent for all grade level landscaping, or by 75 percent if landscaping is contained in a raised planter around the base of the sign. Raised planters must be at least 18 inches high. Planter and organic materials shall be installed within 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.

8. One sign placed per vehicular entrance is allowed without a permit, shall be no larger than four square foot per side, and no taller than three feet in height as measured from the ground.

C. Wall Mounted Signs.

1. Total Sign Area.

a. Allowed Signage per Wall Plane.

Total allowed signage in Area 2 shall not exceed three percent of the wall plane the sign is mounted

to, except that signage covering up to eight percent 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-premises 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 GHMC.

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

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

d. Size Restriction. Wall signs must meet the 70 percent space coverage allowances described under the surface coverage requirements in subsection (C)(2) of this section.

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 percent 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 inches wide may have a sign which is 21 inches wide.

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

D. Window Signs.

1. Illuminated Window Signs. Illuminated window signs shall conform to the total wall sign area standards in subsection (C)(1) of this section and shall conform with all master sign plan requirements in GHMC 17.80.070.

2. Nonilluminated Window Signs. Nonilluminated window signs are allowed in addition to the standards in subsection (C)(1) of this section; provided, that they do not exceed 50 percent of the nominal window size (i.e., the window size as specified by the manufacturer). Additionally, nonilluminated window signs are not required to conform to the design standards of master sign plans.

E. Projecting Signs.

1. Surface Area. Projecting signs in Area 2 are limited to 32 square feet total for both sides. Projecting sign area shall be deducted from the allowable wall signage determined under subsection (C)(1) of this section.

2. Clearance Requirements. All projecting signs must be at least eight feet above sidewalks and walkways and 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. Portal Sign. One portal sign shall be allowed for each city-owned dock or pier. Portal signs shall be limited in height to 12 feet and a sign face area of 32 square feet per side. Portal signs shall be allowed in addition to any other signs permitted on the property.

17.80.110 Temporary signs.

A. Temporary Signs in Public Right-of-Way.

1. Location: Temporary signs are prohibited from being placed within: roundabouts; medians; shoulders; travel lanes; and, areas of the public right-of-way that are not accessible by a sidewalk or pedestrian walking path. Signs shall be no further away than 100 feet from the intersection. Placement of temporary signs shall only be permitted in areas identified on the Director's Official Map for Temporary Signs in the Right-of-Way as updated and maintained by the director. Temporary signs shall not be located in right-of-way adjacent to City facilities or parks, or any other government owned facilities and properties.

a. In addition to the standards above, temporary signs in the area on Harborview Drive from Soundview Drive to Rosedale Street, and on North Harborview Drive from Finholm Market to Peacock Hill Drive are authorized to exceed the 100 feet from the intersection requirement, and these temporary signs shall obtain an encroachment permit in addition to the permit required in GHMC 17.80.110(A)(3).

2. Safety: All temporary signs shall be placed in a manner that is safe for all users of the Public Right-of-Way. Temporary signs shall not block access to structures, parked cars, block vehicular sight distance views at corners, intersections, or block pedestrian walking paths. No temporary sign shall mimic, or be attached to, official roadway signage (stop signs, yield, etc).

3. Permitting: All Temporary Signs shall have an approved City permit attached to the sign face. Permits can be acquired online at the City of Gig Harbor web site, or in person at the Civic Center at no cost. Permits are valid for 30 days at a time. All signs with expired permits or no permit attached will be removed.

4. Temporary signs in a Residential Temporary Sign Area are limited in size to four (4) square feet per side, no more than eight (8) square feet total and shall not exceed three (3) feet in height from the ground when displayed.

5. Temporary signs in a Nonresidential Temporary Sign Area are limited in size to six (6) square feet per side, no more than twelve (12) square feet total and shall not exceed three (3) feet in height from the ground when displayed.

6. No sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, bench, or any type of street furniture, or otherwise create a hazard, including a tripping hazard.

7. Temporary signs shall only be placed in the right-of-way if the sign owner has permission from the underlying property owner. Owners may remove signs without notice.

8. All signs placed or erected that do not meet the regulations will be removed without notice.

B. Temporary Signs on Private Property.

1. All signs placed on private property shall have owner's consent. Owners may remove signs without notice.

2. Temporary signs on private property do not require a permit.

3. Temporary signs in a Residential Temporary Sign Area shall not exceed six (6) feet in height from the ground when displayed and shall be limited as follows:

a. For nonresidential uses, no more than one (1) sign visible from the public right-of-way per tenant space is allowed. The sign is limited in size to six (6) square feet per side, no more than twelve (12) square feet in total.

- b. For residential uses, no more than four (4) signs visible from the public right-of-way per lot are allowed. The total size of all signs combined is limited to six (6) square feet; in the case of double-sided signs, twelve (12) square feet is allowed.
- 4. Temporary signs in a Nonresidential Temporary Sign Area shall not exceed three (3) feet in height from the ground when displayed and shall be limited as follows:
 - a. For nonresidential uses, no more than one (1) sign visible from the public right-of-way per tenant space is allowed. The sign is limited in size to six (6) square feet per side, no more than twelve (12) square feet in total. One temporary banner attached to the exterior of the business for which it applies is additionally allowed and shall be limited to 20 square feet in size. The banner may be displayed for a total of no more than 60 cumulative days per calendar year.
 - b. For residential uses, no more than four (4) signs visible from the public right-of-way per lot are allowed. The total size of all signs combined is limited to six (6) square feet; in the case of double-sided signs, twelve (12) square feet is allowed.
- 5. Signs over the size or height standards are considered a permanent sign and shall be permitted under GHMC 17.80.090 or 17.80.100.
- 6. No sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, bench, or any type of street furniture, or otherwise create a hazard, including a tripping hazard.

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. Any sign affixed to or painted on trees, rocks or other natural features or utility poles;
- H. Roof signs;
- I. Electronic signs;
- J. Signs not meeting the requirements of this chapter.

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 subsection (A) of this section.

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 chapter or shall be removed if:

1. The sign is abandoned;
2. The sign is damaged in excess of 50 percent 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;
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 20 percent or more, unless the sign is brought into conformance under the provisions of subsection (E) of this section;
5. The building to which the sign applies is demolished.

E. An owner of a nonconforming sign may, under the provisions of GHMC 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 for a design allowance shall be processed in accordance with the procedures for a design review board recommendation (GHMC 17.98.055).

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.


Section 4. Copy to Commerce Department. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of this ordinance to the State Department of Commerce for its files within ten (10) days after adoption of this ordinance.

Section 5. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 6. Effective Date. This Ordinance shall take effect and be in full force 5 days after publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 14th day of October, 2019.

CITY OF GIG HARBOR



Mayor Kit Kuhn

ATTEST/AUTHENTICATED:



Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Daniel Kenny

Daniel Kenny

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. 1427