

RESOLUTION NO. 12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, ADOPTING A MORATORIUM ON THE FILING OF APPLICATIONS WITH PIERCE COUNTY FOR SIGN PERMITS AND BUILDING PERMITS FOR BILLBOARDS AND OTHER FREESTANDING COMMERCIAL SIGNS PURSUANT TO RCW 35.02.137.

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The City Council of the City of University Place hereby makes the following findings of fact:

1. The incorporation of the new city of University Place was overwhelmingly approved at an election held on November 8, 1995;
2. The City Council of the new city of University Place was duly elected on April 25, 1995 and sworn in on May 6, 1995;
3. One of the major concerns of residents of University Place leading to incorporation was the impact of land use decisions on the University Place community;
4. RCW 35.02.137 provides that during the interim period between the time the new City Council is sworn in and the date of incorporation, the new City Council may adopt resolutions establishing moratoria during the interim transition period on the filing of applications with the County for development permits or approvals, including but not limited to, subdivision approvals, short subdivision approvals, and building permits;
5. The authority granted by RCW 35.02.137 to adopt moratoria on applications for development permits includes the authority to adopt moratoria on applications for certain types of development permits, including building permits, if reasonably related to serving the public health, safety or welfare;
6. Pierce County Code §18.10.202.007 defines "billboard" as a "preprinted or handpainted changeable advertising copy sign which directs attention to businesses, commodities, services, or facilities which are not sold, manufactured, or distributed from the property on which the sign is located";
7. Pierce County Code §18.10.219.045 defines "business sign" as a "sign which directs attention to a business or

profession conducted, or to a commodity, service, or entertainment sold, or offered upon the premises where such sign is located, or to which it is affixed";

8. Pierce County Code §18.10.219.050 defines "business identification sign" as a "sign which directs attention only to the name and location of a firm or business center within one thousand (1000) feet of the sign";

9. Billboards in particular and freestanding commercial signs in general have great potential to create visual blight, clutter scenic vistas, and create safety hazards by drawing the attention of motorists away from the roadway;

10. The people and the City Council of the new city of University Place desire to protect their community from these harms, while insuring consistency with the First Amendment and providing adequate channels of commercial communications;

11. In order to regulate billboards and other freestanding commercial signs appropriately, the Council should consider a range of options, from their prohibition to various restrictions on their location, size, height and frequency. In order to insure coordination of these restrictions with other land use policies and controls, permanent sign regulations should be adopted as part of the City's overall comprehensive plan and zoning regulations;

12. If current Pierce County regulations remain in place while the City is considering more restrictive rules, it is likely that applications for sign permits or building permits for billboards and other freestanding commercial signs will continue to be filed under the County regulations before the effective date of incorporation;

13. If the moratorium contained in this Resolution is not adopted, the filing of sign or building permit applications under the County regulations is likely to frustrate effective long-term planning, result in the status quo not being preserved during consideration of the City's permanent regulations, and harm the City's ability to adopt its own permanent regulations governing billboards and other freestanding signs;

14. To preserve the City's ability to adopt reasonable and appropriate regulations governing billboards and other freestanding signs, it is in the interest of the public health, safety and welfare to suspend temporarily the filing with Pierce County of applications for sign permits and building permits for billboards and freestanding signs. This measure is necessary to preserve the City's ability to effectuate long-term planning decisions and to plan in a rational manner. For the reasons set out in these Findings, these circumstances constitute an

emergency;

15 Under WAC 197-11-880, the adoption of this Resolution is exempt from the requirement of a threshold determination under the State Environmental Policy Act;

16. A public hearing on this Resolution was held before the City Council of University Place on June 7, 1995, at 7:30 p.m. pursuant to public notice.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Pursuant to RCW 35.02.137, Pierce County shall not accept any applications for sign permits or building permits which include the construction of a billboard, as defined in the Pierce County Code, within the city limits of the new city of University Place.

Section 2. Pursuant to RCW 35.02.137, Pierce County shall not accept any applications for sign permits or building permits for any freestanding business sign or business identification sign, as defined in the Pierce County Code, within the city limits of the new city of University Place. For purposes of this Resolution, "freestanding sign" means a sign standing directly upon the ground or having one or more supports standing directly upon the ground, and being detached from any building or structure.

Section 3. Nothing in this Resolution shall be interpreted to conflict with state or federal law governing outdoor advertising signs.

Section 4. This Resolution shall not affect rights which have vested under the vested rights doctrine of the State of Washington.

Section 5. The Interim City Manager is directed to file immediately a certified copy of this Resolution with the Pierce County Council and County Executive.

Section 6. This Resolution is effective immediately and shall continue in effect until the date of incorporation of University Place.


ADOPTED by the City Council of the City of University Place at its meeting of June \_\_, 1995.

  
STANLEY L.K. FLEMING, MAYOR

Attest:

  
Susan Matthew,  
INTERIM CITY CLERK PRO TEM

Approved as to form:



FILED WITH THE CITY CLERK:

ADOPTED BY THE CITY COUNCIL: June 7, 1995.

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