

ORDINANCE NO. 05-21

AN ORDINANCE of the City of Richland amending Richland Municipal Code Sections 19.20.010 and 27.04.010 related to procedures for processing sign permits.

WHEREAS, the City has need, from time to time, to amend the Richland Municipal Code to resolve conflicts and eliminate ambiguity; and

WHEREAS, edits to Chapters 19.20 and 27.04 RMC are necessary to provide an efficient appeal process for denial of temporary sign permits.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 19.20.010, entitled Procedures for processing development permits, as first enacted by Ordinance No. 12-96, and last amended by Ordinance No. 23-20, is hereby amended as follows:

19.20.010 Procedures for processing development permits.

For the purpose of project permit processing, all development permit applications shall be classified as one of the following: Type I, Type II, Type III, or Type IIIA. Legislative decisions are Type IV actions, and are addressed in RMC 19.20.050. Exclusions from the requirements of project permit application processing are contained in RMC 19.20.070.

A. Type I permits include the following types of permit applications:

1. Minor revisions to planned unit developments;
2. Final approvals of planned unit developments;
3. Short plats;
4. Small binding site plans;
5. Minor revisions to preliminary plats;
6. Minor revisions to site plans;
7. Minor revisions to special use permits;
8. Minor revisions to shoreline substantial development permits;
9. Minor new substantial development permits that meet any of the following criteria:
 - a. Single-family residences not constructed by an owner, lessee, or contract purchaser for their own use;

- b. Single-family nonexempt docks; and
- c. New developments on a site of one acre or less and with a cost of less than \$500,000;

10. Accessory dwelling units;

11. Extension of preliminary plat approvals;

[12. Administrative and special sign permits.](#)

B. Type II permits include the following types of permit applications:

- 1. Shoreline substantial development permits not classified as Type I permits or major revisions thereof;
- 2. Large binding site plans;
- 3. Site plan approvals or major revisions thereof;
- 4. Building height exceptions;
- 5. Design review – acceptance of alternative design standards;
- 6. Schools on small sites;
- 7. Joint use parking reductions;
- 8. Special sign permits;
- 9. Special use permits or major revisions thereof.

C. Type III permits include the following types of permit applications:

- 1. Preliminary plats or major revisions thereof;
- 2. Plat alterations or vacations.

D. Type IIIA permits include the following types of permit applications:

- 1. Site-specific rezones;
- 2. Planned unit developments – preliminary approvals.

E. Type IV permits include the following types of permit applications:

1. Zoning code text and zoning district amendments;
2. Adoption of development regulations and amendments;
3. Area-wide rezones to implement new city policies;
4. Adoption of the comprehensive plan and any plan amendments; and
5. Annexations.

Section 2. Richland Municipal Code Section 27.04.010, entitled Application process, as first enacted by Ordinance No. 03-89, and last amended by Ordinance No. 08-19, is hereby amended as follows:

RMC 27.04.010 Application process.

A. Permits. No sign governed by the provisions of this code shall be erected, altered, or relocated by any person, firm, or corporation without a permit issued by the city.

1. Administrative sign permits are a Type I permit under RMC 19.20.010.

42. Application for a sign permit shall be made in writing to the sign code administrator on forms furnished by that office. The sign code administrator and the city building inspector shall determine the conformity of the sign design to the ordinances and codes of the city of Richland, and if found in conformance, shall issue the sign permit.

23. A sign permit shall become null and void if the work for which the permit was issued has not commenced within 180 days of its issuance.

34. No new permit shall be required for normal maintenance or repair of a sign or sign structure for which a permit has been previously issued.

45. The sign code administrator may revoke the permit for any sign which is erected or altered in violation of the terms, conditions, and requirements of this code or of the terms and conditions specified in such permit. Appeal from denial or revocation of a sign permit or from failure of the sign code administrator to act on a permit application may be taken to the Hearing Examiner. ~~city council.~~

B. Special Sign Permits. Application for a special sign permit shall be made in writing to the sign code administrator on forms provided by that office. Special sign permits are a Type I permit under RMC 19.20.010. Special sign permits may be granted upon demonstration of meeting the following criteria:

1. Literal interpretation and application of the provisions of this code will not allow reasonable opportunity for a sign or signs;

2. Granting of a special sign permit will not result in more signs being constructed than would normally be allowed under the provisions of this code;
3. Granting of a special sign permit will not affect the ability of adjacent users to comply with the provisions of this code;
4. The special sign permit requested will not result in a sign which exceeds the dimensional provisions of this code by more than 35 percent; and
5. Documentation is made, to the satisfaction of the city, that the special sign permit requested is the minimum exception to the provisions of this code necessary for the intended use, and the permit will not result in a prohibited sign.

Upon a finding by the sign code administrator ~~city~~ that the above criteria have been met, a special sign permit will be issued. ~~Where the special permit will result in a sign which does not exceed the dimensional provisions of this code by more than 15 percent, the permit shall be processed~~ by the sign code administrator. The sign code administrator may revoke the special permit for any sign which is erected or altered in violation of the terms, conditions, and requirements of this code or of the terms and conditions specified in such permit.

~~Where the special sign permit will result in a sign which exceeds the dimensional provisions of this code by more than 15 percent, the permit application shall be forwarded to the planning commission for consideration. The commission shall make a finding based on the above criteria and may approve, deny, or modify the permit as the commission deems appropriate.~~

In cases where the sign code administrator ~~or the planning commission~~ has denied, revoked, or failed to act on a special sign permit, the applicant may appeal such decision to the Hearing Examiner. ~~city council.~~

C. Temporary Sign Permits. Application for a temporary sign permit shall be made in writing to the sign code administrator on forms furnished by that office. If a need for a temporary sign permit exists, the sign code administrator shall determine conformity of the temporary sign design with applicable codes/ordinances of the city of Richland and then request the building inspector to issue the temporary permit. Temporary sign permits shall be valid for 60 days unless specified otherwise in this title.

D. Sign Permit Fees. Fees for sign permits shall accompany the permit application and are based upon size of the sign as follows:

SIZE	FEE
Less than 25 sq. ft. in surface area	\$20.00
25 sq. ft. and larger surface area	\$40.00
Freeway interchange sign greater than 25 feet in height	\$100.00

SIZE	FEE
Fees associated with special sign permits are as follows:	
Administrative/ <u>special</u> permit application	\$25.00
Permit requiring planning commission/ <u>city manager</u> approval (<u>RMC 27.08</u>)	\$50.00
Appeal to city council <u>hearing examiner</u>	\$565.00 <u>25.00</u>
Temporary sign permit	\$5.00

Section 3. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 4. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 5. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

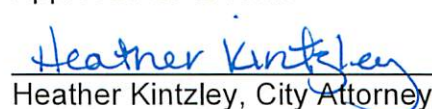
PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 2nd day of March, 2021.


Ryan Lukson, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to form:


Heather Kintzley, City Attorney

Date Published: March 7, 2021