

ORDINANCE NO. 1146

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE ALLOWED DENSITY IN THE PLANNED COMMUNITY DEVELOPMENT LOW DENSITY RESIDENTIAL (RLD) ZONING DISTRICT FROM A MAXIMUM OF FOUR DWELLING UNITS PER GROSS ACRE TO A MINIMUM DENSITY OF FOUR DWELLING UNITS PER NET ACRE AND A MAXIMUM DENSITY OF FOUR DWELLING UNITS PER GROSS ACRE; AMENDING GHMC SECTION 17.17.040 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the City desires to establish a minimum density of four (4) dwelling units per net acre and a maximum density of four (4) dwelling units per gross acre in the RLD zoning district to meet urban densities required by Comprehensive Plan Policy 2.1.5 which promotes an average net residential density of four to four and one-half dwelling units per acre; and

WHEREAS, the City desires to meet Countywide Planning Policy 6.1 for Urban Growth Areas which requires each jurisdiction to have policies which ensure that urban designated areas will achieve an average net density of four dwelling units per acre; and

WHEREAS, the City has projected a built density of 4 dwelling units per gross acre for the RLD zoning as part of the buildable lands analysis process to meet 20-year population projections allocated to the City through Pierce County; and

WHEREAS, the City desires to ensure that 20-year population allocations can be met; and

WHEREAS, the City's SEPA Responsible Official issued a threshold Determination of Nonsignificance (DNS) for this Ordinance on October 8, 2008; and

WHEREAS, on August 5, 2008, a copy of this Ordinance was sent to the Washington Department of Community, Trade and Economic Development, pursuant to RCW 36.70A.106; and

WHEREAS, the Gig Harbor City Council held a public hearing and considered this Ordinance at first reading on October 27, 2008; and

WHEREAS, testimony at the public hearing addressed concern regarding the effect of the original proposed amendment to establish a minimum and

maximum density requirement of four (4) dwelling units to the gross acre on planned, future, phased development within the RLD zoning district; and

WHEREAS, in response to the testimony at the October 27, 2008 public hearing, the proposed amendment has been revised to establish minimum net and maximum gross density requirements for the RLD zoning district; and

WHEREAS, on November 10, 2008, the City Council adopted this 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. Subsection 17.17.040(A) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.17.040 Performance standards.

A. Density. ~~Maximum base density is four dwelling units per gross acre. The minimum density is 4 dwelling units per net acre and the maximum density is four dwelling units per gross acre.~~ Additional density may be allowed using either of the following options:

1. Bonus Density Option. A bonus density of up to 30 percent over the base may be permitted, based upon the following allocations:

a. Thirty percent of the development site is common open space, which must be contiguous or larger than one acre in area (plus five percent).

b. A pedestrian trail system is provided within the common open space area, consistent with the adopted trails plan per the land use map (plus 10 percent).

c. A minimum 35 percent of the required common open space is improved as an active recreational area (plus 10 percent). Active recreational areas shall include, but not be limited to:

- i. Clearly defined athletic fields and/or activity courts.
- ii. Recreation center or community facility.

d. Additional common open space is provided between the development and adjacent residential zones, uses or developments (plus five percent bonus maximum at a ratio of one percent density bonus per five percent open space increase).

2. Density Credit Transfers. A transfer of density credits may be applied from one residential district within the PCD district to the RLD district up to a maximum of seven dwelling units per acre. Density credit transfers shall be as provided for in the density credit transfer section in Chapter 17.59 GHMC. Density credit transfers may be used in conjunction

with bonus density options to achieve the maximum allowable density of seven dwelling units per acre.

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Section 2. 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 3. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and 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 10th day of November, 2008.

CITY OF GIG HARBOR

Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:

Molly Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Carol A. Morris, City Attorney

FILED WITH THE CITY CLERK: 10/22/08
PASSED BY THE CITY COUNCIL: 11/10/08
PUBLISHED: 11/26/08
EFFECTIVE DATE: 12/01/08
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