

ORDINANCE NO. 1083

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, CHANGING THE REQUIREMENT THAT THE MAXIMUM BUILDING SIZE OF 5,000 SQUARE FEET IN THE RB-1 ZONE BE SATISFIED ON A PER STRUCTURE RATHER THAN PER LOT BASIS; AMENDING SECTION 17.28.050 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, Section 17.28.050 of the Gig Harbor Municipal Code the maximum building size of structures on property in the Residential and Business district (RB-1) is 5,000 square feet per lot; and,

WHEREAS, the provisions of Section 17.28.050 do not consider the ~~parcel~~ lot size; and

WHEREAS, several of the lots currently zoned RB-1 are large enough in size to adequately support the construction of more than one 5,000 square foot structure; and

WHEREAS, the current maximum building size in the RB-1 zone have resulted in property owners subdividing their property to achieve a greater total building square footage; and

WHEREAS, after property has been subdivided it is more difficult to require projects to have a unified appearance; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Nonsignificance (DNS) for the proposed amendments on April 5, 2007 pursuant to WAC 197-11-340, which was not appealed; and

WHEREAS, the City Community Development Director forwarded a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development on March 8, 2007 pursuant to RCW 36.70A.106; and

WHEREAS, the City Planning Commission considered the proposed text amendments at two meetings and voted on December 7, 2006 to recommend to the City Council that the text amendment be denied until such time as the City examines the existing RB-1 properties for possible rezoning; and

WHEREAS, the City Council discussed the Planning Commission's recommendation regarding the proposed text amendment at two meetings and voted on February 12, 2007 to conduct a public hearing on the proposed text amendment; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on April 23, 2007; and

WHEREAS, the Gig Harbor City Council voted to approve this Ordinance during the second reading on May 14, 2007; Now, Therefore,

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

Section 1. Section 17.28.050 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.28.050 Minimum development standards.

In an RB-1 district, the minimum lot requirements are as follows:

	Residential	Nonresidential
A. Minimum lot area (sq. ft.)	7,200	15,000
B. Minimum lot width	70'	70'
C. Minimum front yard setback ¹	20'	20'
D. Minimum rear yard setback ¹	25'	15'
E. Minimum side yard setback ¹	7'	10'
F. Maximum impervious lot coverage	50%	60%
G. Minimum street frontage	20'	50'
H. Density	4 dwelling units/acre	
I. Maximum gross floor area	N/A	5,000 sq.ft. per lot
J. Separation between structures	20'	<u>structure</u> 20'

JK. Any yard abutting a single-family residence shall be required to maintain a 30-foot wide dense vegetated screen.

¹If the RB-1 district is located in the historic district defined in Chapter 17.99 GHMC, the setbacks defined in GHMC 17.99.310 and 17.99.320 shall apply. Single-family dwellings in any RB-1 district outside the historic district are subject to the setback standards of GHMC 17.99.290.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is 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, 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 City Council and approved by the Mayor of the City of Gig Harbor this 14th day of May, 2007.

CITY OF GIG HARBOR

CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By: _____
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 04/18/07
PASSED BY THE CITY COUNCIL: 05/14/07
PUBLISHED: 05/23/07
EFFECTIVE DATE: 05/28/07
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