

## ORDINANCE NO. 1070

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE MAXIMUM PERMITTED GROSS FLOOR AREA FOR PARCELS OF LAND WITHIN THE WATERFRONT RESIDENTIAL (WR), WATERFRONT MILLVILLE (WM) AND WATERFRONT COMMERCIAL (WC) BY EXEMPTING THE SQUARE FOOTAGE OF EXISTING HISTORIC NET SHEDS ON SAID PARCELS FROM THE GROSS FLOOR AREA ALLOWED; CLARIFYING THE PARKING REQUIREMENTS FOR HISTORIC NET SHEDS WITHIN THE WR, WM AND WC DISTRICTS; ADDING A DEFINITION FOR HISTORIC NET SHED; ADDING SECTION 17.04.615 AND AMENDING SECTIONS 17.46.040, 17.46.070, 17.48.040, 17.48.070, 17.50.040 AND 17.50.070 OF THE GIG HARBOR MUNICIPAL CODE.

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WHEREAS, Gig Harbor's connection to the fishing industry dates back to the first settlement of the area; and,

WHEREAS, net sheds have been a necessary part of the Gig Harbor fishing industry and were used to store, maintain and mend fishing nets and other related fishing equipment; and

WHEREAS, the Gig Harbor fishing industry has declined in recent years resulting in a substantial reduction of the number of fishing boats within the harbor and the number of net sheds has experienced a similar reduction; and

WHEREAS, except for the remaining fishing boats within the harbor, net sheds are the only surviving connection between the community and what was once one of the most successful fishing fleets on the west coast; and

WHEREAS, it has been determined that currently only 17 structures originally constructed as net sheds are still in existence within the existing City limits and identified in Exhibit "A" attached herein; and

WHEREAS, the existing net sheds were generally constructed over 50 years ago and many retain their historic appearance; and

WHEREAS, several of said net sheds are still being used for the storage and repair of fishing nets and fishing equipment; and

WHEREAS, the City's Master Shoreline Program recognizes the importance of preserving the physical, aesthetic and social components which comprise the fishing industry and its fleet; and

WHEREAS, Goal 3.10 of the Community Design Element of the City of Gig Harbor's Comprehensive Plan states that the waterfront architecture should reflect components of the waterfront's traditional fishing industry structures such as net sheds; and

WHEREAS, the maximum square footage limitations on parcels of land within the Waterfront Residential (WR), Waterfront Millville (WM) and Waterfront Commercial (WC) Districts may serve as a disincentive for property owners to maintain existing net sheds on their property; and

WHEREAS, the Gig Harbor Municipal Code currently does not define historic net sheds; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Nonsignificance (DNS) for the proposed amendments on December 6, 2006 pursuant to WAC 197-11-350, 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 November 17, 2006 pursuant to RCW 36.70A.106; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on December 21, 2006 and made a recommendation of approval to the City Council; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on January 22, 2007; and

WHEREAS, the Gig Harbor City Council voted to approve this Ordinance during the second reading on February 12, 2007; and

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

Section 1. A new Section 17.04.615 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**Net shed, historic.**

"Historic net shed" means an existing building constructed over or near the water for the purpose of storing, mending and maintaining fishing nets and other fishing gear. Said buildings were generally constructed over 50 years ago. In order to qualify for any exemption from gross floor area in Title 17, a Historic Net Shed, as referenced in Exhibit 'A', but not limited to Exhibit 'A', must be included

and maintained on the City's Register of Historical Properties, pursuant to Chapter 17.97 GHMC.

Section 2. Section 17.46.040 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.46.040 Development standards.**

A minimum lot area for new subdivisions is not specified. The minimum development standards are as follows:

	Single-Family Dwelling	Duplex Dwelling	Non-residential Dwelling
A. Minimum lot area (sq. ft.) <sup>1</sup>	7,000	14,000	12,000
B. Minimum lot width	70'	50'	50'
C. Minimum front yard <sup>2</sup>			
D. Minimum side yard <sup>2</sup>			
E. Minimum rear yard <sup>2</sup>			
F. Minimum yard abutting tidelands	0'	0'	0'
G. Maximum site impervious coverage	40%	45%	50%
H. Density <sup>3</sup>	4 dwelling units per acre		
I. Maximum gross floor area including garages, attached and detached <sup>4</sup>	4,000 square feet per lot	4,000 square feet per lot	4,000 square feet per lot

<sup>1</sup>An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.

<sup>2</sup>The setbacks of GHMC 17.99.310 and 17.99.320 are applicable in the WR district.

<sup>3</sup>Density bonus of up to 30 percent may be granted subject to the requirements of Chapter 17.89 GHMC, Planned residential district.

<sup>4</sup>Historic net sheds as defined in 17.04.615 shall be excluded from the maximum gross floor area requirements above.

Section 3. Section 17.46.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.46.070 Parking and loading facilities.**

In a waterfront residential district, parking and loading facilities on private property shall be provided in ~~connection with any permitted or conditional use as specified in accordance with the requirements of~~ Chapter 17.72 GHMC.

Although Historic Net Sheds are excluded from the maximum gross floor area requirements in GHMC 17.46.040, this exclusion shall not affect the calculation of the parking requirements.

Section 4. Section 17.48.040 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.48.040 Development standards.**

A minimum lot area for new subdivisions is not specified. The minimum development standards are as follows:

	Single-Family Dwelling	Attached Up to 4 Units	Nonresidential
A. Minimum lot area (sq. ft.) <sup>1</sup>	6,000	6,000/unit	15,000
B. Minimum lot width	50'	100'	100'
C. Minimum front yard <sup>2</sup>			
D. Minimum side yard <sup>2</sup>			
E. Minimum rear yard <sup>2</sup>			
F. Minimum yard abutting tidelands	0'	0'	0'
G. Maximum site impervious coverage	50%	55%	70%
H. Density <sup>3</sup>	4 dwelling units per acre		
I. Maximum gross floor area including garages, attached and detached <sup>4</sup>	3,500 square feet per lot	3,500 square feet per lot	3,500 square feet per lot
J. Separation between structures	20'	20'	20'

<sup>1</sup>An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.

<sup>2</sup>The setbacks of GHMC 17.99.310 and 17.99.320 are applicable in the WM district.

<sup>3</sup>Density bonus of up to 30 percent may be granted subject to the requirements of Chapter 17.89 GHMC, Planned Residential Development Zone (PRD).

<sup>4</sup>Historic net sheds as defined in 17.04.615 shall be excluded from the maximum gross floor area requirements above.

Section 5. Section 17.48.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.48.070 Parking and loading facilities.**

Parking and loading facilities on private property shall be provided in accordance with the requirements of Chapter 17.72 GHMC, except that where there are properties serving multiple uses, parking shall be provided for the combined total of individual uses. Although Historic Net Sheds are excluded from the maximum gross floor area requirements in GHMC 17.48.040, this exclusion shall not affect the calculation of the parking requirements.

**Section 6.** Section 17.50.040 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.50.040 Development standards.**

In a waterfront commercial district, the minimum development requirements are as follows:

	Single- Family Dwelling	Attached Up to 4 Units	Nonresidential
A. Minimum lot area (sq. ft.) <sup>1</sup>	6,000	6,000/unit	15,000
B. Minimum lot width	50'	100'	100'
C. Minimum front yard <sup>2</sup>			
D. Minimum side yard <sup>2</sup>			
E. Minimum rear yard <sup>2</sup>			
F. Minimum yard abutting tidelands	0'	0'	0'
G. Maximum site impervious coverage	50%	55%	70%
H. Density	4 dwelling units per acre		
I. Maximum footprint/ gross floor area <sup>4</sup>	3,000 square feet max. gross floor area per structure	3,000 square feet max. footprint/ 6,000 square feet gross floor area per structure	3,000 square feet max. footprint/ 6,000 square feet gross floor area per structure
J. Separation between structures <sup>3</sup>	20'	20'	20'

<sup>1</sup>An undersized lot or parcel shall qualify as a building site if such lot is a lot of record at the time this chapter became effective.

<sup>2</sup>The setbacks of GHMC 17.99.310 and 17.99.320 are applicable in the WC district.

<sup>3</sup>Separation between structures is not required upon lots or parcels within the Finholm Market portion of the WC district which contain multiple structures and/or which abut the DB (downtown business) district.

<sup>4</sup>Historic net sheds as defined in 17.04.615 shall be excluded from the maximum gross floor area requirements.

. Section 7. Section 17.50.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.50.070 Parking and loading facilities.**

In a waterfront commercial district, parking and loading facilities on private property shall be provided in accordance with the requirements of Chapter 17.72 GHMC. Although Historic Net Sheds are excluded from the maximum gross floor area requirements in GHMC 17.50.040, this exclusion shall not affect the calculation of the parking requirements.

Section 5. 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 6. 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 12th day of February, 2006.

CITY OF GIG HARBOR

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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: 01/17/07  
PASSED BY THE CITY COUNCIL: 02/12/07  
PUBLISHED: 02/21/07  
EFFECTIVE DATE: 02/26/07  
ORDINANCE NO: 1070

Exhibit A  
Historic Netshed Inventory