

## ORDINANCE NO. 954

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE RB-1 AND RB-2 ZONES TO ALLOW SINGLE-FAMILY RESIDENTIAL USES IN SECTION 17.30.020; AND ELIMINATING THE NEED FOR BUFFERING BETWEEN RESIDENTIAL USES IN SECTION 17.30.050(F)

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WHEREAS, the intent of the RB-2 zone is to provide a mix of residential and lower intensity commercial uses; and

WHEREAS, the RB-2 zone currently does not allow single-family residential uses; and

WHEREAS, the City's Design Manual encourages mixed use projects which incorporate residential units; and

WHEREAS, allowing single family and accessory apartments in the RB-2 zone will facilitate mixed use projects on lots too small to achieve multi-family density; and

WHEREAS, buffers within the RB-2 zone should only be required when non-residential development is proposed adjacent to an existing residential development or zone; and

WHEREAS, the City's SEPA Responsible Official has made a Determination of Non-Significance for this Ordinance; and

WHEREAS, the City sent a copy of this Ordinance to the Washington State Office of Community, Trade and Development on September 24, 2003; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on December 18, 2003; and recommended approval to the City Council; and

WHEREAS, on February 9, and February 23, 2004, the City Council considered this Ordinance during a regular meeting; Now, Therefore,

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

Section 1. Section 17.30.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**17.30.020 Permitted Uses.**

The following uses and structures are permitted in an RB-2 district:

- A. Single-family detached and attached dwellings;
- B. Multiple-family dwellings;
- C. Bed and breakfast accommodations;
- D. Professional offices or services as described in GHMC 17.28.020;
- E. Retail uses clearly accessory to the principal office use of a structure;
- F. Family daycare;
- G. Publicly owned parks and playgrounds;
- H. Banking institutions;
- I. Mobile/manufactured home parks and subdivisions; and
- J. Adult family homes.

Section 2. Section 17.30.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**17.30.030 Conditional Uses.**

Subject to the procedures and other provisions for conditional uses as set forth under this title, the following uses may be permitted in an RB-2 district:

- A. Day care centers containing more than six children;
- B. Nursing homes and retirement centers;
- C. Recreational buildings and community centers;
- D. Public utilities and facilities;
- E. Schools, public and private;
- F. Churches and nonprofit clubs;
- G. Ministorage;
- H. Light assembly and associated storage; and
- I. Hotels and motels; and
- J. Accessory apartments which meet the criteria established under GHMC 17.64.045.

Section 3. Section 17.30.050(F) of the Gig Harbor Municipal Code is hereby amended to read as follows:

**17.30.050 Development standards.**

... F. Any non-residential yard abutting an existing residential use or zone: 40 feet with dense vegetative screening. Easements not having dense vegetative screening are not included.

Section 4. 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.

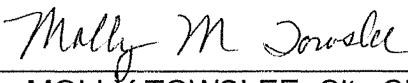
Section 5. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this 23<sup>rd</sup> day of February, 2004.

CITY OF GIG HARBOR

  
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GRETCHEN WILBERT, 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: 2/4/04

PASSED BY THE CITY COUNCIL: 2/23/04

PUBLISHED: 3/3/04

EFFECTIVE DATE: 3/8/04

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