

ORDINANCE NO.747

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, ADOPTING NEW ZONING CLASSIFICATIONS OF PLANNED COMMUNITY DEVELOPMENT LOW DENSITY RESIDENTIAL (PCD-RLD), MEDIUM DENSITY RESIDENTIAL (PCD-RMD), COMMERCIAL (PCD-C), BUSINESS PARK (PCD-BP), NEIGHBORHOOD BUSINESS (PCD-NB), DENSITY CREDIT TRANSFER OPTIONS AND A MIXED USE DISTRICT(MUD); ADDING NEW CHAPTERS 17.17, 17.21, 17.41, 17.54, 17.56, 17.59 AND 17.91, TO THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the City has the authority to prepare a proposed zoning regulation to become effective upon the annexation of an area (RCW 35A.63.330); and

WHEREAS, the proposed zoning text and districts for the Gig Harbor North Annexation area were circulated to various local and state agencies, as required per Chapter 36.70A, along with an addendum to the final EIS (City of Gig Harbor Comprehensive Plan) for review and comment, on October 30 of 1995; and,

WHEREAS, on November 14, 1995, the Gig Harbor Planning Commission held a public hearing on the proposed zoning ordinance, which hearing was held pursuant to proper notice, and the Commission recommended adoption of the ordinance; and,

WHEREAS, on January 22, 1996, the City of Gig Harbor City Council considered the zoning ordinance, and determined that the new chapters to Title 17 of the GHMC are consistent with and implement the City of Gig Harbor Comprehensive Land Use Plan; NOW THEREFORE

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. A new chapter to Title 17 of the Gig Harbor Municipal Code is adopted as follows:

Chapter 17.17
Planned Community Development
Low Density Residential (RLD)

17.17.010 Intent

Provide for well designed residential developments which are located to minimize adverse effects on the environment or sensitive natural areas.

Provide clustering of dwelling units to protect important natural features and amenities, limit the costs of development and public service costs and to maintain, enhance and complement the natural beauty of the Gig Harbor community.

Allow unique and innovative residential development concepts that will provide for unconventional neighborhoods, provide affordable housing for a wide range of income levels, maintain or enhance community linkages and associations with other neighborhoods, and to allow village and traditional neighborhood forms.

17.17.020 Permitted Uses

1. Single family detached and attached dwellings.
2. Manufactured homes of 1,000 square feet minimum per unit in developments approved for manufactured homes.
3. Accessory apartments subject to the criteria established in the definition.
4. Parks, Open Space and Community Recreational Facilities.
5. Family day care facilities within a residence.
6. Adult Family Homes.
7. K-12 Educational facilities.
8. Houses of religious worship and related uses on parcels not greater than five acres.
9. Home occupations, consistent with chapter 17.84.
10. Public facilities

17.17.030 Conditional Uses

Commercial Family Day Care facilities.

17.17.040 Performance Standards

1. Density

Maximum base density is 4 dwelling units per gross acre. Additional density may be allowed using either of the following options:

A. Bonus Density Option

A bonus density of up to 30% over the base may be permitted, based upon the following allocations:

- 1) 30% of the development site is common open space, which must be contiguous or larger than 1 acre in area (+5%).
- 2) A pedestrian trail system is provided within the common open space area, consistent with the adopted trails plan per the land use map (+10%).
- 3) A minimum 35% of the required common open space is improved as an active recreational area (+10%). Active recreational areas shall include, but not be limited to:
 - a) Clearly defined athletic fields and/or activity courts.
 - b) Recreation Center or Community Facility.
- 4) Additional common open space is provided between the development and adjacent residential zones, uses or developments (+5% bonus maximum at a ratio of 1% density bonus per 5% open space increase).

B. 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 7 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 7 dwelling units per acre.

2. General

- A Maximum density is 4 dwelling units per structure in attached single family dwellings.
- B. Each unit must have individual private yards or courts enclosed by a wall, berm or dense landscaping.
- C. Private easements shall be required for all zero lot-line developments to facilitate access from the adjoining lot for necessary maintenance and repair activities.
- D. Minimum Yards (from the property line):

Front	15 feet
Side	5 feet. At least 20 feet is required on the opposite side of a lot having a zero lot line.
Rear	15 feet

E. Minimum lot area

The minimum lot size is 10,000 square feet for divisions of land of four or less lots. A minimum parcel size is not specified for divisions of land of five or more lots.

F. Minimum Lot Width

Minimum lot width is 0.7% of the lot area, in lineal feet.

G. Maximum Height

The maximum height is 35 feet.

H. Maximum Lot Area Coverage

45%, excluding residential driveways, private walkways and similar impervious surfaces.

I. Landscaping

Landscaping shall comply with the requirements of chapter 17.78.

J. Design

All residential structures of four or more attached dwelling units and all non-residential structures shall comply with the standards of the City of Gig Harbor Design Manual.

K. Circulation/Roads/Streets

Residential development which provide pedestrian linkages to and within common open space trails systems may be waived from the provisions of public sidewalks curbs and gutters within the residential development, in whole or in part, upon approval of the Public Works Director.

L. Signage

Signage must comply with the requirements of Chapter 17.80 of the GHMC.

Section 2. A new chapter of the Gig Harbor Municipal Code is adopted as follows:

Chapter 17.21
Planned Community Development
Medium Density Residential (RMD)

17.21.010 Intent

Provide for greater population densities to facilitate high quality affordable housing, a greater range of lifestyles and income levels. Provide for the efficient delivery of public services and to increase residents accessibility to employment, transportation and shopping. Serve as a buffer and transition area between more intensively developed areas and lower density residential areas.

17.21.020 Permitted Uses

1. Single family detached and attached dwellings.

2. Manufactured homes of 1,000 square feet minimum per unit in developments approved for manufactured homes.
3. Multifamily attached dwelling units.
4. Parks, Open Space and Community Recreational Facilities.
5. Family day care facilities within a residence.
6. K-12 Educational facilities.
7. Houses of religious worship and related uses on parcels not greater than five acres.
8. Home occupations, consistent with chapter 17.84.
9. Public facilities.
10. Accessory apartments subject to the criteria established in the definition.

17.21.030 Conditional Uses

Commercial Family Day Care facilities.

17.21.040 Performance Standards

1. Density

The minimum base density is 8 dwelling units per acre. Additional density may be allowed using either of the following options:

A. Bonus Density Option

A bonus density of up to 30% over the base may be permitted, based upon the following allocations:

1) 30% of the development site is common open space, which must be contiguous or greater than larger than 1 acre in area (+5%).

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

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

- A) Clearly defined athletic fields and/or activity courts.
- B) Recreation Center or Community Facility.

4) Additional common open space is provided between the development and adjacent residential zones, uses or developments (+5% bonus maximum at a ratio of 1% density bonus per 5% open space increase).

B. Density Credit Transfers

A transfer of density credits may be applied from one residential district within the PCD to the Residential Medium District up to a maximum of 16 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 16 dwelling units per acre.

2. General

- A. Single family attached dwelling units must have individual private yards or courts enclosed by a wall, berm or dense landscaping. Easements shall be required for all zero lot-line developments to facilitate access from the adjoining lot for necessary maintenance and repair activities.
- B. Minimum Yards (from the property line)
 - Front 10 feet
 - Side 30 feet.
 - Rear 30 feet.
- C. Maximum Height
 - The maximum height is 45 feet.
- D. Maximum Lot Area Coverage
 - 65%, excluding driveways, private walkways and similar impervious surfaces.

E. Landscaping

Landscaping shall comply with the requirements of chapter 17.78.

F. Circulation/Roads/Streets

Residential development which provide pedestrian linkages to and within common open space trails systems may be waived from the requirements in the City's Public Works Standards for public sidewalks curbs and gutters within the residential development, in whole or in part, upon approval of the Public Works Director.

G. Design

All residential structures of four or more attached dwelling units and all non-residential structures shall comply with the standards of the City of Gig Harbor Design Manual

H. Signage

Signage must comply with the requirements of Chapter 17.80 of the GHMC.

Section 3. A new chapter of the Gig Harbor Municipal code is adopted as follows:

17.41

Planned Community Development

Commercial (PCD-C)

17.41.010 Intent

Provides for the location of businesses serving shoppers and patrons on a wider basis as distinguished from a neighborhood area. Encourages urban development. Encourages attractive natural appearing development and landscaping. Promotes a quality visual environment by establishing standards for the design, size and shape of buildings that create an attractive business climate. Where appropriate, residential uses should be located above commercial uses.

17.41.020 Permitted Uses

1. Retail and wholesale sales and service

2. Business and professional offices and services, including government offices.
3. Medical complex facilities
4. Nursing and convalescent homes
5. Retirement complexes
6. Hotels and motels
7. Nurseries
8. Commercial recreation
9. Automobile service stations and repair, including car wash facilities
10. Restaurants, including drive-through establishments, cocktail lounges and taverns
11. Banks and financial institutions
12. Public facilities
13. Convention/conference center facilities
14. Performing arts centers
15. Museums and art galleries
16. Churches or houses of religious worship
17. Public and private schools
18. Trails, open space, community centers
19. Residential uses located above retail facilities.
20. Mini-storage facilities
21. Family day care and adult family homes.

17.41.030 Performance Standards

1. Yard Requirements

The following minimums (in feet) apply:

Contiguous Parcel Situation	Lot Width	Front	Side	Rear	Street Frontage
Commercial/Commercial	75	20	05	20	20
Commercial/Residential	75	20	30	30	20

2. Landscaping

All uses shall conform to the landscaping requirements established in chapter 17.78. All required yards shall be landscaped in accordance with the landscaping requirements of chapter 17.78.

3. Lot area

There is no minimum lot area for this district.

4. Height

Structures within 100 feet of a residential low density zone shall not exceed 35 feet in height. Structures within 100 feet of a residential medium density zone shall not exceed 45 feet in height. The building height shall be determined as defined in Section 17.04.160 of the GHMC. The maximum building height shall also be limited by the city building and fire codes. Definitions within the city building and fire codes shall be used to determine height for compliance with the applicable building and fire code.

5. Lot coverage

There is no maximum lot area coverage except as needed to meet setback, open space and landscaping requirements.

6. Off-Street Parking

Off-street parking and loading areas meeting the requirements of Section 17.72 shall be provided.

7. Exterior Mechanical Devices

All HVAC equipment, pumps, heaters and other mechanical devices shall be screened from view from all public right-of-way.

8. Outdoor Storage of Materials

Outdoor storage of materials and supplies, except for authorized sales displays, shall be completely screened from adjacent properties and public right-of-way.

9. Outdoor Lighting

Within 100 feet of any residential use or zone, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner so that the bottom edge of the light shield shall be below the light source. Such lighting shall be shielded so that direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between

midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

10. Trash Receptacles

Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

11. Design

All residential structures of four or more attached dwelling units and all non-residential structures shall comply with the standards of the City of Gig Harbor Design Manual.

12. Signage

Signage must comply with the requirements of Chapter 17.80 of the GHMC.

Section 4. A new chapter of the Gig Harbor Municipal code is adopted as follows:

17.54
Planned Community Development
Business Park (PCD-BP)

17.54.010 Intent

The Business Park District Provides for the location of high quality design development and operational standards for technology research and development facilities, light assembly and warehousing, associated support service and retail uses, business and professional office uses, corporate headquarters and other supporting enterprises. The Business Park District is intended to be devoid of nuisance factors, hazards and potentially high public facility demands. Retail uses are not encouraged in order to preserve these districts for major employment opportunities and to reduce the demand for vehicular access.

17.54.020 Permitted Uses

1. Research and development facilities.
2. Light assembly and warehousing.
3. Light manufacturing.

4. Service and retail uses which support and are ancillary to the primary uses allowed in the Business Park district.
5. Professional offices and corporate headquarters.
6. Distribution facilities.
7. Vocational, trade and business schools.
8. Book and magazine publishing and printing.
9. Financial and Investment Institutions.
10. Commercial Photography, cinematography and video productions facilities.
11. Reprographic, computer, courier services, mail and packaging facilities.
12. Trails, open space, community centers.
13. Schools, public and private.
14. Public facilities.
15. Adult family homes and family day care.

17.54.030 Performance Standards

All uses in the Business Park zone shall be regulated by the following performance standards:

1. General

Uses which create a risk of hazardous waste spills must provide hazardous waste containment provisions that meet building code, fire code and health and environmental regulations to prevent air, ground and surface water contamination.

2. Setbacks

No structure shall be closer than 150 feet to any residential zone or development or closer than 50 feet to any street or property line. Parking shall not be located any closer than 30 feet to a property line.

3. Open Space

A minimum of 20% of the site, excluding setbacks, shall remain in open space, with either retained natural vegetation or new landscaping.

4. Landscaping

All uses shall conform to the landscaping requirements established in Section 17.78. All required yards shall be landscaped in accordance with the landscaping requirements of Section 17.78.

5. Lot area

There is no minimum lot area for this district.

6. Height

Structures within 100 feet of a residential low density zone shall not exceed 35 feet in height. Structures within 100 feet of a residential medium density zone shall not exceed 45 feet in height. The building height shall be calculated as defined in Section 17.04.160 of the GHMC. The maximum building height shall also be limited by the city building and fire codes. Definitions within the city building and fire codes shall be used to determine height for compliance with the applicable building and fire code.

7. Lot coverage

There is no maximum lot area coverage except as needed to meet setback, open space and landscaping requirements.

8. Off-Street Parking

Off-street parking and loading areas meeting the requirements of Section 17.72 shall be provided.

9. Exterior Mechanical Devices

All HVAC equipment, pumps, heaters and other mechanical devices shall be screened from view from all public right-of-way.

10. Outdoor Storage of Materials

Outdoor storage of materials and supplies, except for authorized sales displays, shall be completely screened from adjacent properties and public right-of-way.

11. Outdoor Lighting

Within one hundred feet of any residential use or zone, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner so that the bottom edge of the

light shield shall be below the light source. Such lighting shall be shielded so that direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

12. Trash Receptacles

Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

13. Design

All residential structures of four or more attached dwelling units and all non-residential structures shall comply with the standards of the City of Gig Harbor Design Manual.

14. Signage

Signage must comply with the requirements of Chapter 17.80 of the GHMC.

Section 5. A new section of the Gig Harbor Municipal code is adopted as follows:

17.56 Planned Community Development Neighborhood Business (PCD-NB)

17.56.010 Intent

The intent of the Neighborhood Business District (NBD) is to provide for businesses serving the everyday needs of neighboring residents. The NBD is limited in overall site area and availability of uses and is not intended to provide regional retail facilities. The NBD implements the goals and policies of the Gig Harbor Comprehensive Plan in providing retail and service uses that are easily accessible to local residents.

17.56.020 Permitted Uses

Retail uses primarily service residential areas and having less than 7,500 square feet of floor space per business. Those uses include, but are not limited to:

1. Banks
2. Grocery stores
3. Delicatessens
4. Drug stores
5. Bakeries
6. Gift shops
7. Hardware stores
8. Shoe repair
9. Barber and beauty shops
10. Laundry/dry cleaning
11. Flower shops
12. Restaurants, except drive-in/drive-thru
13. Business/professional offices
14. Public facilities
15. Gasoline dispensing
16. Residential uses located above permitted business use
17. Trails, open space, community centers
18. Public facilities
19. Adult family homes and family day care.

17.56.030 Performance Standards

1. General

All uses in the Neighborhood Business zone are subject to the following conditions:

- a. All business, service, or repair must be conducted within an enclosed building except for outside restaurant sitting, flower and plant display and fruit/vegetable stands appurtenant to a grocery store.
- b. Any goods produced in the neighborhood business zone shall be sold on the premises where produced.
- c. Processes, equipment and goods shall not emit odor, dust, smoke, cinders, gas, noise, vibrations, or waste which would be unreasonably affect adjacent residential area.

The Neighborhood Business Districts shall not be greater than 3 acres in total land area nor may an NBD be located within one mile of any other NBD

2. Hours of Operation

The following hours of operation apply:

Facility	Hours of Operation
Gasoline Dispensing with Convenience Store	6:00am - 10:00pm
Grocery Stores	6:00am - 10:00pm
Delicatessens	6:00am - 10:00pm

3. Yard Requirements

Minimum yard requirements are as follows:

Contiguous Parcel Situation	Minimum Lot Width	Front	Side	Rear	Street Frontage
a. Commercial/Commercial	75	10	0	20	20
b. Commercial/Residential	75	20	30	30	20

The side yard must be at least 20 feet plus 10 feet for each story above two. Except when adjacent to a residential use or zone, the side yard must be at least 30 feet plus 10 feet for each story above two.

4. Height

Maximum height shall not exceed 35 feet for all structures.

5. Lot area

No minimum lot size is specified except as required to accommodate landscaping and open space requirements.

6. Lot coverage

A maximum lot coverage is not specified except as needed to meet setback and open space requirements.

7. Off-Street Parking

Off-street parking and loading areas meeting the requirements of chapter 17.72 shall be provided.

8. Exterior Mechanical Devices

All HVAC equipment, pumps, heaters and other mechanical devices shall be screened from view from all public right-of-way.

9. Outdoor Storage of Materials

Outdoor storage of materials and supplies, except for authorized sales displays, shall be completely screened from adjacent properties and public right-of-way.

10. Outdoor Lighting

Within one hundred feet of any residential use or zone, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner so that the bottom edge of the light shield shall be below the light source. Such lighting shall be shielded so that direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

11. Trash Receptacles

Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

12. Design

All residential structures of four or more attached dwelling units and all non-residential structures shall comply with the standards of the City of Gig Harbor Design Manual.

13. Signage

Signage must comply with the requirements of Chapter 17.80 of the GHMC.

Section 6. A new section of the Gig Harbor Municipal code is adopted as follows:

Chapter 17.59
Planned Community Development
Transfer of Density Credits Option

17.59.010 Intent

A. The intent of the density credit transfer option is to permit greater flexibility in the allocation of residential density within a Planned Community Development designation without exceeding the maximum density buildout as planned for. The density transfer credit option may provide for higher densities in areas posing the fewest environmental constraints and which also have available access to public transportation. To this end, desired goals of the density credit transfer option are to:

1. Protect areas identified as having environmentally sensitive areas or features by minimizing or avoiding impacts associated with residential development.
2. Supply quality affordable housing while providing access opportunities to local employment areas.
3. Promote more efficient provision of public services.
4. Locate higher density residential development in areas which are capable of supporting more intense uses.

17.59.020 Applicability

- A. Density credit transfers are limited to the Planned Community designation and the Mixed Use designation of the City of Gig Harbor Comprehensive Plan (Nov., 1994). Density credit transfers may be applied from one residential district to another residential district. A density credit consists of one residential dwelling unit.
- B. Property which is constrained by critical areas or wetlands as defined under the Gig Harbor Municipal Code shall receive full density credit for those portions of the site which are undevelopable.

C. Density credits may be transferred in whole or in fractions. Development rights associated with a density credit are considered real property and are subject to any legal requirements as applicable to other real property.

17.59.030 Procedure

A. An owner of real property within the Planned Community District residential low or residential medium may apply for a density credit transfer either as a donor or receiver of the density credit. A donor relinquishes density from property under the donor's ownership to the receiver's property. The receiver of density credits may apply the increased density to land under the receiver's ownership, consistent with the City of Gig Harbor Comprehensive Plan and the City Zoning Code. The following process applies to the transfer and receipt of density credits:

1. The applicant must submit documentation to the City which provides the following:
 - a. The location, site area and specific development right(s) permitted under the Comprehensive Plan and Zoning Code which the property owner proposes to transfer, the base density, inclusive of previously transferred density, and the resultant change in density on the donor's property.
 - b. The location and site area of the land to which the density credit is transferred to, including the projected density credit resulting from the transfer, the base density and the resultant change in density on the receiver's property.
- B. Upon receipt of the completed application for density credit transfer, the Planning-Building Department shall review the density credit transfer proposal to assure that it is consistent with the Planned Community Development district designation to which it applies and the general density as stated.
- C. Upon approval of the Planning Department and the City Attorney, the applicant/property owner shall file with the Pierce County Auditor a legally sufficient document which effectively accomplishes the following:

- 1) A covenant on the lands affected by the density credit transfer which contains deed restrictions reflecting the transfer and its resultant conditions to private ownership and future development of the land.
- 2) A deed for the development rights so affected shall be assigned an Assessor's tax parcel number, including a legal description of the real property from which density credits are to be donated from and a legal description of the real property to which such density credits are to be transferred to.

A copy of the executed legal instrument, bearing the Pierce County Auditor's file number, shall be provided to the Planning Department and the City Attorney prior to the issuance of any development permit for the affected properties.

Density credit transfers area exempt from the permit processing procedures in Title 19 and are processed simultaneous with any Type III permit application.

Section 7. A new section of the Gig Harbor Municipal code is adopted as follows:

17.91
Mixed Use District Overlay (MUD)

17.91.010 Intent

The intent of the mixed use zone is to provide flexibility in promoting the development of an integrated multi-use district which permits a variety of residential types and compatible businesses in close proximity to each other.

Development standards and Design Manual assure site development that is sensitive to critical lands and will provide the flexibility necessary to accommodate changing land use patterns and conditions.

Projects should be designed to ensure that early development does not foreclose options for later development and that new and different uses can be added without jeopardizing uses already established or planned for.

17.91.020 Permitted Uses

1. Residential dwellings, attached/detached
2. Retirement communities/complexes
3. Professional Business Offices and Services
4. Retail Sales and Service
5. Commercial Recreation
6. Hotels and Motels, including restaurants and conference facilities
7. Light Manufacturing and Assembly
8. Automobile and boat repair where the repairs are conducted within enclosed buildings or in a location that is not visible from public right-of-way and adjacent properties
9. Public facilities.
10. Churches and related uses on parcels ten acres or less in area.
11. Adult family homes and family day care.
12. Warehousing and storage

17.91.030 Conditional Uses

1. Churches and related uses on parcels greater than ten acres.

17.91.040 Site Development and Performance Standards

A. Minimum Development Parcel Size

To promote efficient and compatible groupings of uses within a Mixed Use District, the following minimum development parcel sizes shall apply:

1. No parcel less than 10 acres shall be developed with residential uses, except where the parcel is contiguous to a developed or planned residential area.

2. No parcel less than 10 acres shall be developed with commercial or business uses, except where the parcel is contiguous to a developed or planned business or commercial area.
3. Where phased development is proposed for a parcel of 10 acres or greater and where the first phase is less than 10 acres, the remaining portion of the parcel reserved for future development shall be committed to residential or commercial uses.
4. Where residential and non-residential uses are developed on the same parcel or site, the parcel size requirements may be waived where it is found that the intent of the mixed use zone is otherwise met.

B. Density

1. Maximum residential density is 4 dwelling units per acre. Minimum parcel size is not specified. Bonus densities of up to 30% over the base may be permitted, based upon the following allocations:
 - a) 30% of the development site is common open space, which must be contiguous to greater than acre in area (+5%).
 - b) A pedestrian trail system is provided within the common open space area, consistent with the adopted trails plan per the land use map (+10%).
 - c) A minimum 35% of the required common open space is improved as an active recreational area (+10%). Active recreational areas shall include, but not be limited to:
 1. Clearly defined athletic fields and/or activity courts.
 2. Recreation Center or Community Facility.

Additional common open space is provided between the development and adjacent residential zones, uses or developments

(+5% bonus maximum at a ratio of 1% density bonus per 5% open space increase).

C. General

1. The Maximum residential density is 4 dwelling units per structure in townhouse or zero lot-line developments.
2. Each unit must have individual private yards or courts enclosed by a wall, berm or dense landscaping.
3. Townhouse units adjacent to a single family residence within the same development shall have a front yard equal to or exceeding the single family dwelling and a minimum side yard of 25 feet if adjacent to a single family lot.
4. Easements shall be required for all zero lot-line developments to facilitate access from the adjoining lot for necessary maintenance and repair activities.

D. Separation of Uses/Transition Buffers

To assure that different land uses are adequately separated, the following transition buffers and setbacks shall be used:

1. Buffers Separating New Businesses from Existing Residential Uses:
A business or commercial use must meet the following standards where it is adjacent to property which is either developed or planned for residential use:
 - a. A minimum 35 feet setback from any property shared with a residential site.
 - b. Landscaping forming a dense vegetative screen or retention of existing native vegetation within required buffer areas equal to the minimum setback.
 - c. No parking shall occur within a required buffer.
2. Buffers Separating New Residential Use from Existing Commercial Uses:

A residential use must meet the following standards where it is adjacent to property which is either developed or planned for commercial or business use:

- a. A minimum 35 feet setback from any property shared with a commercial site.
- b. Landscaping forming a dense vegetative screen or retention of existing native vegetation within required buffer areas equal to the minimum setback.

3. Buffers Separating New Multi-family Dwellings from Existing Single Family Dwellings - A multifamily use must meet the following standards where it is adjacent to property which is developed as single family residential:

- a. A minimum setback of 25 feet from all street right-of-ways common to both uses.
- b. A minimum setback of at least 25 feet from any property line shared with a single family use
- c. Landscaping within required buffer areas equal to minimum width of the buffer.

Parking areas shall not occupy the required buffer area.

4. Buffers Separating Single Family Dwellings from Existing Multi-Family Dwellings: Where adjacent property is developed or planned for single-family residential use, a multifamily residential development must meet the following standards:

- a. A minimum setback of 25 feet from all street right-of-ways common to both uses.
- b. A minimum setback of at least 25 feet from any property line shared with a single family use
- c. Landscaping within required buffer areas equal to minimum width of the buffer.

E. Mixed Use Occupancies Within the Same Structure

Residential units and retail business or office uses shall be permitted within the same structure, subject to the following standards:

1. The non-residential use must have access by way of a business arterial and shall front directly on an adjacent sidewalk or pedestrian walkway, or on a front or side yard from which vehicles are excluded.
2. Where a business or residential portion of the building is located on different floors, business uses shall occupy the floors below the residential uses.
3. Business and residential portions of a building must be separated by soundproof walls, floors, equipment, utilities or other suitable architectural features or appurtenances.
4. Allocation of uses shall be consistent with the City of Gig Harbor Comprehensive Plan.

F. Performance Standards

1. Minimum Yards (from the property line)

Front 15 feet

Side 5 feet. At least 20 feet is required on the opposite side of a lot having a zero lot line.

Rear 15 feet

2. Maximum Height

The maximum height of a structure shall not exceed 35 feet.

3. Maximum Lot Area Coverage

45%, excluding driveways, private walkways and similar impervious surfaces.

4. Landscaping

Landscaping shall comply with the requirements of chapter 17.78 GHMC.

5. Exterior Mechanical Devices

All HVAC equipment, pumps, heaters and other mechanical devices shall be screened from view from all public right-of-way.

6. Outdoor Storage of Materials

Outdoor storage of materials and supplies, except for authorized sales displays, shall be completely screened from adjacent properties and public right-of-way.

7. Outdoor Lighting

Within one hundred feet of any residential use or zone, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner so that the bottom edge of the light shield shall be below the light source. Such lighting shall be shielded so that direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

8. Trash Receptacles

Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

9. Design

All residential structures of four or more attached dwelling units and all non-residential structures shall comply with the standards of the City of Gig Harbor Design Manual.

10. Signage

Signage must comply with the requirements of Chapter 17.80 of the GHMC.

Section 8. Severability. If any section, sentence, clause or phrase of this ordinance should be 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, sentence, clause or phrase of this ordinance.

Section 9. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:



MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:



CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK:	JANUARY 13, 1997
PASSED BY THE CITY COUNCIL:	JANUARY 27, 1997
PUBLISHED:	FEBRUARY 5, 1997
EFFECTIVE DATE:	FEBRUARY 10, 1997
ORDINANCE NO.	747

SUMMARY OF ORDINANCE NO. 747

of the City of Gig Harbor, Washington

On the 27th day of January, 1997, the City Council of the City of Gig Harbor, passed Ordinance No. 747. A summary of the content of said ordinance, consisting of the title, provides as follows:

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON,
RELATING TO LAND USE AND ZONING, ADOPTING NEW ZONING
CLASSIFICATIONS OF PLANNED COMMUNITY DEVELOPMENT LOW
DENSITY RESIDENTIAL (PCD-RLD), MEDIUM DENSITY RESIDENTIAL
(PCD-RMD), COMMERCIAL (PCD-C), BUSINESS PARK (PCD-BP),
NEIGHBORHOOD BUSINESS (PCD-NB), DENSITY CREDIT TRANSFER
OPTIONS AND A MIXED USE DISTRICT(MUD); ADDING NEW
CHAPTERS 17.17, 17.21, 17.41, 17.54, 17.56, 17.59 AND 17.91, TO THE GIG
HARBOR MUNICIPAL CODE**

Section 1. A new chapter 17.17 (PCD- Residential Low Density) of the Gig Harbor Municipal Code is adopted.

Section 2) A new chapter 17.21 (PCD-Residential Medium Density) of the Gig Harbor Municipal Code is adopted.

Section 3) A new chapter 17.41(PCD- Commercial) of the Gig Harbor Municipal Code is adopted.

Section 4) A new chapter 17.54 (PCD-Business Park) of the Gig Harbor Municipal Code is adopted.

Section 5) A new chapter 17.56 (PCD- Neighborhood Business) of the Gig Harbor Municipal Code is adopted.

Section 6) A new chapter 17.59 (PCD- Density Credit Transfers) of the Gig Harbor Municipal Code is adopted.

Section 7) A new chapter 17.91 (Mixed Use Overlay) of the Gig Harbor Municipal Code is adopted.

Section 8. A severability clause is adopted.

Section 9. Establishing an effective date.

The full text of this Ordinance will be mailed upon request.

DATED this 27th day of January, 1997.

CITY ADMINISTRATOR, MARK HOPPEN