

ORDINANCE NO. 725

AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO ZONING AND LAND USE AND WHICH CLAIRIFIES AND CORRECTS RECENT AMENDMENTS TO TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE; AMENDING CHAPTER 17.36 Gig Harbor Municipal Code TO PERMIT RESIDENCES AS A CONDITIONAL USE; AMENDING SECTIONS 17.28.030; 17.36.030; 17.46.040; 17.48.040; 17.50.040; 17.64.015; 17.65.020; 17.65.050; 17.66.015; 17.96.050 and 17.96.070; AND REPEALING CHAPTER 17.58 AND SECTION 17.16.080 OF THE GIG HARBOR MUNICIPAL CODE.

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WHEREAS, Title 17 of the Gig Harbor Municipal Code was revised in January of 1996 as part of the City's development regulations update under the Growth Management Act; and,

WHEREAS, several adjustments are deemed necessary in order to restore language that was inadvertently deleted or to delete chapters which the planning commission recommended for deletion; and,

WHEREAS, revisions are deemed necessary in order to correct conflicting language or standards and to clarify the intent of the code; and,

WHEREAS, it is reasonable that residential units be conditionally permitted in a B-2 general business district; and,

WHEREAS, permit application requirements need to be updated to reflect currently policy and regulations regarding traffic study analysis for project proposals.

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

Section 1. Section 17.28.030 of the Gig Harbor Municipal code is hereby amended to read:

\* \* \*

H. Food stores or delicatessens; provided:

1. It is situated on the street level in an office building,
2. It does not exceed 800 square feet in floor area,
3. There are no outside sales or storage, and
4. The hours of operation are limited to 16 hours per day.

\* \* \*

Section 2. Section 17.36.030 is hereby amended to read as follows:

Subject to the requirements of Chapter 17.64 Gig Harbor Municipal Code and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in a B-2 district:

- A. Utilities and public service uses such as libraries, electrical substations, water storage facilities, etc.;
- B. Light manufacturing and assembly;
- C. Miniwarehouses;

- D. Recreational buildings and community centers;
- E. Drive-in restaurants; and
- F. Radio and television transmission towers.
- G. Residences

Section 3. Section 17.46.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

\* \* \*

	Single	Duplex	
Nonresidential			
	Family		
A. <sup>1</sup> Minimum lot area (square feet):	7,000	14,000	12,000
B. Minimum lot width:	70 feet	50 feet	50 feet
C. <sup>1/2</sup> Minimum front yard:	20 feet	20 feet	20 feet
D. Minimum side yard:	10 feet	10 feet	10 feet
E. Minimum rear yard:	25 feet	25 feet	25 feet
F. Minimum Yard Abutting Tidelands:	0 feet	0 feet	0 feet
G. Maximum site impervious coverage:	40 %	45%	50%.
H. <sup>2/3</sup> Maximum Density:	3 dwelling units per acre		

<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>In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties as determined by the planning and public works directors. ~~An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.~~

<sup>3</sup>Density bonus of up to 30 % may be granted subject to the requirements of Chapter 17.896 (Planned Residential District).

\* \* \*

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

\* \* \*

	Single	Duplex
Nonresidential		
	Family	
A. <sup>1</sup> Minimum lot area (square feet):	6,000	6,000/unit
	15,000	
B. Minimum lot width:	50 feet	100 feet
		100 feet
C. <sup>2</sup> Minimum front yard:	20 feet	20 feet
		20 feet

D.	Minimum side yard:	8 feet	10 feet	10 feet
E.	Minimum rear yard:	25 feet	25 feet	25 feet
F.	Minimum Yard Abutting Tidelands:	0 feet	0 feet	0 feet
G.	Maximum site impervious coverage:	50 %	55%	70%
H.	<sup>±</sup> Maximum Density:	3.5 dwelling units per acre		
I.	Maximum Floor Area square feet	N/A	N/A	3,500 per lot

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

<sup>±</sup>In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties in the opinion of the planning and public works directors. ~~An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.~~

<sup>±</sup>Density bonus of up to 30 % may be granted subject to the requirements of Chapter 17.896 (Planned Residential District).

\* \* \*

Section 5. Section 17.50.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

\* \* \*

	Single Family Dwelling	Attached up to 4 unit
Non residential		
A. <sup>1</sup> Minimum lot area (square feet)	6,000	6,000/unit
	15,000	
B. Minimum lot width	50 feet	100 feet
		100 feet
C. <sup>±2</sup> Minimum front yard	20 feet	20 feet
	20 feet	
D. Minimum side yard	8 feet	10 feet
feet		10
E. Minimum rear yard	25 feet	25 feet
	25 feet	
F. Minimum Yard Abutting Tidelands	0 feet	0 feet
	0 feet	
G. Maximum site impervious coverage	50 %	55%
		70%.
H. <sup>±2</sup> Maximum Density	3.5 dwelling units per acre	

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

<sup>±2</sup>In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties as determined by the planning and public works

~~directors. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record. An undersized lot shall qualify as a building site if such lot is a lot of record at the time this chapter became effective. Recognizing the existence of such parcels, the development standards are adjusted to grant relief as to minimum lot size and minimum lot width only.~~

~~<sup>23</sup>Density bonus of up to 30 % may be granted subject to the requirements of Chapter 17.96 (Planned Residential District).~~

\* \* \*

Section 6. Section 17.65.020 of the Gig Harbor Municipal code is hereby amended to read:

\* \* \*

A. Complete Application. In addition to the requirements in Section 19.02.002, the following requirements must be met for a complete application:

1. Signed and dated application form for a Special Use Permit.
2. Written statement of justification for approval of the Special Use Permit which meets the criteria in Section ~~17.65.040~~050
3. A map showing the proposed location of the requested use.
4. The original and three copies of all documents.

\* \* \*

Section 7. Section 17.65.050 of the Gig Harbor Municipal code is hereby amended to read:

\* \* \*

~~E. The maximum occupied site area shall not exceed 28 square feet in area;~~

E.F. The special use may not operate more than 7 events during the authorized period. An event is equal to one 12-hour period per day;

~~E.G.~~ A request for more than two special use permits per calendar year ~~or any use which occupies more than 28 square feet in area~~ shall not be considered as a special use and may only be authorized as a conditional use, subject to the requirements in Chapter 17.64.

\* \* \*

Section 8. Section 17.64.015 is hereby amended as follows:

*Complete Application.* An application for a conditional use permit is considered complete upon submittal of the information as required under Chapter 17.96.050(B) through (D) and (L), including the written statement of justification for granting the variance pursuant to the requirements of Chapter 17.64.040. This is in addition to the application requirements of Section 19.02.002 for a Type III application. Seven copies of all information required shall be submitted along with the processing fee.

Section 9. Section 17.66.015 is hereby amended as follows:

*Complete Application.* An application for a general variance is considered complete upon submittal of the information as required under Chapter



17.96.050(B) through (D) and (L), including the written statement of justification for granting the variance pursuant to the requirements of Chapter 17.66.030(B). This is in addition to the application requirements of Chapter 19.02.002 for a Type III application. An application for an administrative variance shall contain the information required for a general variance, but shall include a written statement of justification for granting the variance pursuant to the requirements of Chapter 17.66.020(A).

Section 10. Section 17.96.050 of the Gig Harbor Municipal Code is hereby amended as follows:

\* \* \*

G. A circulation plan drawn to a scale acceptable to the public works director illustrating all access points for the site, the size and location of all driveways, streets and roads with proposed width and outside turning radius, the location, size and design of parking and loading areas, and existing and proposed pedestrian circulation system. If a project would generate more than ten (10) peak hour trips, a traffic impact study prepared by a qualified transportation planner or professional engineer shall be submitted;

\* \* \*

~~L. Any other information deemed pertinent by the city staff. A listing of the names and addresses of property owners of record within three hundred feet of the project property, including pre-printed labels bearing the names and addresses of the property owners of record within three hundred feet of the project property.~~

\* \* \*

Section 11. Section 17.96.070 is hereby amended to read as follows:

17.96.070 Duration of approval. Construction on the project must commence within 24 months from the date of final ~~council~~ action by the city; otherwise, the approval of the project becomes null and void.

Section 12. Chapter 17.58 of the Gig Harbor Municipal Code is hereby repealed.

Section 13. Section 17.16.080 of the Gig Harbor Municipal Code is hereby repealed.

Section 14. 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 15. 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:

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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: 5/13/96

PASSED BY THE CITY COUNCIL: 6/24/96

PUBLISHED: 7/3/96

EFFECTIVE DATE: 7/8/96

## **SUMMARY OF ORDINANCE NO. 725**

*of the City of Gig Harbor, Washington*

*On the 24th day of June, 1996, the City Council of the City of Gig Harbor, passed Ordinance No. 725. A summary of the content of said ordinance, consisting of the title, provides as follows:*

*AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO ZONING AND LAND USE AND WHICH CLAIRIFIES AND CORRECTS RECENT AMENDMENTS TO TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE; AMENDING CHAPTER 17.36 Gig Harbor Municipal Code TO PERMIT RESIDENCES AS A CONDITIONAL USE; AMENDING SECTIONS 17.28.030; 17.36.030; 17.46.040; 17.48.040; 17.50.040; 17.64.015; 17.65.020; 17.65.050; 17.66.015; 17.96.050 and 17.96.070; AND REPEALING CHAPTER 17.58 AND SECTION 17.16.080 OF THE GIG HARBOR MUNICIPAL CODE.*

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

*DATED this 25th day of June, 1996.*

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*CITY ADMINISTRATOR, MARK HOPPEN*