

## **ORDINANCE NO. 703**

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, ADDING NEW DEFINITIONS TO THE ZONING CODE, CHAPTER 17.04, ADDING NEW SECTIONS 17.04.025, 17.04.205, 17.04.207, 17.04.272, 17.04.365, 17.04.407, 17.04.431, 17.04.655, 17.04.692, 17.04.693, 17.04.704, 17.04.706, 17.04.833, 17.04.837, 17.04.875, AMENDING SECTIONS 17.04.010, 17.04.555, AND REPEALING SECTIONS 17.04.630 AND 17.04.680 OF THE GIG HARBOR MUNICIPAL CODE.

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WHEREAS, the City's recent code revisions require that new definitions be added to the Zoning Code, and that existing definitions be amended or repealed, now, therefore,

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

Section 1. A new Section 17.04.025 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.025 Adult Family Home. "Adult family home" is a facility licensed pursuant to chapter 70.128 RCW or the regular family abode of a person or persons who are providing personal care, room and board to one adult not related by blood or marriage to the person providing the services.

Section 2. A new Section 17.04.205 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.205 City. "City" shall mean the city of Gig Harbor, Washington.

Section 3. Section 17.04.250 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.04.250 Comprehensive plan. "Comprehensive plan" means the planning document as defined in RCW 36.70A.030(4). ~~an officially adopted document of texts, charts, graphics, maps or any combination thereof that is designed to portray a general long range proposal for the arrangement of land uses and the development of an economic base of human resources and that is intended primarily to guide government public policy toward achieving the orderly and coordinated development of the entire community.~~

Section 4. Section 17.04.260 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.04.260 Conditional use. "Conditional use" means a use listed among those classified in any given zone but permitted only after a public hearing by the city ~~council~~ and the granting of a conditional use permit imposing such performance standards as will make the use compatible with other permitted uses in the same district.

Section 5. Section 17.04.264 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.04.264 Day care. "Day care" or "Family Day Care" means a state-licensed day care provider as defined in RCW 74.15.020, who regularly provides day care for not more than twelve children in the provider's home in the family living quarters.~~the supervised non-medical care of people for periods of less than 24 consecutive hours. The care of up to six children under the age of 12 years and supervised by the occupants of a the residence is regarded as an accessory use, requiring no permits under this title.~~

Section 6. A new Section 17.04.271 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.271 Director. The Director of the Department of Community Development or his/her designated representative.

Section 7. A new definition 17.04.272 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.272 Developed property. Developed property shall mean a lot or parcel of land upon which a building/buildings is/are located but which contains insufficient area to be capable of further subdivision in accordance with the Gig Harbor

subdivision or short subdivision ordinances (GHMC Title 16), as now or hereafter amended.

Section 8. Section 17.04.290 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.04.290 Dwelling, multiple-family. "Multiple-family dwelling" means a residential building that is designed for or occupied by three or more families living independently of each other in separate but attached dwelling units.

Section 9. Section 17.04.330 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.04.330 Family. "Family" means any number of individuals related by blood or marriage or an unrelated group of not more than five persons living together in a dwelling unit. An individual or individuals domiciled together in one dwelling unit as a single house-hold and which the number of individuals occupying the dwelling unit shall not exceed the occupant load of the structure as calculated by the city in accordance with the adopted building code.

Section 10. A new Section 17.04.365 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.365 Floor area ratio. "Floor area ratio" is a proportional allowance which a building may use for maximum floor area based upon the area of the lot or parcel. The intent of floor area ratios is to minimize the mass, scale and bulk of a structure on a parcel and adjacent parcels while providing sufficient open space, solar access and view opportunities.

Section 11. A new section 17.04.407 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.407 Ground cover. "Ground cover" shall mean small plants such as salal, ivy, ferns, mosses, grasses or other types of vegetation which normally cover the ground and shall include trees less than three inches in diameter measured at 54 inches above ground.

Section 12. A new section 17.04.455 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.455 Lot of record. "Lot of record" means a lot, tract or parcel which is defined by a deed recorded as a valid lot in a recorded subdivision with the county auditor and assigned a tax number ~~prior to the effective date of the city subdivision ordinance or short plat ordinance or which has been defined by a survey recorded pursuant to state survey or platting laws or parcels which have been recognized by resolution of the city council, prior to the effective date of the city subdivision ordinance or short plat ordinance, in conformance with Chapter 58.17 RCW.~~

Section 13. Section 17.04.555 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.04.555 Ministoragewarehousing. "Ministoragewarehousing" means fully enclosed commercial storage facilities, available to the general public and used solely for the storage of personal property (see also "Warehousing").

Section 14. A new Section 17.04.655 is hereby added to the Gig Harbor Municipal Code to read as follows:

17.04.655 Partially developed property. "Partially Developed Property" shall mean a lot or parcel of land upon which a building/buildings is/are located and which is of sufficient area so as to be capable of subdivision in accordance with the Gig Harbor subdivision or short subdivision ordinances (GHMC Title 16), as now or hereafter amended.

Section 15. Section 17.04.680 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.04.680 Profession. "Profession" means an occupation or calling requiring the practice of a learned art or specialized knowledge based upon a ~~State issued license or a degree issued by an institute of higher learning.~~, e.g., a doctor of medicine, an engineer or a lawyer. Professional Office or Service. Professional office or service is the use of a facility or structure for the provision of a specialized service or skill. Professional offices or services are not involved in the sale or lease of a product or merchandise on site.

Section 16. A new Section 17.04.692 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.692 Recreation, outdoor. "Recreation, outdoor" means any privately owned and managed commercial use or activity that typically requires a location outside of a building or structure, such as tennis courts, golf courses/driving ranges, sport courts, etc.

Section 17. A new Section 17.04.693 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.693 Recreational building. "Recreational building" means an enclosed structure used as a facility for indoor recreational activities, including commercial fitness centers.

Section 18. A new Section 17.04.695 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.695 Recreational vehicle. "Recreational vehicle" is a motor vehicle or portable vehicular structure that is capable of being towed on the highways by a motor vehicle, is designed or intended for casual or short-term human occupancy for travel, recreational or vacation uses, and is identified by a model number, serial number, or vehicle registration number.

Section 19. A new Section 17.04.697 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.697 Rental Hall Facility. "Rental Hall Facility" means a building owned by a ~~non-profit~~ an organization which is rented or leased on a frequent basis to private groups, individuals or other organizations for special events.

Section 20. A new Section 17.04.705 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.705 Sales, retail. "Retail sales" means the point of purchase acquisition of finished goods or products by the general public.

Section 21. A new Section 17.04.706 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.706. Sales, wholesale. "Wholesale sales" mean the acquisition of finished or semi-finished goods, products or materials by a commercial entity, firm or corporation for eventual distribution to a retail market and which are not subject to the retail sales tax.

Section 22. Section 17.04.765 of the Gig Harbor Municipal Code is hereby repealed.

Section 23. A new Section 17.04.837 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.837 Undeveloped property. "Undeveloped property" shall mean a lot or parcel of land upon which no building exists, and which may or may not be of sufficient area so as to be capable of subdivision.

Section 24. Section 17.04.870 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.04.870 Variance. "Variance" means a relaxation of the requirements of this title with respect to building setback, building height, the size of signs, coverage or parking (but not with respect to use) approved by the ~~city council upon the recommendation of the~~ city as a Type III permit application.

Section 25. A new section 17.04.875 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.875 Warehouse/warehousing. "Warehouse" or "warehousing" is defined as the storage of goods, products or materials for commercial or industrial facilities within a fully enclosed structure.

Section 26. Section 17.04.010 is hereby amended as follows:

17.04.010 General interpretation.

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H. Where a definition for a word or term is not found in this section, the definition of the word or term as found in the latest edition of Webster's Dictionary shall apply.

Section 27. A new section 17.04.410 is hereby added to read as follows:

17.04.410 Home occupation. Home occupation means any activity conducted for financial gain or profit in a dwelling unit, and which activity is not generally or customarily characteristic of activities for which dwelling units are intended or designed. Such activity is clearly incidental or secondary to the residential use of a dwelling unit, and is conducted only by persons residing in the dwelling unit

Section 28. 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 28. 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:

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CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK: 1/8/96  
PASSED BY THE CITY COUNCIL: 1/22/96  
PUBLISHED: 1/31/96  
EFFECTIVE DATE: 2/5/96  
ORDINANCE NO. 703