

NOTE:

-Underlines denote words to be added
-Brackets [] denote words to be deleted

ORDINANCE NO. 470

AN ORDINANCE relating to Home Occupations of the City of Gig Harbor: Amending Sections 17.16.020 and 17.20.020, "Permitted Uses"; Sections 17.24.150 and 17.64.040, "Conditional Uses"; and Chapter 17.04 "Short Title Definitions".

The City Council of the City of Gig Harbor, Washington, DO ORDAIN as follows:

Section 1. Section 17.16.020 is hereby amended to read as follows:

17.16.020 Permitted uses. The following uses are permitted in an R-1 zone:

- A. One family dwellings;
- B. Agricultural uses, including nurseries and truck gardens, as long as no odors or dust are created;
- [C. Home Occupations;]
- [D.]C. Golf courses, excluding commercially operated driving ranges or miniature golf courses, provided that no clubhouse shall be located within three hundred feet of any other property;
- [E.]D. Libraries, public;
- [F.]E. Nursery schools, nonboarding;
- [G.]F. Parks and playgrounds, publicly owned and operated;
- [H.]G. Schools, elementary and high, nonboarding, and including playgrounds and athletic fields incidental thereto;
- [I.]H. Temporary buildings for and during construction;
- [J.]I. Accessory uses;
- [K.]J. Transitional uses provided in Chapter 17.60;
- [L.]K. Conditional uses as provided in Chapter 17.64 and subject to the conditions and requirements prescribed.

Section 2. Section 17.20.020 is hereby amended to read as follows:

17.20.020 Permitted uses. The following uses are permitted in an R-2 zone:

- A. One family dwellings;
- B. Detached multi-family dwelling units containing not more than four living units per detached building (See subsection A of Section 17.20.030 for the maximum number of dwelling units permitted without first obtaining a conditional use permit);
- [C. Home Occupations;]
- [D.]C. Libraries, public;
- [E.]D. Nursery schools, nonboarding;
- [F.]E. Parks and playgrounds, publicly owned and operated;
- [G.]F. Clinics, hospitals, convalescent homes;
- [H.]G. Rest homes, nursing homes;
- [I.]H. Temporary buildings for and during construction;
- [J.]I. Accessory uses;
- [K.]J. Transitional uses provided in Chapter 17.60;
- [L.]K. Conditional uses as provided in Chapter 17.64 and subject to the conditions and requirements prescribed.

Section 3. Section 17.24.150 add the following:

3. Home Occupations (See Section 17.64.040 for criteria).

Section 4. Section 17.64.040 add the following:

13. Home Occupations. Additionally home occupations shall meet the following criteria:

A. The activity is conducted in a manner that will not alter the normal residential character of the premises and in no way be a nuisance to adjoining residences. This means there should be no outside storage or window display and no noise, dust, odors, noxious fumes or vibrations emanating from the premises which would exceed that normally produced by a single residence. Mechanical or electronic equipment which is incidental to the home occupation may be used provided it will not create visible or audible interference in radio or television receivers or cause fluctuations in the line voltage off the premises.

B. The home occupation does not generate greater traffic volumes than would normally be expected in a residential neighborhood. This means that delivery of materials or commodities to and from the premises by commercial vehicles shall not normally exceed two per week. Only one (1) commercial vehicle owned by the practitioner and related to the occupation may be parked on street near the premises at any time. If the occupation requires that customers or clients visit the premises, required parking will be a condition of the permit.

C. Any materials used in conducting the business shall be stored entirely within the residence or in an accessory building.

D. The home occupation does not increase water or sewer use so that combined total use for the dwelling and home occupation is significantly more than the average for residences in the neighborhood.

E. The home occupation shall be conducted primarily by members of the family residing in the dwelling. Persons in building trades or similar fields using their homes or apartments as an office for business activities carried on off the premises may have other employees provided they are not employed on the premises and they do not routinely visit the residence during the normal course of business.

F. Class Size. If the home occupation is a type in which classes are held or instruction given, there shall be no more than four (4) students or pupils at any one time provided that this requirement shall not be construed to prohibit occasional exception (for example, recitals) which are in no way a nuisance to adjoining residences.

G. The total number of home occupations conducted within a dwelling unit shall not be regulated. However, the cumulative impact of all home occupations conducted within the dwelling unit shall not be greater than for one home occupation.

H. Once a home occupation conditional use permit has been issued it shall not be transferable to another person or to a location other than stated in the permit; nor shall the specified conditions be changed.

I. Home occupations shall comply with all other local, state or federal regulations pertinent to the activity pursued and the requirements or permission granted or implied by this chapter shall not be construed as an exemption of such regulations.

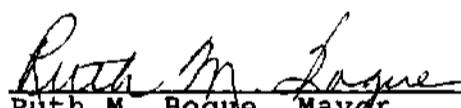
Section 5. Section 17.04.280 is hereby amended to read:

17.040.280 [Home Occupation means an occupation or profession customarily carried on by an occupant of a dwelling unit as a secondary use which is clearly incidental to the use of the dwelling unit for residential purposes, and which does not include storage or sale of stock in trade.]

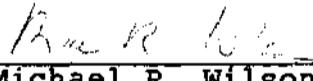
17.040.280 Home Occupation means: An accessory use of the dwelling unit involving the manufacture, provision or sale of goods and/or services which is carried on primarily by members of the family residing on the premises.

Section 6. This ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect five (5) days after its passage and publication as provided by law.

PASSED by the City Council and APPROVED by the Mayor at a regular open public meeting this 23rd day of December, 1985.


Ruth M. Bogue, Mayor

ATTEST:


Michael R. Wilson
City Administrator

Filed with the city clerk: 12/5/85
Passed by the city council: 12/23/85
Published: 1/8/86
Effective date: 1/13/86