

ORDINANCE 1527

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO SITE PLAN REVIEW AMENDING 17.96.025.e. AND 17.96.030.A.1.a. OF THE GIG HARBOR MUNICIPAL CODE; REMOVING THE REQUIREMENT THAT ALL CHANGES OF USE REQUIRING A CAPACITY ANALYSIS ARE SUBJECT TO A MINOR SITE PLAN REVIEW; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, in October 2023 the community development and public works departments participated in a process improvement workshop (“Lean/Kaizan”) to identify opportunities for increased permitting efficiency and assistance to small businesses navigating the permitting process; and

WHEREAS, the October 2023 workshop identified a text change to the Gig Harbor Municipal Code (GHMC) Chapter 17.96 that, if approved, would eliminate an unnecessary obstacle to businesses seeking a change of use (e.g. a retail business replaced by a restaurant); and

WHEREAS, GHMC 17.96 provides procedures for processing site plan review permits, which apply to all development projects that have the potential to impact city infrastructure, parking requirements, or design standards; and

WHEREAS, as currently written, GHMC 17.96 requires all changes of use to undergo a capacity analysis by the public works department to evaluate potential impacts to water, sewer, and transportation network capacity; and

WHEREAS, GHMC 17.96.025.E and 17.96.030.A.1.a further require all projects subject to a capacity analysis to undergo a minor site plan review, with the associated costs and staff review time; and

WHEREAS, a minor site plan review is an unnecessary expenditure of resources for those businesses seeking a change of use, which does not entail any increase in automobile trips, water or sewer use; and

WHEREAS, the removal of the text contained in GHMC 17.96.025.E and 17.96.030.A.1. which references the capacity analysis would eliminate the need for automatic minor site plan review but would not preclude the use of the review process for those changes of use that increase parking or other site intensification; and

WHEREAS, the planning commission discussed the matter at a meeting on February 1, 2024, and at a public hearing on February 15, 2024; and

WHEREAS, the planning commission received no public comment on the matter and, following the public hearing, deliberated and unanimously approved a motion to recommend approval of the proposed text amendments to GHMC 17.96.024.E and 17.96.030.A.1.a;

NOW THEREFORE, the City Council of the City of Gig Harbor, Washington do ordain as follows:

Section 1. Gig Harbor Municipal Code Section 17.96.205.E “Exemptions” is hereby amended, to read as follows:

Change in use of an existing structure, provided the change in use does not increase the number of required off-street parking spaces ~~and does not require a change of use capacity evaluation as provided for in GHMC 19.10.004;~~

Section 2. Gig Harbor Municipal Code Section 17.96.030.A.1.a. “Minor Site Plan Review” is hereby amended as follows:

Change in use of an existing structure which increases the number of required off-street parking spaces; ~~and/or require a change of use capacity evaluation as provided for in GHMC 19.10.004;~~


Section 3. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance has been transmitted to the Washington State Department of Commerce, as required by law.

Section 4. Severability. If any section, sentence, clause, or phrase of this ordinance shall 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.

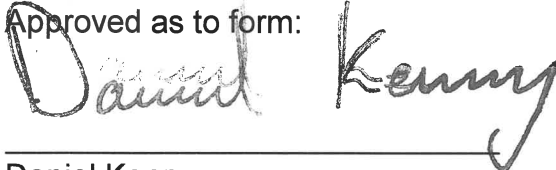
Section 5. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 6. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.


ADOPTED by the City Council of the City of Gig Harbor at a regular meeting hereof, held this 25th day of March 2024.



Tracie Markley
Mayor

Approved as to form: 

Daniel Kenny
City Attorney

Attest: 

Joshua Stecker, CMC
City Clerk

