

## ORDINANCE 1483

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RENEWING INTERIM ZONING REGULATIONS ADOPTED BY ORDINANCE 1466 RELATED TO TRANSITIONAL HOUSING, PERMANENT SUPPORTIVE HOUSING, EMERGENCY SHELTERS AND EMERGENCY HOUSING BY A PERIOD OF 6-MONTHS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, under the authority of RCW 35A.63.220 and RCW 36.70A.390, the City may impose interim regulations to be effective for a period of up to six months, and for six-month intervals thereafter; and

**WHEREAS**, in 2021, the state legislature enacted Engrossed Second Substitute House Bill (ESSHB) 1220 signed by Governor Inslee on May 12, 2021, became Chapter 254 Laws of 2021, took effect on July 25, 2021, with regulations required by September 30, 2021; and

**WHEREAS**, Section 3 of ESSHB 1220 mandates that a city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed and shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed; and

**WHEREAS**, ESSHB 1220 was passed, in part, to address the growing homeless crisis currently facing Washington State; and

**WHEREAS**, the City of Gig Harbor currently has no regulations related to the development and operation of transitional housing, permanent supportive housing, emergency housing or emergency shelters needed to protect the community and residents of these units; and

**WHEREAS**, on September 27, 2021, the City Council adopted Interim Zoning Controls, which established interim measures for permanent supportive housing and emergency shelters; and

**WHEREAS**, the City Council directed the Planning Commission to review the Interim Regulations, consider public testimony, and provide a recommendation; and

**WHEREAS**, the Planning Commission conducted three work sessions where the Interim Regulations were considered; and

**WHEREAS**, the Planning Commission conducted a public hearing on proposed regulations on February 27, 2022 and began deliberations; and

**WHEREAS**, on February 28, 2022, the City received a comment letter from the Washington State Department of Commerce regarding the Interim Zoning regulations which will require staff and Planning Commission review and analysis prior to recommending to City Council; and

**WHEREAS**, the Interim Regulations are set to expire on April 6, 2022 and additional time is required;

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

**Section 1.** The whereas statements above are hereby adopted as Findings of Fact.

**Section 2.** The City Council held a public hearing on March 28, 2022 as required for any renewal of interim regulations.

**Section 3.** The Interim Regulations adopted by Ordinance 1466 are hereby renewed for a period of 6-months.

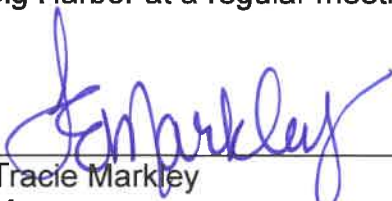
**Section 4. Transmittal to Department of Commerce.** Pursuant to RCW 36.70A.106, this ordinance has been transmitted to the Washington State Department of Commerce, as required by law.

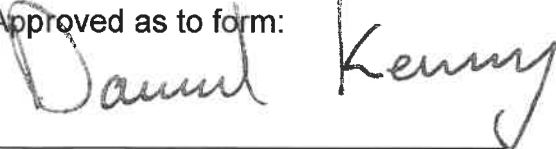
**Section 5. Severability.** If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.


**Section 6. 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 7. 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 Council of the City of Gig Harbor at a regular meeting thereof, held this 28<sup>th</sup> day of March, 2022.

  
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Tracie Markley  
Mayor

Approved as to form:  
  
\_\_\_\_\_  
Daniel Kenny  
City Attorney

Attest:  
  
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Joshua Stecker, CMC  
City Clerk

EFFECTIVE DATE: April 6, 2022