

ORDINANCE NO. 871

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, DELETING THE DEFINITION OF "MUSEUM AND ART GALLERY" AND CREATING SEPARATE DEFINITIONS FOR "MUSEUM", "ART GALLERY", "NON PROFIT ORGANIZATION", AND "COMMUNITY RECREATION HALL" IN THE CITY ZONING CODE IN ORDER TO CLARIFY AND SUPPORT CHANGES BEING MADE UNDER SEPARATE ORDINANCE TO THE PUBLIC AND INSTITUTIONAL ZONE; AND THEREBY AMENDING SECTION 17.04.602, AND ADDING NEW SECTIONS 17.04.027, 17.04.085 AND 17.04.623, OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the City Council on July 10, 2000 passed Resolution 556 directing the Planning and Building Services Department to explore and pursue avenues by which the City might support the plans for the development of the new Museum at their proposed location; and

WHEREAS, the during work sessions on July 5th 2000, October 5, 2000, and November 16, 2000, the Planning Commission considered proposed changes to the municipal code that would acknowledge specific types of museums as public institutions; and

WHEREAS, the Planning Commission on those same dates considered amendment to the zoning map adding several parcels to the Public – Institutional zoning district; and

WHEREAS, the City's SEPA Responsible Official made a determination that the adoption of this Ordinance is categorically exempt under WAC 197-11-800(20); and

WHEREAS, the City Planning Commission held public hearings to consider this Ordinance on October 5, 2000 and November 2, 2000 and recommends that the City Council approve this Ordinance; and

WHEREAS, the City Planning Director forwarded a copy of this Ordinance to the Washington State Department of Trade and Community Development on October 17, 2000 pursuant to RCW 36.70A.106; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meetings of February 12th and 26th; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. A definition of "Community recreation hall" Section 17.04.027 the Gig Harbor Municipal Code, is hereby added as follows:

17.04.602 Community Recreation Hall: a facility provided by a non-profit organization or government agency, for the purposes of community gatherings, classes, meetings, etc. Such a facility may include a commercial grade kitchen.

Section 2. Section 17.04.085 of the Gig Harbor Municipal Code is hereby added, to read as follows:

17.04.085 Art Gallery: a room or series of rooms where works of art are exhibited.

Section 3. The definition of "Museum or Art Gallery" Section 17.04.602 the Gig Harbor Municipal Code, is hereby amended to read as follows:

17.04.602 Museum or Art Gallery "Museum" or "art gallery" means a facility which displays artifacts or items of a historically important nature or which are culturally significant. A museum is an institution owned and operated by a non-profit organization, tribal government, agency of local government, public facility district, or public

development authority for which the primary purpose is the procurement, preservation, study, and display of objects of lasting interest or value, and the interpretation of history, heritage, art, or culture. Such institutions may also include a museum store, food service, instruction rooms and assembly hall consistent with the mission and purpose of the institution.

Section 4. A new Section 17.04.623 “non-profit organization” is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.04.623 Non-profit organization: Those organizations that have a 501(c)(3) IRS determination letter and a legally constituted board of trustees or directors, and which provide a public service.

Section 5. Severability. If any section, sentence, clause or phrase of this Ordinance is 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, clause or phrase of this Ordinance.

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

PASSED by the Council and approved by the Mayor of the City of Gig Harbor
this 26th day of February, 2001.

CITY OF GIG HARBOR



GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By: Molly Towslee
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: Carol A. Morris
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 2/7/01
PASSED BY THE CITY COUNCIL: 2/26/01
PUBLISHED: 3/7/01
EFFECTIVE DATE: 3/12/01
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