

**ORDINANCE NO. 880**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE DEFINITION OF "SALES, RETAIL" AND CREATING A NEW DEFINITION FOR "BINDING SITE PLAN"; AND THEREBY AMENDING SECTION 17.04.705, AND ADDING A NEW SECTION 17.04.105, TO THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, during work sessions on July 6, 2000, July 20, 2000, October 19, 2000, and November 16, 2000, the Planning Commission considered adoptions of a new definition defining "binding site plans" §17.04.105 to the municipal code that would acknowledge specific types of museums as public institutions; and

WHEREAS, during the work session on July 20, 2000, the Planning Commission considered adoptions of a redefinition of "sales, retail" §17.04.705 of the municipal code; 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 Planning Commission on October 5, 2000 held a public hearing on the definitions of "binding site plan" and on November 2, 2000 held a second public hearing on the definition of "binding site plan"; 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 March 12<sup>th</sup> and March 26<sup>th</sup>; Now, Therefore,

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

Section 1. A definition of "Sales, retail" Section 17.04.705 the Gig Harbor Municipal Code, is hereby amended as follows:

**17.04.705 Sales, retail:** "Sales, retail" means the point of purchase acquisition of small quantities of finished goods or products, excluding motorized vehicle, trailers, manufactured homes and boats, by the general public ultimate consumer.

Section 2. Section 16.01.004 of the Gig Harbor Municipal Code is hereby added, to read as follows:

**16.01.004 Binding Site Plan.** A "binding site plan" is a plan drawn to scale processed in accordance with the provisions of this title and RCW 58.17, which:

- A. Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, critical areas, parking areas, landscaped areas, surveyed topography, water bodies and drainage features and building envelopes; and
- B. Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the director, to include those conditions that are part of the original site plan; and
- C. Contains provisions requiring any development or division of land to be in conformity with the approved site plan.

Section 3. 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 4. 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 26<sup>th</sup> day of March, 2001.

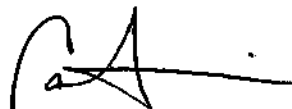
CITY OF GIG HARBOR

  
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GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By:   
\_\_\_\_\_  
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By:   
\_\_\_\_\_  
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 3/7/01  
PASSED BY THE CITY COUNCIL: 3/26/01  
PUBLISHED: 1/4/01  
EFFECTIVE DATE: 1/9/01  
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