

ORDINANCE NO. 967

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, CHANGING THE SETBACK REQUIREMENTS IN THE PCD-PB DISTRICT AS DEFINED IN GHMC SECTION 17.54.030 TO REFLECT TYPES OF USES PERMITTED OR CONDITIONALLY PERMITTED IN THE DISTRICT, AND ESTABLISHING CATEGORIES OF USES FOR PURPOSES OF DEFINING SETBACK REQUIREMENTS.

WHEREAS, the City of Gig Harbor has adopted setback standards in the PCD-BP zone that require a greater setback for structures than for parking lots; and

WHEREAS, the setbacks in the PCD-BP district are intended to provide adequate separation between abutting residential development or districts and uses allowed in the PCD-BP district that have a high nuisance factor potential; and

WHEREAS, some permitted uses in the PCD-BP district have less potential to negatively impact abutting residential uses than other permitted or conditionally permitted uses allowed in the district; and

WHEREAS, a proposed text amendment has been submitted by Dale Pinney of First Western Development that places permitted uses having more potential for negatively impacting residential development in one category, and those with less potential for impacting residential development in a second category, and which provides a reduced setback for the uses in the second category of uses; and

WHEREAS, the proposed setbacks for those uses in the second category of uses are similar to setbacks adopted for the same or similar types of uses allowed in other zoning districts in the City, and

WHEREAS, the Council finds that the proposed setbacks provide adequate separation between the various types of uses allowed in the PCD-BP zone and abutting residential development, and

WHEREAS, the City's SEPA Responsible Official issued a determination of Non-significance for the proposed parking amendments on June 4, 2004 pursuant to WAC 197-11-350; and

WHEREAS, the City Community Development Director forwarded a copy of this Ordinance to the Washington State Department of Trade and Community Development on June 7, 2004, pursuant to RCW 36.70A.106; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on July 1, 2004, and made a recommendation of approval to the City Council; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of July 26, 2004; Now, Therefore,

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

Section 1. Section 17.54.02 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.54.020 Permitted uses. ~~The following uses are permitted in the planned community development business park district:~~

- ~~A. Research and development facilities.~~
- ~~B. Light assembly and warehousing.~~
- ~~C. Light manufacturing.~~
- ~~D. Service and retail uses which support and are ancillary to the primary uses allowed in the business park district.~~
- ~~E. Professional offices and corporate headquarters.~~
- ~~F. Distribution facilities.~~
- ~~G. Vocational, trade and business schools.~~
- ~~H. Book and magazine publishing and printing.~~
- ~~I. Financial and investment institutions.~~
- ~~J. Commercial photography, cinematography and video productions facilities.~~
- ~~K. Reprographic, computer, courier services, mail and packaging facilities.~~
- ~~L. Trails, open space, community centers.~~
- ~~M. Schools, public and private.~~
- ~~N. Public facilities.~~
- ~~O. Adult family homes and family day care.~~

~~(Ord. 747 § 4, 1997).~~

The following uses are permitted in the planned community development business park district:

Category I uses:

- A. Research and development facilities.
- B. Light assembly and warehousing.
- C. Light Manufacturing.
- D. Distribution facilities.
- E. Vocational, trade, and business schools.
- F. Book and magazine publishing and printing.

G. Commercial photography, cinematography and video production facilities.

H. Reprographic, computer, courier services, mail and packaging facilities.

I. Trails, open space, community centers.

J. Schools, public and private.

K. Public facilities.

Category II uses:

A. Service and retail uses which support and are ancillary to Category II uses in the business park district.

B. Professional offices and corporate headquarters.

C. Financial and investment institutions.

D. Adult family homes and family day care.

Section 2. Section 17.54.025 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.54.025 Conditional Uses.

Subject to the requirements of Chapter 17.64 GHMC and the procedures for conditional uses as set forth in this title, the following uses may be permitted in a PCD-BP district:

Category I uses:

A. Hospitals. (Ord. 958 § 1, 2004).

Section 3. Section 17.54.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.54.030 Performance standards.

All uses in the business park zone shall be regulated by the following performance standards:

A. General. Uses which create a risk of hazardous waste spills must provide hazardous waste containment provisions that meet building code, fire code and health and environmental regulations to prevent air, ground and surface water contamination.

~~B. Setbacks. No structure shall be closer than 150 feet to any residential zone or development or closer than 50 feet to any street or property line. Parking shall not be located any closer than 30 feet to a property line.~~

B. Setbacks.

1. Category I uses: No structure shall be closer than 150 feet to any residential zone or residential development and closer than 50 feet to any street or property line. Parking shall not be located any closer than 40-feet to any residential zone or residential development, and closer than 30 feet to any street or property line.

2. Category II uses: No structure shall be closer than 40 feet to any residential zone or residential development and closer than 30 feet to any street or property line. Parking shall not be any closer than 40 feet to any residential zone or residential development and closer than 30 feet to any street or property line.

C. Open Space. A minimum of 20 percent of the site, excluding setbacks, shall remain in open space, with either retained natural vegetation or new landscaping.

. . .

Section 4. 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 City Council and approved by the Mayor of the City of Gig Harbor this 13 day of September, 2004.

CITY OF GIG HARBOR



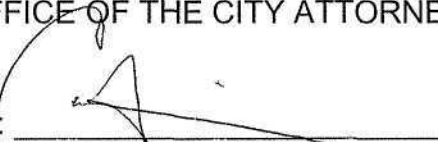
GRETCHEN WILBERT, MAYOR

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: 9/4/03
PASSED BY THE CITY COUNCIL: 9/13/04
PUBLISHED: 9/22/04
EFFECTIVE DATE: 9/27/04
ORDINANCE NO: 967