

**CITY OF GIG HARBOR
ORDINANCE # 667**

AN ORDINANCE RELATING TO LAND USE AND ZONING, AMENDING SECTION 17.04.340 AND 17.08.010 OF THE GIG HARBOR MUNICIPAL CODE TO ALLOW ADDITIONAL TYPES OF FENCE MATERIALS WITHIN CITY LIMITS.

WHEREAS, the City Council recently adopted ordinance #652 which limits fences in Gig Harbor to board and post construction only; and,

WHEREAS, the Planning Staff and Planning Commission and have found that the new standards had the unintended effect of prohibiting other types of fences which would reflect the architectural style, visual quality and character of Gig Harbor consistent with the stated goals and policies in the City's comprehensive plan including the goal to create visual interest defined on pg. 40 of the plan, and the goal to create visual identity defined on pg. 42 of the plan; and,

WHEREAS, the Planning Department has recommended to the Planning Commission a text amendment to the fence standards in a report dated February 15, 1994; and,

WHEREAS, the City of Gig Harbor Planning Commission conducted a public hearing on the proposed text amendment on January 15, 1994 to accept public comment on; and,

WHEREAS, there was no public input received on the proposed text amendment and the City of Gig Harbor Planning Commission has determined that the plan is consistent with all stated goals and policies of the Comprehensive Plan and is consistent with the intent of the recent amendments defined in Ordinance #652;

WHEREAS, the City Council has also considered the text amendment during its regular meeting of February 28, 1994 and March 14, 1994 and found that revisions to the Planning Commission's recommendation are necessary and essential; and,

WHEREAS, the City Council has reviewed the recommendation of staff in a memo dated March 9, 1994, and, with modification, accepts a revised definition of fence per section 17.04.340; and,

WHEREAS, the City Council finds that the design standards for fences, as recommended by the Planning Commission should be part of a more comprehensive design review program and should not be approached as a separate issue from the more substantive design review issues within the city.

NOW, THEREFORE, THE GIG HARBOR CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. Sections 17.04.340 of the Gig Harbor Municipal Code is hereby amended to read as follows:

...

17.04.340 Fence. "Fence" means a barrier that is constructed of one or more of the following materials, or a combination thereof, of wood, metal, plastics and masonry materials and which the prime purpose is to separate, screen or partition a parcel or parcels along the perimeters from adjoining parcels, or to screen or partition within a portion of a parcel.

...

Section 2. Section 17.08.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

...

17.08.010 Conformance Required - Fence or Shrub Height.

...

D. Fences shall not be constructed of a board and post construction, The use of plywood or composition sheeting as fence material shall not be permitted.

...

Section 3. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This ordinance shall be in force and take effect five (5) days after its publication according to law.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the Council held on this 28th day of March, 1994.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with City Clerk: 3/14/94
Passed by City Council: 3/28/94
Date published: 4/6/94
Date effective: 4/11/94

SUMMARY OF ORDINANCE NO. 667

of the City of Gig Harbor, Washington

On the 28th day of March, 1994, the City Council of the City of Gig Harbor, passed Ordinance No. 667. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING SECTION 17.04.340 AND 17.08.010 OF THE GIG HARBOR MUNICIPAL CODE TO ALLOW ADDITIONAL TYPES OF FENCE MATERIALS WITHIN CITY LIMITS AND FURTHER DEFINING THE LOCATION OF FENCES RESPECTIVE TO A PARCEL OR PARCELS.

The full text of this Ordinance will be mailed upon request.

DATED this _____ day of _____, 1994.

CITY ADMINISTRATOR, MARK HOPPEN