

## ORDINANCE NO. 736

### **AN ORDINANCE OF THE CITY OF GIG HARBOR ADOPTING A NEW CHAPTER 2.21 TO THE GIG HARBOR MUNICIPAL CODE WHICH ESTABLISHES A DESIGN REVIEW BOARD WHICH WILL REVIEW OUTDOOR PROJECT DESIGNS IN THE CITY OF GIG HARBOR.**

**WHEREAS**, the City of Gig Harbor's Comprehensive Plan Design Element on pages 18-34 includes several goals and policies relating to community design and states on page 18 that more specific guidelines must be developed and that zoning code revisions will be required to achieve said goals; and,

**WHEREAS**, a design guidelines technical committee (DGTC) was authorized by the City Council in April 1995 to develop design guidelines for the City; and,

**WHEREAS**, over the course of one year the DGTC developed a comprehensive Design Manual which addresses all goals and policies in the Design Element, with the exception of policies pertaining to signage, which policies were addressed in a 1996 sign code update; and,

**WHEREAS**, the design manual was formatted in such a way as to allow either administrative review of outdoor designs or, in order to allow greater design flexibility, review by a design review board; and,

**WHEREAS**, a proposed Chapter 2.21 which establishes a Design Review Board (DRB) was presented at a public hearing which was held on June 13, 1996; and,

**WHEREAS**, the planning commission held a worksession on June 20, 1996 to consider input received at the public hearing and has recommended changes to the proposed Chapter 2.21 as outlined in a report from the staff and Planning Commission to the City Council dated July 11, 1996; and,

**WHEREAS**, the City's legal counsel has recommended changes to the proposed chapter 2.21 to avoid legal challenges, which changes are reflected in a staff report to the City Council dated July 22, 1996; and

**WHEREAS**, the City Council also held a public hearing on August 12, 1996 to receive input on the proposed Chapter 2.21; and

**WHEREAS**, the City Council finds that the regulations in the proposed Chapter 2.21 to the Gig Harbor Municipal Code are consistent with, and would implement, the goals and policies stated in the Design Element of the City's Comprehensive Plan.

**NOW THEREFORE**, the City Council of the City of Gig Harbor, Washington, **ORDAINS AS FOLLOWS:**

Section 1. A new section to the Gig Harbor Municipal Code is adopted as follows:

**Chapter 2.21**

**DESIGN REVIEW BOARD  
(DRB)**

**2.21.010 Creation of Design Review Board**

A Design Review Board (also referred to as DRB) is hereby created. The Design Review Board shall consist of 5 members, one of whom shall be a member of the Planning Commission. The Design Review Board shall interpret, review and implement design review as provided by the City's adopted Design Manual.

**2.21.020 Terms and Qualifications of Members**

- A. Members of the Design Review Board shall serve terms of two years. The terms shall be staggered. Terms expire on July 1 but members of the Design Review Board shall continue to serve until their successors are appointed and qualified. The member appointed from the Planning Commission shall serve a term of two years, but a vacancy shall occur in the event the person ceases to be a member of the Planning Commission. The City Council shall appoint a new DRB member to fill vacancies that might arise and such appointments shall be to the end of the vacating member's term.
  
- B. The City Council shall choose Design Review Board members with qualifications, skills or demonstrated interest in one or more of the following 6 categories.
  - 1. A licensed architect or professional designer with demonstrated experience in urban design.
  - 2. A member living in the City with demonstrated interest and knowledge of urban design.
  - 3. A member from the Gig Harbor Planning Commission.
  - 4. A member with a professional background relating to urban design, (e.g., an artist, an engineer, a planner, a contractor) as determined by the City Council.
  - 5. A member with demonstrated interest and knowledge of landscaping, horticulture, arboriculture or forestry.
  - 6. One or more members recommended by or associated with one of the following groups: The Gig Harbor Chamber of Commerce; The Peninsula Historical Society; A local neighborhood or homeowner's association.

**2.21.030 Purposes.**

A. The purposes of the Design Review Board are:

- 1. To assure that outdoor projects and exterior improvements subject to design review

conform to the City's design manual.

2. To protect and enhance Gig Harbor's small town characteristics by assuring that decisions on design reflect the intent of the City's Design Manual and the Design Element of the City's Comprehensive Plan.

3. To make suggestions on design alternatives which meet the needs of the property or business owner and which are consistent with and meet the intent of the City's design policies.

4. To make recommendations to the Planning Commission and City Council on policies and ordinances that may affect the City's design and visual character.

#### **2.21.040 Additional Powers.**

In addition to the powers set forth in Section 2.21.030, the Design Review Board shall:

- A. Determine if outdoor project designs subject to design review are in compliance with the general requirements of the Design Manual and shall approve, approve with conditions, or disapprove proposed designs. The Design Review Board shall state specific reasons for disapproval so that the applicant has an opportunity to address those concerns.
- B. Recommend to the Planning Commission for adoption standards to be used by the City or Design Review Board in reviewing outdoor proposals with City limits or its areas of contractual jurisdiction.
- C. Recommend to the City Council the purchase of interests in property for purposes of preserving the City's visual characteristics or implementing the provisions of the City's Design Manual or the Design Element of the City's Comprehensive Plan.
- D. Advise the City Council on possible incentives to preserve historic structures within the City's historic district.
- E. Recommend to the Planning Commission and the City Council, zoning boundary changes which are consistent with the City's Design Manual and the Design Element of the City's Comprehensive Plan.
- F. Recommend to the Planning Commission and the City Council, changes to the Gig Harbor Municipal code and Public Works Standards which reinforce the purpose of the City's Design Manual and the Design Element of the City's Comprehensive Plan.
- G. Provide advice and guidance on request of the property owner or occupant on the restoration, alteration, decoration, landscaping, or maintenance of any structure or site within the City's jurisdiction.

#### **2.21.050 Limitations.**

The Design Review Board may approve, conditionally approve or disapprove project *designs*

or design variances pursuant to the standards in the City's Design Manual and GHMC Section 17.98. The DRB shall have no authority to make final decisions on site plans, or to waive, increase or decrease any other code requirements. Site plans shall be reviewed as provided in Title 19.

**2.21.060 Organization.** The City's Design Review Board shall be organized as follows:

- A. **Chairman.** The Design Review Board shall elect one of its members to serve as Chairman for a term of one year at its first meeting in March of each year. The Chairman may be elected to serve for one consecutive additional term, but not for more than two successive terms.
- B. **Quorum.** No business shall be conducted without a quorum at the meeting. A quorum shall exist when the meeting is attended by a majority of the appointed members of the DRB, which may include the Chairman.
- C. **Voting.** All actions of the Design Review Board shall be represented by a vote of the membership. A simple majority of the members present at the meeting in which action is taken, shall approve any action taken. The Chairman may vote at the meetings.

**2.21.070 Staff Assistance.**

The City's Planning Department shall provide the Design Review Board with such assistance as is reasonably necessary to enable it to perform its functions and duties. Staff assistance shall include, but not be limited to, the making of recommendations in staff reports to the DRB on specific projects, research, general planning and instruction.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should 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 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

**PASSED** by the City Council of the City of Gig Harbor, Washington at its regular meeting held on the 26th day of August, 1996.

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GRETCHEN A. WILBERT, MAYOR

ATTEST:

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Mark E. Hoppen, City Administrator

Filed with City Clerk: August 2, 1996  
Ordinance Adopted: August 26, 1996  
Date Published: August 28, 1996  
Effective Date: September 2, 1996