

**ORDINANCE NO. 974**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, INCORPORATING THE CITY'S DESIGN MANUAL INTO A NEW CHAPTER OF THE GIG HARBOR MUNICIPAL CODE; ALSO AMENDING THE CITY'S DESIGN MANUAL TO REVISE THE FORMAT TO MAKE THE MANUAL MORE USER FRIENDLY, (B) CORRECT INCONSISTENCIES AND ERRORS, (C) ADDRESS DESIGN ISSUES THAT WERE NOT FULLY ADDRESSED IN THE ORIGINAL MANUAL, (D) CLARIFY STANDARDS BY PROVIDING MORE SPECIFIC AND DEFINITIVE LANGUAGE, (D) PROVIDE ADDITIONAL DESIGN OPTIONS, (E) DEFINE AND PROVIDE DESIGN EXEMPTIONS FOR INDUSTRIAL BUILDINGS, (F) IDENTIFY PARKWAYS AND ACTIVITY CENTERS IN NEWLY ANNEXED AREAS AND THROUGHOUT THE CITY'S URBAN GROWTH AREA, AND (G) EXPAND THE BOUNDARIES OF THE HISTORIC DISTRICT TO INCLUDE PARCELS ON THE BOTH SIDES OF STREETS THAT DEFINE THE EXISTING HISTORIC DISTRICT.**

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WHEREAS, The City of Gig Harbor's Comprehensive Plan Design Element, ADOPTED November 28, 1994, 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 to achieve said goals; and,

WHEREAS, the City adopted by reference a Design Manual on August 26, 1996 under Ordinance 735, which adopted Chapter 17.98, Design standards & Review; and

WHEREAS, the City has not amended its design standards since their initial adoption in 1996; and

WHEREAS, Section 17.98.020 states that the Design Manual shall be reviewed by the planning commission two years after the date of adoption of Ordinance No. 787 to evaluate its effectiveness; and

WHEREAS, the City Council directed the staff and the Design Review Board (DRB) to review and, if necessary recommend amendments to the Design Manual based upon knowledge of its effectiveness on actual projects since its original adoption; and

WHEREAS, the DRB has conducted numerous evening and all-day work sessions over the course of the last three years in developing an update to the Design Manual, including meetings on January 17, 2002, January 31, 2002, April 11, 2002, April 18, 2002, April 22, 2002, October 10, 2002, November 18, 2002, February 13, 2003, March 27, 2003, April 10, 2003, May 8, 2003, May, 22, 2003, February 12, 2004, February 26, 2004, March 25, 2004, April 5, 2004; April 22, 2004, May 13, 2004, May 24, 2004 and May 27, 2004 and

WHEREAS, the DRB has drafted changes to the Design Manual that includes numerous changes including the following:

1. Correct typographical errors in original manual.
2. Incorporate cleaner graphics in to the manual.
3. Prepare manual for incorporation into the Gig Harbor Municipal Code.
4. Reformat entire document into more definitive chapters and topics
5. Refer to all development as either residential or non-residential through-out the document.
6. Identify those specific dimensional requirements that may only be varied through the normal variance process and not through the DRB process.
7. Incorporate into manual an Industrial Building Exemption that defines industrial buildings and identifies which standards are exempt for industrial buildings.
8. Rename and amend boundaries of activity centers.
9. Eliminate requirement to cluster development around outdoor space in activities centers
10. Eliminate requirement for pedestrian paths in activity centers to connect to out-lying development.
11. Eliminate requirement to buffer pedestrian areas from the street.
12. Eliminate transit stop language from activity center standards.
13. Identify new parkways (i.e., Borgen Blvd., Purdy Drive, North/South Connector, and eliminate portion of Rosedale Street Parkway lying west of Skansie Avenue, extend Peacock Hill Avenue parkway up to Borgen Blvd.
14. Eliminate setback averaging requirement from parkway standards.
15. Eliminate all right-of-way design standards.
16. Revise Zone Transition standards to include a more definitive description of what "substantial buffering" between districts entails, to require conformance to architectural standards if development abuts a different zone on the same side of the street, to apply zone transition standards only if a proposed use is not an allowed use in the opposing zone, to redefine the structures in the opposing zone that will be used to determine average footprint size and height, and to define those zoning districts that zone transition standards occur between.
17. Provide more definitive language on respecting natural topography.

18. Revise standards for protective barricades that protect areas of natural vegetation to provide a sturdier barricade that will not be easily removed or buried during the construction phase.
19. Provide additional tree-replacement options for trees otherwise required to be retained.
20. Provide phased landscape options for sites not fully developed.
21. Provide maintenance and thinning provisions for overcrowded buffer areas.
22. Define the required width of primary walkways.
23. Define seating requirements along primary walkways.
24. Revise secondary walkway requirements to state that walkways should provide the shortest route between building entrances.
25. Provide alternative parking lot landscaping standards that allows trees to be placed in regularly spaced islands as opposed to continuous landscaped strips.
26. Redefine driveway location requirements to minimize their impacts on perimeter landscape areas or buffers.
27. Establish setbacks for parking lots located near street corners.
28. Revise lighting standards to allow security lighting that is not downward directional, provided it is intermittent lighting on motion detectors.
29. Define height allowance for parking lot or pole lights.
30. Include provisions that avoid false-front appearance on buildings.
31. Include provisions that allow primary structures to be single-story structures if the architecture provides the lofty appearance of two-story structures.
32. Provide a more descriptive definition of acceptable siding materials.
33. Include a "masonry façade option" that, if applied, allows some other design standards to be relaxed.
34. Provide better definition of acceptable roofing colors.
35. Exclude, under the specific language of the Design Manual, faux windows, false-fronts and architectural details that do not reflect the overall building design.
36. Provide more options for acceptable field (wall) colors.
37. Include a new standard that requires natural or factory finishes on brick and stone to be retained (not painted).
38. Redefine how parking car garage entrances must be recessed beyond front façade.
39. Provide additional options for de-emphasizing garages on single family houses.
40. Redefine the point within allowable building area where building height must be measured.
41. Redefine the maximum height of a wall on single family homes before a step-back in the wall plane is required.
42. Extend boundaries of historic district to include parcels on both sides of Stinson Avenue and Rosedale Street, the C-1 and B-2 districts on North

Harborview Drive, all parcels having frontage on Harborview Drive, and the parcel to the southwest corner of Stinson and Rosedale Street.

43. Eliminate requirement for DRB review of basic structure units in historic district.
44. Eliminate maximum height option in the historic district for commercial structures.
45. Provide standards for the use of slider windows in the historic district.
46. Provide allowances for use of horizontal cable for deck railing in the waterfront portion of the historic district.
47. Redefine colors for roofing materials in the historic district.
48. Eliminate reference to vinyl siding as an appropriate material in the historic district.
49. Create a new definition of "dense vegetative buffer" that provides both a dimension of the buffer and the type and spacing of vegetation within the buffer.
50. Revise definition of "gable."
51. Revise definition of "porch".
52. Revise definition of "prominent façade" to make sure it includes any façade visible from any public right-of-way.
53. Redefine definition of "significant vegetation" to exclude maple and alder.
54. Define alley requirements in residential plats.
55. Require that all structures on a site be located at front setback line unless they are directly located behind other buildings.
56. Change from 7 feet to 8 feet the allowed reduction of parking stall that may be used to retain significant vegetation; and

WHEREAS, the DRB voted unanimously during its May 27, 2004 work session to forward a recommendation to the Planning Commission and City Council supportive of the proposed amendments; and

WHEREAS, the Planning Commission conducted work sessions on June 3, 2004, June 17, 2004, and a final work session on July 15, 2004; and

WHEREAS, the City Council conducted work sessions on August 30, 2004, September 20, 2004, October 4, 2004, and October 18, 2004 to allow additional public involvement and to address specific Council questions and concerns; and

WHEREAS, the Council work sessions resulted in the following additional changes:

1. Amend height standards for non-residential structures in the historic district;
2. Amend setback provisions for garages in the historic district;
3. Amend screening requirements along the enhancement corridor.

4. Revise the description of zone transition boundaries; and

WHEREAS, the City Council finds that the proposed amendments to the Design Manual are consistent with the Design Element of the City's Comprehensive Plan; and

WHEREAS, the City desires to incorporate the Design Manual into the Municipal Code; and

WHEREAS, the City's SEPA Responsible Official issued a determination of Non-significance for the proposed Design Manual update and its incorporation into the Municipal Code 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 4, 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 October 25, 2004 and held a public hearing on November 8, 2004; Now, Therefore,

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

Section 1. A new Chapter 17.99 of the Gig Harbor Municipal Code, Design Manual, as shown in Attachment A to this ordinance, is hereby adopted.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance or attachments to 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 or attachments to this ordinance.


Section 3. 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 8th day of November, 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: 10/20/04  
PASSED BY THE CITY COUNCIL: 11/8/04  
PUBLISHED: 11/17/04  
EFFECTIVE DATE: 11/22/04  
ORDINANCE NO: 974