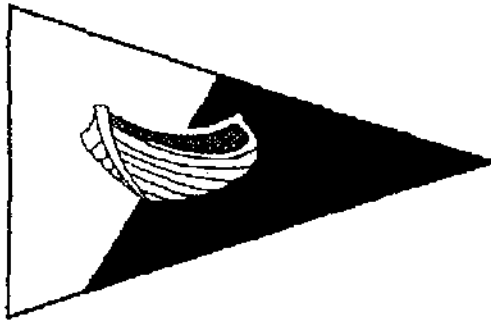


**GIG HARBOR
CITY COUNCIL MEETING**



January 8, 1996

7:00 P.M., CITY HALL COUNCIL CHAMBERS

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING

January 8, 1997 - 7:00 p.m.

PUBLIC COMMENT/DISCUSSION:

PUBLIC HEARING:

First Reading of Ordinances:

1. Amendments to Chapter 15.06 - Defining a Complete Building Permit Application
2. Amendments to Title 16 - Subdivisions.
3. Amendments to Title 17 - Zoning Code.
4. Amendments to Chapter 17.01 - Construction Trailers.
5. Amendments to Chapter 17.04 - Definitions.
6. Amendments to Chapter 17.07 - Enforcement.
7. Amendments to Chapter 17.10 - Hearing Examiner.
8. Amendments to Chapter 17.15 - Public Institutional District.
9. Amendments to Chapter 17.45 - Employment District.
10. Amendments to Chapter 17.65 - Special Use Permits.
11. Amendments to Chapter 17.94 - Land Clearing.
12. Amendments to Title 19 - Administration Procedures.

SWEARING IN CEREMONY:

Councilmembers Marilyn Owel, Corbett Platt, and Nick Markovich

CALL TO ORDER:

APPROVAL OF MINUTES:

CORRESPONDENCE:

1. Tom Taylor, Peninsula Gateway - Cruisin the Gig.

OLD BUSINESS:

NEW BUSINESS:

1. Award of Contract to Purchase Photocopiers.
2. SDP 95-06, Gilich - Variance and Shoreline Permit for Parking Lot Improvements.
3. First Reading of Ordinance to Adopt the Public Works Standards by Reference.
4. Approval of PCRC Interlocal Agreement.
5. Approval of PCCPP Amendments.

MAYOR'S REPORT:

COUNCIL COMMENTS:

STAFF REPORTS:

ANNOUNCEMENT OF OTHER MEETINGS:

APPROVAL OF BILLS:

APPROVAL OF PAYROLL:

EXECUTIVE SESSION: Property acquisition.

ADJOURN:

**GIG HARBOR CITY COUNCIL
PUBLIC HEARING PROCEDURE
FOR CONSIDERATION OF
HEARING EXAMINER RECOMMENDATION
ON SHORELINE SUBSTANTIAL DEVELOPMENT PERMITS**

The City Council shall consider a recommendation of the hearing examiner on an application at a public hearing. Consideration of the examiner's recommendation is conducted in the following manner:

Step 1. Open the Public Hearing and announce:

1. "The Mayor and City Councilmembers may take this opportunity to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues."
2. "If any members of the audience have any appearance of fairness challenges to any of the Councilmembers and Mayor, they should be made at this time."

Step 2. City Attorney's ruling on appearance of fairness challenges, if any.

Step 3. Mayor announces: "The Council will be considering the Hearing Examiner's recommendation on this application in a public hearing, and members of the public may testify. I would therefore like to ask the applicant, the applicant's representative and all persons wishing to present testimony on this matter to stand and take the following oath. Do you promise that any testimony you give tonight will be the truth? If so, respond I do."

Step 4. Open the public hearing. Staff makes oral presentation first. Allow public to testify.

Step 5. Close the public hearing. Council deliberations. The Council may request additional information of the applicant or staff, at its discretion. The Council shall deliberate and take action to either:

1. approve;
2. modify;
3. reject any findings or conclusions of the examiner or
4. remand the matter to the Hearing Examiner to hold another public hearing.

The decision of the Council shall be based on the evidence presented at the hearing, and the criteria in Section 4.08(C) of the Shoreline Master Program.

Any motions by Council shall instruct staff to prepare findings of fact and conclusions in the form of a resolution or ordinance, in accordance with the Council's decision.



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: STEVE BOWMAN, BUILDING OFFICIAL/FIRE MARSHAL
DATE: DECEMBER 28, 1995
SUBJECT: GHMC REVISIONS: COMPLETE APPLICATION & BUILDING PERMIT EXEMPTION FROM REVIEW

INTRODUCTION:

The Washington State Legislature in RCW 19.27.095 has listed specific items required for a complete building permit application. The Legislature has also in RCW 19.27.095 given the Gig Harbor City Council authority to exempt building permits from the provisions of RCW 36.70B.60 through RCW 36.70B.90 and RCW 36.70B.110 through RCW 36.70B.130.

POLICY ISSUES:

Attached for your consideration is an ordinance, for adoption of revisions to Title 15 of the Gig Harbor Municipal Code. Included are revisions to Section 106.3.1 of the 1994 edition to the Uniform Building relating to an application for a valid and fully complete building permit application. Also included is a new Section 15.06.015 of the Gig Harbor Municipal Code which would exempt building permits from the provisions of RCW 36.70B.60 through RCW 36.70B.90 and RCW 36.70B.110 through RCW 36.70B.130, including:

- A. RCW 36.70B.60 - Local government planning under the growth management act to establish integrated and consolidated project permit process - Required elements: (1-9)
- B. RCW 36.70B.70 - Project permit applications - Determination of completeness - Notice to applicant. Local government planning under the growth management act to establish integrated and consolidated project permit process - Required elements: (1-4)
- C. RCW 36.70B.80 - Development regulations - Requirements.
- D. RCW 36.70B.90 - Notice of final decision - Time limits - Exceptions. (1-4)
- E. RCW 36.70B.110 - Notice of Application - Required elements - Integration with other review procedures - Administrative appeals. (1-11)
- F. RCW 36.70B.120 - Permit review process. (1-3)
- G. RCW 36.70B.130 - Notice of decision - Distribution.

The City Attorney is reviewing this draft of the adopting ordinance and will be submitting comments for consideration prior to the second reading. Complete copies of the referenced RCW Sections are available in the City Clerk's Office.

RECOMMENDATION:

The Mayor and City Council adopt the amendments to the Title 15 Gig Harbor Municipal Code, after the second reading of the ordinance and inclusion of any required revisions.

**CITY OF GIG HARBOR
ORDINANCE NO. ____**

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING SECTION 15.06.050 OF THE GIG HARBOR MUNICIPAL CODE, INCLUDING AMENDMENTS TO SECTION 106.3 OF THE 1994 EDITION TO THE UNIFORM BUILDING CODE, ESTABLISHING A NEW SECTION 15.06.015 EXCLUDING BUILDING AND OTHER PERMITS EXEMPT FROM SEPA REVIEW FROM PROJECT PERMIT PROCESSING IN TITLE 19 AS DESCRIBED IN RCW 36.70B.140 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Washington State Legislature has in RCW 36.70B.140 allowed each City to exclude Building Permits from review; and,

WHEREAS, the State also adopted requirements for a fully completed Building Permit Application in RCW 19.27.095; and

WHEREAS, Title 15 of the Gig Harbor Municipal Code must be amended to reflect the adoption of requirements for a fully complete Building Permit Application; and,

WHEREAS, Title 15 of the Gig Harbor Municipal Code must be amended to exclude Building and Other Permits from project permit processing; and

WHEREAS, the Gig Harbor City Council finds that to exclude Building and Other Permits from project permit processing and to adopt requirements for a fully complete Building Permit Application is in the public interest.

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

Section 1. Section 15.06.050 of the Gig Harbor Municipal Code is hereby amended.

15.06.050 Amendment to Section 106.3.1, Uniform Building Code. Section 106.3.1 of the Uniform Building Code is amended as follows:

106.3.1 Application.

- A. A valid and fully complete building permit application for a structure, that is permitted under the zoning or other land used control ordinances in effect on the date of the application shall be considered under Title 15 of the Gig Harbor

Municipal Code in effect at the time of application, and the zoning or other land use control ordinances in effect on the date of application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the City. Every such application for any project costing more than five thousand (\$5,000.00) dollars shall:

1. Identify and describe the work to be covered by the permit for which application is made;
2. Describe the land on which the proposed work is to be done by legal description, street address, tax parcel number or similar description that will readily identify and definitely locate the proposed building or work;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 106.3.2;
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building;
6. Be signed by the applicant, or the applicant's authorized agent;
7. The property owner's name, address and phone number;
8. The prime contractor's business name, address, phone number, current state contractor registration number;
9. Either:
 - a. the name, address and phone number of the office of the lender administering the interim construction financing, if any, or
 - b. the name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than 50% of the total amount of the construction project.

10. Any information required to demonstrate compliance with the State Environmental Policy Act, as adopted by the City under Title 18 GHMC.
 11. Evidence of an adequate water supply for the intended use of the structure or building, as required by RCW 19.27.097.
- B. The information required on the application by subsections A(1), A(2), A(7), A(8), and A(9) of this section shall be set forth on the building permit document which is issued to the owner, and on the inspection record card which shall be posted at the construction site.
 - C. The information required by subsection A(1), A(2), A(7), A(8), and A(9) of this section and information supplied by the applicant after the permit is issued under subsection (D) of this section shall be kept on record in the office where building permits are issued and made available to any person upon request. If a copy is requested, a reasonable charge may be made.
 - D. If any of the information required by subsection A(9) of this section is not available at the time the application is submitted, the applicant shall so state and the application shall be processed forthwith and the permit issued as if the information had been supplied, and the lack of the information shall not cause the application to be deemed complete for the purposes of vesting. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information.

Section 2. A new Section 15.06.015 of the Gig Harbor Municipal Code is hereby adopted.

15.06.015 Building Permits And Other Permits Exempt from SEPA are Excluded from Project Permit Processing in Title 19. Pursuant to RCW 36.70B.140(2), building permits, other construction permits or similar administrative approvals which are categorically exempt from environmental review under the State Environmental Policy Act (chapter 43.21C RCW) and Title 18 Gig Harbor Municipal Code (SEPA), or permits/approvals for which environmental review has been completed in connection with other project permits under Title 19, are excluded from the following procedures:

- A. determination of completeness (19.02.003 (A));
- B. notice of application (19.02.004);
- C. except as provided above, optional consolidated project permit review processing (19.02.002(B));

- D. joint public hearings (19.01.004);
- E. single report stating all the decisions and recommendations made as of the date of the report that do not require an open record hearing (19.02.002(C));
- F. notice of decision (19.05.008); and
- G. completion of project review within applicable time periods (including 120 day permit processing time) (19.05.008, 19.05.009).

Section 3. 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 4. Publication. This ordinance shall be published in the official newspaper of the city, and shall take effect and be in full force five (5) days after the date of its publication.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST/AUTHENTICATED:

Mark E. Hoppen, City Administrator

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. _____

F:\USERS\STEVE\ORD-RES\APPLIC94.WPD



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: Ray Gilmore, Planning Staff
DATE: January 4, 1996
SUBJ.: Proposed Land Use Development Codes (Title 16, Title 17 and new Title 19) - Introduction of Ordinances - First Reading

BACKGROUND

This is the first reading of the revised Titles 16 and 17 of the GHMC and a new Title 19 (Administrative Procedures). Based upon the last Council meeting, several changes have been incorporated into the revised codes. These changes are detailed below. Additionally, the city's legal council and staff have made numerous grammatical changes to the codes for internal consistency and clarity.

POLICY CONSIDERATIONS

The proposed ordinances represent policy significant changes in several operations of the City's land use standards and administrative functions.

Title 16 - Subdivision Code

No changes since last meeting in December.

Title 17 - Zoning Code

Within Title 17, several changes have been made and these are noted on the attached summary sheet from the December worksession. Numerous grammatical and format changes have been made throughout. Also included with this memo are two illustrations relevant to our discussion at the December worksession with the planning commission. The first illustration pertains to the maximum density concept for residential development respective to lot width. The second illustration depicts the maximum floor area concept for non-residential buildings in the WM district.

New Title 19 - Administrative Procedures

Respective to regulatory reform, several changes are proposed which alter the permitting procedures within the city. Although some of these processes are currently utilized, the time requirements and the methods for accomplishing these objectives are changed under the new state law. The most notable examples include the application and notification requirements, public notice procedures and the limits on public hearings. Staff is also proposing the establishment of a five-tier review procedure which is based upon the type of application

filed. The role of the hearing examiner is proposed to be expanded so that all hearings conducted by the examiner are final unless appealed to the city council. Specifically, the act: (1) provides for the integrated and consolidated review and decision on two or more project permits relating to a proposed action; (2) combines the environmental review process, both procedural and substantive, with the procedure for the review of project permits; (3) provides for no more than one open record hearing and one closed record appeal on such permits, except for the appeal of a determination of significance; and (4) provides for the issuance of the City's final decision within 120 days after submission of a complete application. Based upon the previous worksession with the council, a table has been prepared which defines the proposed permit review process and final decision options.

RECOMMENDATION

This is a reintroduction of the revised codes and is the first reading of the ordinances, following four public hearings. Final action on a second reading of the revised code is anticipated for the January 22, 1996 Council meeting.

**Issues Considered by Council at December 4 Worksession
Changes made to Draft Ordinance**

Title 17

- 1 Floor area limits for non-residential structures in the RB-1, WM, B-2 and C-1 districts.
Discussed: The allowance limit of one structure per lot in WM and RB-1; the requirement in B-2 and C-1 that each structure limit could be offset by 0 lot line development (NOTE: the current proposal requires 20 foot separation between structures)
Resolutions: 1)Eliminate the floor area limit; 2)retain floor area limit as is for B-2 and C-1; 3)retain floor area limit for all, but amend RB-1 and WM from "per lot" to a minimum separation as in B-2 and C-1. **NOT RESOLVED AT WORKSESSION.**

- 2 Height Option Variance for Single Family Dwellings in R-1, R-2 and R-3 Districts
Discussed: View corridors and the need for them (who's view are we providing or protecting?); allowing increased height as an option to the 16' height limit; internal consistency between the procedure in 17.66.025 and Title 19 (need for a notification of administrative action process)
Resolutions: 1)Eliminate the height variance option; 2)retain, but amend Title 19 to include a procedure for notification of administrative action. **NOT RESOLVED AT WORKSESSION.**

- 3 Hotels and Motels
Discussed: not specifically stated in B-2 and C-1; public comment to allow in RB-2 as conditional use.
B-2 and C-1 districts amended to include hotels and motels as permitted uses.

4. Home Occupations as Permitted Uses in R-1, R-2 and R-3
Discussed: Why permitted use as opposed to conditional (reference to Comprehensive Plan in Employment section); criteria are proposed to be more restrictive to limit home occupations to low intensity uses (no outward change or appearance to the dwelling)
The term *occupants* has been changed to *resident* (in chapter 17.84).

5. Section 17.16.040- R-1 District
Discussed: Why is it needed?
Resolution: It's not needed. Strike from text. **NOTE: similar sections throughout the code have been stricken.**

6. Density as opposed to Minimum Lot Sizes
Discussed: Purpose behind this (site design flexibility; development options to suit the available or intended market); examples of how this works using the minimum lot width factor of 0.7%. **Staff has prepared a sample illustration which demonstrates**

how the density base calculation would work in an R-1 district.

7. Definitions Section

17.04.010: Language has be included which addresses uses not defined in the zoning code.

17.04.272: Add the term "Developed property" to the definition.

17.04.697: amend definition to eliminate the term "non-profit".

8. Section 17.32.020 - B-1 District

Added to A.: "..., except for single family detached dwellings."

9. Section 17.68.040

Discussed: Reasoning behind language changes in "A" (to eliminate the current language conflict where a non-conforming structure has a proposed alteration which is conforming; currently, if such a conforming change is made, it would still require a variance even though code provisions are met)

10. Section 17.72.060 - Shared Parking

Discussed: Shared parking in the DB and WC districts; do these new standards make another review process that is more restrictive (it's not a new permit; it is intended to provide a mechanism in which the city can manage the shared use of parking so that there is assurance a use has available parking;

Resolution: The alternative is to eliminate the parking requirements or develop a more comprehensive parking plan. The proposal to provide for shared parking is, at best, an interim, short-term solution.

11. Section 17.89.020 - Planned Residential Development

Discussed: PRD's; concern that PRD's can be used to increase density without any review by council if the rezone requirement is eliminated. This change was recommended to encourage more PRD's, which tend to be discouraged by the current rezone criteria.

Resolution: Retain the rezone process (which has been changed under the revised code to make the process more predictable and easier).

12. Section 17.45.020- Employment District

Discussed: retail uses in employment district, specifically D. and E.(rationale is to limit retail uses to those which are subordinate to the principal employment use, thereby minimizing retail intrusion which could adversely affect the price of available and suitable land for employment generators)

Amend D. to read: "Associated support service and retail uses which are subordinate to the principle employment use."

13. Section 17.65 - Special Use Permits

Discussed: Purpose of special use permit process (to manage temporary, unclassified uses); where did the criteria come from relating to maximum occupied site area (staff); how does this apply to use of public right-of-way (it doesn't - chapter 12.02 still controls).

Reference to chapter 12.02 has been incorporated for those uses on city right-of-way and city property; review criteria has been redrafted/consolidated; regarding the maximum occupied area, council may desire to eliminate this standard.

Title 19

New administrative procedures - Need more information on Council's review authority and how it relates to current procedures.

A chart prepared by the city's legal staff is attached for your consideration.

SUBDIVISION AND ZONING CODE APPROVAL PROCESS

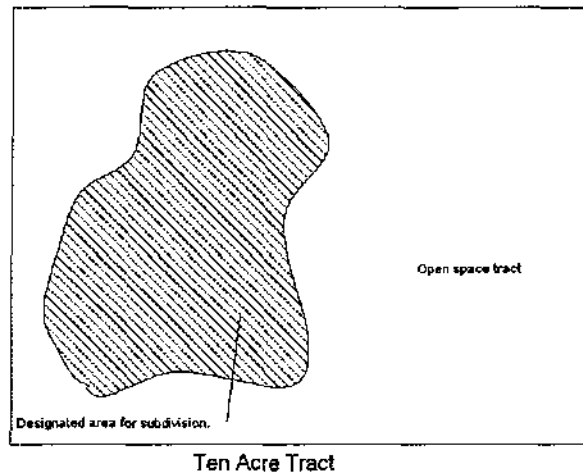
Type of Approval	Chapter/Section of Code	Who Makes Final Decision	Option	Appeal of Final Decision
1. Boundary line adjustment	Ch. 16.03	Director	No	Court
2. Short plat	Ch. 16.04	Director	No	Court
3. Preliminary plat	Ch. 16.05	Hearing Examiner	Planning Commission	City Council
4. Final plat	Ch. 16.06	City Council		Court
5. Plat vacation	16.07.001	Hearing Examiner	City Council	City Council
6. Plat alteration	16.07.003	Hearing Examiner	City Council	City Council
7. Mobile home park	16.10.040(A)	Hearing Examiner	City Council	City Council
8. Mobile home subdivision	16.10.040(B)	(Same as Nos. 3 and 4 above)	(Same as Nos. 3 and 4 above)	(Same as Nos. 3 and 4 above)
9. Temporary use of construction trailers	17.01.090	Director	No	Court
10. Administrative height variance	17.66.025	Director	Hearing Examiner/ City Council	Hearing Examiner
11. Conditional use permit	17.64.015	Hearing Examiner	City Council	City Council
12. General variance	17.66.015	Hearing Examiner	City Council	City Council
13. Administrative variances	17.66.020	Director	Hearing Examiner/ City Council	Hearing Examiner
14. Planned residential development	17.89.070	Hearing Examiner	Hearing Examiner/ City Council	City Council
15. Mayor Amendment to PRD	17.89.130	Hearing Examiner	City Council	City Council
16. Minor amendment to PRD	17.89.130	Director	Hearing Examiner/ City Council	Court

Type of Approval	Chapter/Section of Code	Who Makes Final Decision	Option	Appeal of Final Decision
17. Planned unit developments	17.90.060	Hearing Examiner	City Council	City Council
18. Major amendment to planned unit development	17.90.070(B)	Hearing Examiner	City Council	City Council
19. Minor amendment to planned unit development	17.90.070(A)	Director	Hearing Examiner/ City Council	Court
20. Site plan	17.96.030	Hearing Examiner	City Council	City Council
21. Manor amendments to site plans	17.96.080(B)	Hearing Examiner	City Council	City Council
22. Rezones (site-specific)	17.100.020	City Council		Court
23. Rezones (area-wide)	17.100.____	City Council		Court
24. Amendment to height restriction area map	17.62.040	Hearing Examiner	City Council	Court
25. Interpretation	17.66.050	Director	Hearing Examiner	City Council
26. Modifications to landscape plans	17.78.100	Director	Hearing Examiner/ City Council	Court
27. Sign permit	17.80.030	Director		Hearing Examiner
28. Variance from sign permit	17.80.030(D)	Hearing Examiner	City Council	City Council
29. Administrative waiver - signs	17.80.030(E)	Director		Hearing Examiner
30. Hardship variance sign code	17.80.060(C)(2)	Director	Hearing Examiner/ City Council	City Council
31. Home occupation permit	17.84.030	Director	Hearing Examiner	Hearing Examiner

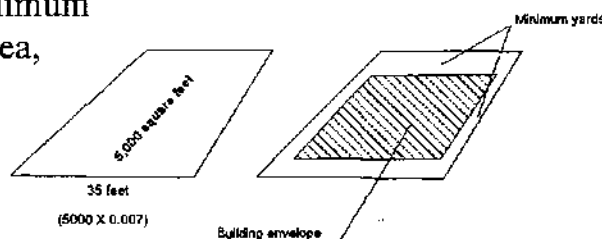
MAXIMUM DENSITY CONCEPT FOR RESIDENTIAL DEVELOPMENT

Scenario: Subdivision development of a ten acre tract in an R-1 zoning district (low density single family residential).

The R-1 district allows 3 dwelling units per acre. On a ten acre tract, this equals 30 dwelling units (lots). The land owner decides to market the subdivision as 5,000 square foot lots. 30 lots at 5,000 square feet consumes a total of 150,000 square feet of the ten acre tract. This leaves a balance of 285,600 square feet of land set aside as an open tract.

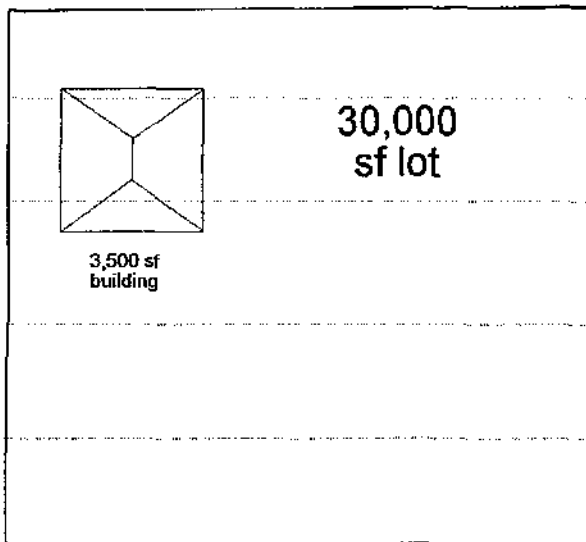


Each of the lots must have a minimum width equal to 0.7% of the lot area, measured in lineal feet. Therefore, each lot would have 5,000 square feet X 0.007 feet/square feet = 35 feet of width. Within this 35 foot wide lot, there must be an allowance for the required front, rear and side yards.



The developer has practically unlimited options in site design without the constraint of a minimum lot width. The lots can be as small (or large) as the developer feels is marketable, providing that all other standards in the city codes are met.

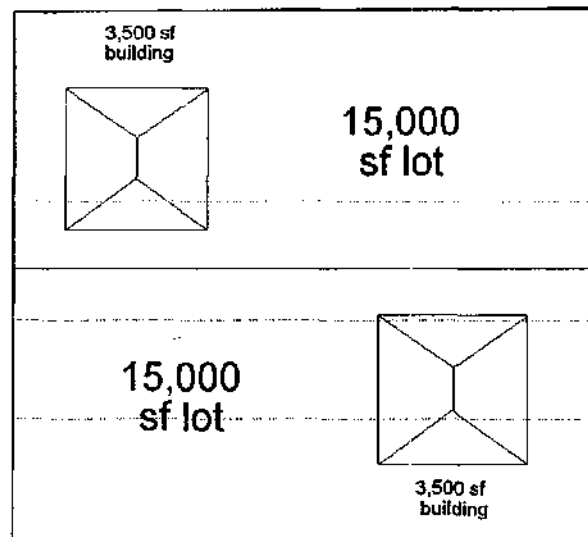
ILLUSTRATION OF THE MAXIMUM FLOOR AREA CONCEPT FOR THE WM DISTRICT



The example to the left depicts a parcel of land of 30,000 square feet. The owner desires to construct an office building and is limited to a building of 3,500 square feet in area per lot. Under the WM standards, the building must meet all minimum lot size, setback, landscaping, parking and impervious coverage requirements. The standards apply regardless of the lot size.

NOTE: The dashed lines are a representation of the original lot lines of the plat of Millville. Many of these individual 50 foot-wide lots have been combined into larger, single lots and building sites.

If the land owner has sufficient lot area, it is possible to construct more than one non-residential structure of 3,500 square feet on the owner's site, provided that the parcel is either subdivided or developed as a binding site plan. Again, all of the performance standards of the zoning code apply. With a minimum lot size of 15,000 square feet, it is possible to have a 3,500 sf building and still meet all of the standards for the WM district. With smaller, existing lots of record, however, it becomes more difficult to meet the required standards, particularly setbacks and impervious coverage. The alternative is to construct a smaller building to fit the lot or to request a variance from the minimum standards.



REGULAR GIG HARBOR CITY COUNCIL MEETING OF DECEMBER 11, 1995

PRESENT: Councilmembers Picinich, Owel, Platt, Ekberg, and Mayor Wilbert. Councilmember Markovich was absent.

PUBLIC COMMENT / DISCUSSION: None.

PUBLIC HEARINGS:

Gig Harbor North Annexation - Petition for Annexation/Preannexation Zoning. Mayor Wilbert opened the public hearing at 7:09 p.m. and introduced Ray Gilmore, Planning Director, who gave a brief presentation to explain the proposed zoning districts for the annexation area. Mayor Wilbert then opened the floor to members of the audience for comment.

Dave Cunningham - Pope Resources, P.O. Box 1780, Poulsbo, WA. Mr. Cunningham brought an aerial photo with the annexation area outlined to help lend perspective to the information being presented. He explained that Pope Resources owns 320 acres, approximately one-half of the proposed annexation. He added that work began eight years ago for this annexation effort, with the first application being submitted three years ago. He added he was proud of the product that had been generated from combined efforts of Gig Harbor Staff and the applicants. He said it is an unusual opportunity for the City to bring in largely undeveloped acreages and be part of the planning of the area. He said the landowners are willing to pay their fair share of amenities such as water facilities, roads, and parks to make the annexation area successful. He asked Council's approval of the annexation of what would become the City's northern gateway.

Greg Elderkin - Lorigan Enterprises. Mr. Elderkin explained that Lorigan Enterprises had assumed ownership of the Thompson Properties portion of the proposed annexation area. He added that Dave Cunningham had presented the project very well, and everyone had worked very hard to prepare the information before Council. He said he was hopeful that the annexation process could move forward.

Tom Tucci, Tucci & Sons, Inc. Mr. Tucci said his family owned approximately 50 acres in the proposed annexation area. He added that he agreed that Dave had covered most of the necessary points. He said he had been a resident of the area for over 20 years, and was proud to be a part in this project from the beginning. He said he admired the staff for holding firm to issues of importance to the city and was proud of the effort everyone had made.

Don Thompson - 9716 43rd Ave NW. Mr. Thompson said he was representing Avalon Woods, a development bordering Gig Harbor. He said that his neighborhood was very supportive of the annexation and that he had been very active in getting the annexation to where it is today. He said Avalon Woods has everything in place and is eager to move forward as soon as possible. He added that if there was anything they could do to hasten the process, to be sure to let him know.

Councilmember Picinich asked how many existing developments were included in the annexation. Ray Gilmore said that Avalon Woods was the only sizable development, with Hillcrest Mobile Home development as second largest with 65-70 units. He added that there were a couple of smaller ones with whom he was not familiar.

Councilmember Ekberg asked Ray to explain the connecting road from the East-West Road between Woodridge and Canterwood. Ray said that the road had been an idea from the Public Works Director. He added that Pope Resources holds an easement on the property and had been asked to retain that easement for a 12 month period to allow for the City to perform a feasibility study. He added that the road, if found to be feasible, would reduce the necessity of a larger road south of Woodridge and would provide an additional way to access Swede Hill interchange without an added burden on Peacock Hill.

Tom Morfee - PNA, 3803 Harborview Drive. Mr. Morfee said he had reviewed the documents in the PNA file for concerns and gave an overview of these. He reminded Council that PNA had appealed the Environmental Impact Statement filed by Gig Harbor North. The concerns were transportation, parks, open space and the wildlife corridor required by the Growth Management Act, design control, additional impacts on the school system, and the fact that the City did not have an impact fee ordinance. He added that he was looking forward to reviewing the annexation documents in detail. He said he thought the annexation could be a benefit if done right.

Mayor Wilbert closed the public hearing at 7:38 p.m. and announced that the second public hearing for the annexation would be held January 22nd at the regular council meeting.

CALL TO ORDER: 7:39 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the November 27, 1995 meeting as presented. Picinich/Ekberg - unanimously approved.

CORRESPONDENCE:

1. Tacoma-Pierce County Health Department - Governance Fact Sheet. No report.
2. WSDOT Hearing Schedule- Public Advisory Elections for State Transportation Facilities. No report.
3. Prison Pet Partnership Program. No report.
4. Doug Sutherland, Pierce County Council - Recycling 1995. Mayor Wilbert said she had received information that #1 and #2 plastics can now be recycled and the places where the items could be taken.
5. Puget Sound Regional Council - Vision 2020. Mayor Wilbert said that additional information on this item would be placed in the "reading basket."

PROCLAMATION: National Drunk and Drugged Driving Prevention Month. Mayor Wilbert said the City participates in any effort to reduce our community of abuse of alcohol and drugs.

OLD BUSINESS: None.

NEW BUSINESS:

1. Appeal of Hearing Examiner's Decision on CUP95-09 (Sherry Williams, Marche Cuisine): Robert Frisbie, appellant. Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query.

Ray Gilmore gave a history of this appeal of this conditional use permit to expand the deli into the space previously occupied by Bay Realty. He explained that the applicant for the CUP was not requesting any additional seating over the existing 16 indoors and 35 outdoors, and would only be expanding the existing deli into a larger area. Staff recommended approval of the conditional use permit on this basis. He added that the Hearing Examiner had approved the conditional use permit subject to conditions. Mr. Bob Frisbie filed an appeal of the Examiner's decision relating to parking issues. Ray added that each side was allowed 15 minutes of oral testimony, and that no new testimony could be added.

Bob Frisbie - 9270 Woodworth Avenue. Mr. Frisbie passed out a letter to Councilmembers. He read the approval criteria for a conditional use permit, and his comments on how the Hearings Examiner had not satisfied these criteria when he recommended approval of the conditional use permit, specifically in regards to non-compliance and adequate parking. The letter requested Council to overturn the decision of the Hearings Examiner and deny the conditional use permit, for staff to prepare a report for the subject property to establish the grandfathered rights, and that Council take action to have the existing deli seating returned to what was previously approved, 10 inside and 35 outside.

Councilmember Picinich asked for clarification of the floor plan that still showed existing real estate offices Mr. Frisbie had mentioned. Mr. Gilmore assured that the floor plan submitted by Mr. Frisbie was part of the original record.

Dan Wilner - attorney and representative for the applicant. Mr. Wilner said that items 4 and 5 of Mr. Frisbie's testimony were new evidence, he had not had a chance to review this information, and asked whether it was admissible. Carol Morris said that Council should hear Mr. Wilner's presentation and then make a decision after all the information was heard. Mr. Wilner said that Mr. Frisbie is attempting to ask Council to sacrifice a family-owned business over the issue of a lack of downtown parking. He said the application for a conditional use permit was to put in a gas stove and hood in lieu of the existing electric stove, and to expand the existing seating into the Bay Realty area. He assured Council that no additional seating or uses are being proposed, and that the catering business mentioned by Mr. Frisbie had been in existence since Dunlap's owned the deli. He added that the label on the floor plan, which read real estate offices, was a mistake and that the space would be used to do the bookkeeping for the deli. He reviewed the parking conditions and suggested that when Bay Realty went out of business, it resulted in a decrease of 10-12 needed spaces.

Sherry Williams - owner of Marche Cuisine. Ms. Williams said that expanding her business would have no negative impact on the neighborhood. She stressed that when she purchased the business, she did not have prior knowledge of whether or not the additional six seats were approved, as Mr.

Frisbie had suggested. She explained that her customers only stay in the deli on an average of 10-15 minutes, and that she had never had any complaints by neighbors that her patrons were parked in their driveways, and there are often empty spaces at the deli. On the other hand, she said that the surrounding businesses often use her parking spaces. She added that the catering business goes hand in hand with owning a delicatessen, and the work is done at the customers homes, not on-site at the deli. She said her business is part of the neighborhood, and added that joggers use her restrooms, kids wait there for their parents after school, they always have water out for dogs walking along Harborview Drive, they give to charities, and they pay their taxes.

Carol Morris, Legal Counsel, said that because Council had heard conflicting and new testimony that previously wasn't before the Hearing Examiner, that Council should look at the second page of the staff report dated December 11th, where Steve Osguthorpe referred to code sections 17.68.060 and 17.68.070, which are applicable to this project. She added that because section 17.68.070 wasn't specifically considered by the Hearing Examiner, there is no record of any identification of this particular use as a non-conforming use with regard to the parking requirements, and there is no clear record of whether the additional six seats were approved, she recommended that the Council send the matter back to the Hearing Examiner to develop the record on these points, specifically whether or not those additional six seats were approved by the City.

MOTION: Move we remand this item back to the Hearing Examiner for further hearings in regards to the parking and non-conforming issues.
Picinich/Owel -

Councilmember Owel pointed out that if the elimination of Bay Realty resulted in a reduced parking requirement, it also represents an increase in use. Councilmember Ekberg asked how this issue had gotten to this point without the issue of the additional six seats being clarified.

Councilmember Platt pointed out that there were 45 seats allowed at the deli, and only 41 were being utilized, therefore, he did not see any increase in non-conformity. He added that without the realty office, there is a net decrease in parking requirements, and that there seems to be a great deal of support for the project. He said he did not think the item needed to be remanded back to the Hearings Examiner and that Council should support the Hearings Examiner's decision.

Mayor Wilbert asked to call for the question.

RESTATED MOTION: Move we remand this item back to the Hearing Examiner for further hearings in regards to the parking and non-conforming issues.
Picinich/Owel - Councilmembers Owel and Picinich voted in favor.
Councilmembers Ekberg and Platt voted against. Mayor Wilbert broke the tie by voting in favor of remanding the item back to the Hearing Examiner.

2. Time Extension Request - Design Guidelines Technical Committee. Ray Gilmore explained this request from the committee to extend the working deadline of December 31st to February 29th to finalize the draft, and recommended approval of the Resolution to extend the time.

MOTION: Move adoption of Resolution #459 approving the requested extension.

Platt/Ekberg - unanimously approved.

3. First Reading of Ordinance - Amendments to Chapter 15.06. Ray Gilmore asked that this item be removed from the agenda and reintroduced at the first meeting in January.

4. Utility Management Software License. Tom Enlow explained this software license and use agreement was for the Eden Systems' Utility Management software approved recently. He added that legal counsel had a couple of corrections to be made before the contract was signed. Carol Morris read the corrections to Sections 7.2 and 8.4 of the contract.

MOTION: Move to authorize the Mayor to sign the Eden Systems agreement with the correction to 7.2 and 8.4 as suggested by legal counsel.
Ekberg/Platt - unanimously approved.

5. 1996 Job Description Update. Mark Hoppen introduced the job descriptions approved with the 1996 Budget for a Public Works Foreman, Finance Technician, and Planning-Building Assistant.

MOTION: Move for adoption of the job descriptions alterations and additions to The 1996 City of Gig Harbor Job Descriptions as presented.
Picinich/Owel - unanimously approved.

6. Police Chief Employment Contract. Mark Hoppen explained that Mr. Barker could not be present at the meeting. He introduced the employment agreement and added that the terms were similar to other department head contracts. Mayor Wilbert thanked everyone for their cooperation during the selection process and added that she felt very comfortable with the selection of Mr. Barker for the position. Councilmember Ekberg also said the City was fortunate to have a person of Mr. Barker's caliber. Mayor Wilbert added that he would begin his duties on January 1st.

MOTION: Move to approve the contract as presented.
Ekberg/Owel - unanimously approved.

7. Public Works Director Employment Contract. Mayor Wilbert introduced Wes Hill to Councilmembers. Mark Hoppen explained that the contract was analogous to the contract for the Chief of Police with the exception that Mr. Hill would not begin work until January 15th. He gave a brief history of Mr. Hill's past experience.

MOTION: Move approval the contract with the Public Works Director, Wes Hill.
Picinich/Ekberg - unanimously approved.

8. Hearing Examiner Employment Contract. Mark Hoppen introduced Ron McConnell, who shared statistics and information regarding the nature of the job he has been performing for the City over the years.

Councilman Platt asked Mr. Hoppen if any other bids for the position had been solicited. Mark replied there were none, but that is something that could be done if requested. Councilmember

Picinich asked for clarification of when the existing contract with McConnell Burke expired. Mark answered that the current contract was in effect until December 31, 1995.

MOTION: Move we move discussion of the Hearing Examiner Employment contract to Executive Session, inviting Mr. McConnell to attend.
Owel/

Carol Morris explained that only the performance of a public employee could be discussed in Executive Session, but not the terms of a contract. Councilmember Owel withdrew her motion.

MOTION: Move to table action on this item until after Executive Session.
Ekberg/Picinich - unanimously approved.

9. New Liquor License Application - The Captain's Keep. No action taken.

10. Liquor License Renewals - Marco's Restaurant, Mimi's Pantry. Councilman Platt mentioned that the tables from Marco's Restaurant had expanded into the Mimi's Pantry portion of the building. Mayor Wilbert said she would look into it. No action taken.

MAYOR'S REPORT:

City of Gig Harbor 50th Anniversary. Mayor Wilbert said that the City is moving ahead with the planning of the celebration, although no committees had been formed. She passed out a tentative schedule of events.

COUNCIL COMMENTS:

STAFF REPORT:

1. Planning Department - Dec. 4th Worksession on Development Code Updates. Ray Gilmore mentioned a few highlights of what was discussed at the worksession. He said that Title 19 was an important section that would require Council's further action along with density issues. Councilmember Picinich said that Section 17.72.060, shared parking, was a sensitive issue that also needed to be discussed.

2. GHPD - Lt. Bill Colberg. Lt. Colberg thanked Mayor Wilbert and Mark for the opportunity to be the interim Chief of Police. He added that he had numerous conversations with Mitch Barker and he shares a lot of the same philosophies. He then thanked the Council for their support in the past, which he attributed to the level of professionalism in the department. Councilmember Picinich added that he had heard nothing but positive comments about the job Lt. Colberg had done while acting as interim Chief, and thanked him for doing such an excellent job.

ANNOUNCEMENT OF OTHER MEETINGS:

Pierce County Council Meeting - Tuesday, December 12, 1995 - 7:00 p.m. at Gig Harbor City Hall.

APPROVAL OF BILLS:

MOTION: Move approval of checks #15109 through #15195 in the amount of

\$321,339.53.

Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of payroll checks #11929 through #12042 in the amount of \$182,177.32.

Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 9:14 p.m. for the purpose of discussion of property acquisition and review of Hearing Examiner's performance for approximately 30 minutes.

Ekberg/Platt - unanimously approved.

MOTION: Move to return to regular session at 9:43 p.m.

Picinich/Platt - unanimously approved.

MOTION: Move we authorize the Mayor to approve a contract with the Hearings Examiner for the period of three months at the amount of \$93.50 per hour and \$37.50 per hour for secretarial services.

Platt/Picinich - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 9:55 p.m.

Picinich/Platt - unanimously approved.

Cassette recorder utilized.

Tape 408 Side B 170 - end.

Tape 409 Side A 000 - end.

Tape 409 Side B 000 - end.

Tape 410 Side A 000 - end.

Tape 410 Side B 000 - 203.

Mayor

City Administrator

The Newspaper Serving
Greater Gig Harbor and
The Peninsula Region

THE PENINSULA RECEIVED Gateway DEC 18 1995 CITY OF GIG HARBOR

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Gig Harbor, WA 98335

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Kitsap • 895-2410

FAX • (206) 851-3939

Dec. 15, 1995

Mayor Gretchen Wilbert
City of Gig Harbor
Gig Harbor, Wa. 98335

Dear Mayor Wilbert:

The ninth annual Gig Harbor car show, *Cruzin' The Gig*, is again slated for the month of May. This event brings to Gig Harbor 300 classic cars and trucks for people to enjoy at a one day event. The Peninsula Gateway is the prime sponsor and we are now confirming our use of the city park on Sunday, May 19, 1996.

The city park at the head of the harbor has served as the home of this event each year. The classic cars are on display from 9 a.m to 3 p.m. that Sunday and clean up takes place between 4-5 p.m. We would need the gates opened at 6:30 a.m. to allow for setup.

Besides being a day for viewing classic cars, the event serves as a major fundraiser for the Peninsula High School's senior class year-end party committee. This group uses the covered areas to serve hot-dogs and pop to the event goers.

In the past, the city has cooperated by allowing use of the park and the police department has advised our committee on parking and traffic control. We've also added sani-cans and 2 fire extinguishers. This past year we addressed the new layout in relation to the baseball field and roped off the pitcher's mound.

It is a family-fun time for all and we look forward to holding the event in the city park. Please let us know as soon as possible if there are any questions. We are beginning to put out publicity to insure the best selection of classic cars will come to the *1996 Cruzin' The Gig*.

Sincerely,


Thomas C. Taylor
Cruzin' The Gig Committee

cc: Police Chief Mitchell Barker
Linda Dishman (Gateway coordinator)



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: COUNCILMEMBERS
FROM: MOLLY TOWSLEE, ADMINISTRATIVE ASSISTANT *MT*
SUBJECT: PHOTOCOPIER CONTRACT
DATE: JANUARY 8, 1996

INTRODUCTION

The two existing copiers at City Hall need updating. Last September, several copier companies were requested to demonstrate their machines and the employees were asked to evaluate the features of each machine.

Seven companies demonstrated their machines including Minolta, Sharp, Toshiba, Monroe, Konica, Ricoh, and Pitney Bowes. The machines were all in the same range for speed, and each had specialty features unique to their model. The employees chose the Minolta, Ricoh, and Pitney Bowes as their top three contenders. As it turns out, the Pitney Bowes and Minolta machines are similar, as Pitney Bowes contracts with Minolta to put their name on a machine with a few minor modifications.

We advertised for a competitive bid process per Resolution No. 411, and three companies turned in bids with the following results:

Pitney Bowes

Model:	C600	\$27,663.90
Maintenance:		
	(includes everything except paper): 20,000 copies/mo @ .0125	\$250.00 month

Minolta

Model:	EP600	\$30,300.11
Maintenance:		
	(includes except paper and staples): 20,000 copies/mo @ .0115 a copy	\$230.00 month

Ricoh

Model:	FT 6655:	\$34,778.33
Maintenance:		
	(includes except paper and staples): 20,000 copies/mo @ .0110 a copy	\$200.00 month

The Pitney Bowes bid was lower than the other two, and when I spoke to the representative about the bid, she discovered that the sales tax had been left out, and asked to withdraw the Pitney Bowes bid. A copy of a note asking to withdraw their bid is attached.

RECOMMENDATION

We have dealt successfully with Minolta for four years with the current copier. We have been very happy with their service. In addition, Minolta has offered to refurbish the existing machine before it is transferred to the Public Works Shop (a \$1,600 value) at no cost. Staff recommends to award the bid for purchase of two copiers to Minolta in the amount of \$30,300.11 and the Maintenance per month of \$230.



Pitney Bowes

To *Molly*

From *Carmelle*

Subject

Date *Jan 3, 1995*
Copies

*The Bid didnot include tax there fore
we will have to seth draw.*

Carmelle Swoman ←

Form 34

NOTICE OF CALL FOR BIDS

Sealed proposals will be received by the City of Gig Harbor Administration Department, 3105 Judson Street, Gig Harbor, WA 98335, until Tuesday, January 2, 1996 at 1:30 pm for the furnishing of two Minolta EP6000PRO Copiers, or a proven equal, and service/supply contract. Bids will be received only at the office of the Administration Department and shall be sealed in an envelope and clearly marked "Copier Bids". Bids received after the time fixed for opening will not be considered. Specifications may be obtained at the Administration Department, Gig Harbor, Washington. Each bid shall be accompanied by a certified or cashiers check or bid bond made payable to the City of Gig Harbor, in an amount not less than five percent (5%) of the amount of the bid. Bid packet available at Gig Harbor City Hall or by phoning (206) 851-8136.

The City reserves the right to reject any or all bids, to waive irregularities in the bid or bidding and to make awards by whichever method it deems to be the most advantageous to the City. It shall be the responsibility of the successful bidder to deliver the completed units to City of Gig Harbor and give instructions on system operation. All prices for the copiers and service/supply contract shall include tax and shall be F.O.B. Gig Harbor.

**MINIMUM SPECIFICATIONS FOR TWO
MINOLTA EP6000 PRO COPIERS
AND SERVICE & SUPPLY CONTRACT**

Two MINOLTA EP6000 Pro Copiers having all standard features and capabilities, and including the following optional equipment:

Automatic Duplexing Document Feeder

Automatic Duplexing Unit.

20 Bin, 3-hole Punch Stapler/Sorter having a bin and stapling 2500 large capacity cassette and paper feed cabinet (in addition to the standard two 500 sheet paper drawers, and a 50 sheet stackable bypass tray).

SMART System 3000 continuous diagnostics option.

Copy Max (surge protector).

Shipping, Installation, and Training

A maintenance/service/supply contract having a guaranteed three (3) year rate (without increases) for all costs excluding paper and staples. Such rate will be based on 20,000 copies per month average use. Contract can be paid monthly or annually.

DATE: 12/29/95

Honorable Mayor and City Council
City of Gig Harbor
3105 Judson Street
Gig Harbor, WA 98335

Honorable Mayor and City Council:

Having read and understood the specifications we the undersigned firm,
Pitney Bowes Copier Systems Division

hereby submit the following bid for (2) Minolta EP 6000CS Pro Copiers and copier service/supply contract meeting the specifications called for by the City. Taxes, freight and installatin are included in the price quoted for the copier and the per copy service and supply contract.

\$ 27,663.90 \$.0125
(Price for two Copiers) (Per Copy Service/Supply)

Twenty Seven Thousand Six Hundred and Sixty Three Dollars and Ninety
Copier: (Dollars) (Cents)

* One and one quarter cents per copy (see attached)
Service/Supply Contract (cents/copy)

Camille Simonsen
By: (type or print name)
Camille Simonsen
Signature

116 Andover Park E
Address

Seattle, WA 98188
City, State and Zip

(206) 243-2799 Fax (206) 243-7380
Phone and Fax Numbers

ADDITIONAL COMMENTS:

Handwritten notes and signatures:
2/4/96
12/29/95
3,000
2, 9/16
7/2/95
7/2/95

DATE: DECEMBER 10, 1995

Honorable Mayor and City Council
City of Gig Harbor
3105 Judson Street
Gig Harbor, WA 98335

Honorable Mayor and City Council:

Having read and understood the specifications we the undersigned firm,
MINOLTA Corporation dba MINOLTA BUSINESS SYSTEMS, INC.
hereby submit the following bid for (2) Minolta EP 6000CS Pro Copiers and copier
service/supply contract meeting the specifications called for by the City. Taxes, freight
and installatin are included in the price quoted for the copier and the per copy service and
supply contract.


\$ 30,300.11
(Price for two Copiers)

\$.0115
(Per Copy Service/Supply)

Thirty thousand, three hundred Dollars and ELEVEN CENTS
Copier: (Dollars) (Cents)

.0115
Service/Supply Contract (cents/copy)

David A. Myers
By: (type or print name)


Signature

6300 Southwelder Blvd
Address

Tukwila, WA 98188
City, State and Zip

206/241-8870 7 206/241-9086
Phone and Fax Numbers

ADDITIONAL COMMENTS:

MBS Will Perurbish 4233 AT NO COST
MBS will guarantee a 4 hour response time for maintenance
MBS will relocate any machine (MBS Purchased) at any time, at NO COST.

DATE: DECEMBER 12, 1995

Honorable Mayor and City Council
City of Gig Harbor
3105 Judson Street
Gig Harbor, WA 98335

Honorable Mayor and City Council:

Having read and understood the specifications we the undersigned firm,
COPYCO NORTHWEST, INC.

hereby submit the following bid for (2) Minolta EP 6000CS Pro Copiers and copier service/supply contract meeting the specifications called for by the City. Taxes, freight and installatin are included in the price quoted for the copier and the per copy service and supply contract.

\$ 34,778.33
(Price for two Copiers)

\$.01¢ per copy
(Per Copy Service/Supply)

\$17,389 (each) and 16
Copier: (Dollars) (Cents)

\$2,589.60 annually. (\$5,179.20 for two copiers). .01¢ per copy.
Service/Supply Contract (cents/copy)

Peter A. Tait

By: (type or print name)

Peter A. Tait
Signature

10025 South Tacoma Way, Suite H-10
Address

Tacoma, Wa 98499

City, State and Zip

Phone: 206-584-2436

Fax: 206.584-2636

Phone and Fax Numbers

ADDITIONAL COMMENTS:

(2) Surge Protectors are included in the purchase price.

* Excess copies will be billed annually at .01¢ per copy.



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: PLANNING STAFF *A.O.*
DATE: JANUARY 8, 1996
SUBJECT: SDP 95-05 -- JOHN GILICH- REQUEST FOR SHORELINE DEVELOPMENT PERMIT FOR PARKING LOT

INTRODUCTION/BACKGROUND

John Gilich owns the vacant parcel next to the Harbor Inn Restaurant in downtown Gig Harbor. The property has been used for unimproved parking by both the Harbor Inn and the Gig Harbor Marina. Mr. Gilich wishes to pave the site, but because it was never formally approved as a parking lot any improvements must be consistent with current codes. The site includes an easement allowing access to Gig Harbor Marina. The site is narrow, being only 60 feet wide. The width of the parcel, combined with the access easement for Gig Harbor Marina limits the ability to develop the parcel. Mr. Gilich therefore applied for and received a variance to reduce the parking lot landscaping requirements for the parcel.

POLICIES

Because the costs of improving the parking lot will exceed \$2,500, a shoreline substantial development permit is required.

RECOMMENDATION

The hearing examiner is recommending approval of the shoreline permit subject to the conditions recommended by the staff. A copy of the staff report to the Hearing Examiner, the Hearing Examiner's report, illustrations and a draft resolution approving the shoreline permit are attached for the Council's consideration.

**CITY OF GIG HARBOR
RESOLUTION NO. _____**

WHEREAS, John Gilich has requested approval of a shoreline substantial development permit to allow improvement of a parking lot at 3110 Harborview Drive; and

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of Shoreline Management permits; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended approval of the shoreline permit in a staff report dated November 29, 1995; and,

WHEREAS, the proposed parking lot requires a variance to reduce the landscaping requirements as defined in the City's zoning ordinance; and,

WHEREAS, the Hearing Examiner approved a variance to eliminate sideyard landscaping requirements and to reduce front yard landscaping subject to conditions; and,

WHEREAS, a public hearing was held on November 29, 1995 with the Hearing examiner to accept public input relating to this request; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions and has recommended approval of the application in his report dated December 1, 1995;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor, Washington, as follows:

That the findings, conclusions and recommendations of the Hearing Examiner in his report dated December 1, 1995 are hereby adopted and the application for a Shoreline Management Substantial Development permit is **APPROVED** subject to the following conditions:

- a. The front yard landscaping shall be installed in areas shaped as shown on the plan submitted as Exhibit B. Minimum dimensions shall be as follows:
 - 1) The northern area (adjacent to the Harbor Inn Restaurant) shall be a minimum of 8 feet in width at a point nineteen feet from the northern property line.
 - 2) The southern area shall be a minimum of 10 feet in width.
- b. The above widths are to be measured from the property line along Harborview. Additional landscaping may be extended into the right-of-way up to the sidewalk edge.

- c. Landscaping shall be provided on any remaining portion of the site which are not required for parking stalls or driveway areas including, but not limited to, the inside of the curve where the driveway turns into the Gig Harbor Marina property. Grasscrete may be used in place of formal landscaping on the inside of the curve, noted above.
- d. A landscape plan shall be submitted for review and approval by the planning staff prior to paving of the parking lot.
- e. The driveway shall be striped so as to delineate full-width access into the Gig Harbor Marina property. The driveway shall be demarcated as a no-parking zone.
- f. The PVC pipe in the catch basin shall include a tee with a plug on the top. A final drainage and grading plan shall be submitted to and approved by the Public Works Department prior to paving and grading of the site. Storm water retention devices shall be consistent with the Public Works Construction standards and must include, at a minimum, an oil-grease separator.
- g. The applicant shall be required to obtain all necessary approvals from the Washington Department of Fish and Wildlife prior to construction.

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 8th day of January, 1996.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

**CITY OF GIG HARBOR
SHORELINE MANAGEMENT
SUBSTANTIAL DEVELOPMENT PERMIT**

Substantial Development

Conditional Use

Variance

Application No: SDP 95-05

Date Received: October 21, 1995

Approved:

Denied:

Date of Issuance: January 8, 1996

Date of Expiration: January 8, 2001

Pursuant to RCW 90.58, a permit is hereby granted/denied to:

John Gilich
P.O. Box 587
Gig Harbor, WA 98335

To undertake the following development:

Asphalt existing parking lot.

Upon the following property:

3110 Harborview Drive, Gig Harbor, WA 98335

On the Gig Harbor Bay Shoreline and/or its associated wetlands. The project will not be within shorelines of Statewide Significance per RCW 90.58.030 and is within an Urban Environment designation.

Development pursuant to this permit shall be undertaken subject to the following terms and conditions:

As per attached City of Gig Harbor City Council Resolution No. _____.

This permit is granted pursuant to the Shoreline Management Act of 1972 and the City of Gig Harbor 1994 Shoreline Master Program. Nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act, RCW 90.58.

This permit may be rescinded pursuant to RCW 90.58.140(7) in the event the permittee fails to comply with the terms or conditions hereof.

Construction pursuant to this permit will not begin and is not authorized until thirty (30) days from the date of filing with the Department of Ecology as defined under RCW 90.58.140(6) or until all review proceedings initiated within thirty (30) days from the date of such filing have terminated, except as provided in RCW 90.58.140 (5)(a-c).

(Date)

Mayor, City of Gig Harbor

**THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD TO A
CONDITIONAL USE OR VARIANCE PERMIT.**

Date received: _____

Approved _____

Denied _____

Development shall be undertaken pursuant to the following additional terms and conditions:

Date

Signature of Authorized Department Official

CITY OF GIG HARBOR
HEARING EXAMINER
FINDINGS, CONCLUSIONS AND DECISION/RECOMMENDATION

APPLICANT: John S. Gilich
CASE NO.: VAR 95-10/SDP 95-05
LOCATION: 3110 Harborview Drive
APPLICATION: Request for a variance to reduce perimeter area landscape requirements for a parking lot and a Shoreline Development Permit for a parking lot.

SUMMARY OF RECOMMENDATION AND DECISION:

Staff Recommendation: Approve with conditions

Hearing Examiner Decision: Approve with conditions

PUBLIC HEARING:

After reviewing the official file which included the Community Development Staff Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Gilich application was opened at 5:12 p.m., November 29, 1995, in the City Hall, Gig Harbor, Washington, and closed at 5:32 pm. Participants at the public hearing and the exhibits offered and entered are listed in the minutes of the meeting. A verbatim recording of the hearing is available in the Planning Department.

HEARING COMMENTS:

The following is a summary of the comments offered at the public hearing:

From the City:

Steve Osguthorpe reviewed the staff report and recommended approval with conditions.

From the Applicant:

John Gilich, applicant, requested that two 8 foot wide landscape strips be required adjacent to Harborview Drive rather than two 10 foot wide strips recommended by staff. He said if a 10 foot wide strip is required adjacent to the Harbor Inn Restaurant he will lose one parking space on that side due to the angle of the road and the distance between the proposed sidewalk and the existing vegetation (which is to be retained). He said if an 8 foot wide landscape strip is allowed he will be able to have six parking places between the proposed landscape strip and the existing vegetation. He also proposed that grasscrete be allowed in

place of landscaping on the "inside curve" shown on his plan attached to his written statement (Exhibit B).

From the Community:

Janice Neville said 8 feet and 10 feet of landscaping would seem the same to a person passing by.

Response from the City:

Steve Osguthorpe said he would prefer a minimum of 10 foot wide landscape strips adjacent to Harborview as this lot is and will still be non-conforming with respect to landscaping standards. He wanted to minimize the amount of non-conformance. He did not have a problem with the request for grasscrete on the inside curve adjacent to where the driveway across the property turns into the Gig Harbor Marina property.

WRITTEN COMMENTS:

No written comments were submitted by members of the general public.

FINDINGS, CONCLUSIONS AND DECISION/RECOMMENDATION:

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

A. FINDINGS:

1. The information contained in Sections I through VII of the Planning Staff Advisory Report (Hearing Examiner Exhibit A) is found by the Hearing Examiner to be supported by the evidence presented during the hearing and by this reference is adopted as the Hearing Examiner's findings of fact. A copy of said report is available in the Planning Department.

B. CONCLUSIONS:

1. The conclusions prepared by the Planning Staff and contained in Section VIII of the Planning Staff's Advisory Report accurately set forth a portion of the conclusions of the Hearing Examiner and by this reference is adopted as a portion of the Hearing Examiner's conclusions except as modified below. A copy of said report is available in the Planning Department.
2. The special circumstances and conditions do not result from the actions of the applicant. The property has been in this configuration and has been in continuous use, either all or in part, for the past 80 years.
3. The granting of the variance will no constitute a grant of special privilege inconsistent with limitation upon other properties in the vicinity and zone. The existing parking lot is legal, but non-conforming, with respect to the current code. The proposal will continue

to provide much needed parking in the downtown area and while still nonconforming, it will bring the parking lot closer to compliance with the current code. If the landscaping is eight feet in width at the end of the parking stall adjacent to the Harbor Inn Restaurant, the applicant will be able to retain a parking stall and will still provide a reasonable landscape buffer for that row of parking spaces, especially since that row also includes existing vegetation six parking stalls away from the Harborview Drive right of way.

4. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated, provided that landscaping is provided as specified in the conditions below.
5. The variance is the minimum variance that will make possible the reasonable use of the land. As noted above, the proposal will continue to allow much needed parking in the downtown area. As conditioned below, the improved parking lot will also include landscape areas which will result in a significant improvement for the subject site and surrounding area.


C. DECISION/RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions:

1. The requested variance is approved, subject to the following conditions:
 - a. The front yard landscaping shall be installed in areas shaped as shown on the plan submitted as Exhibit B. Minimum dimensions shall be as follows:
 - 1) The northern area (adjacent to the Harbor Inn Restaurant) shall be a minimum of 8 feet in width at a point nineteen feet from the northern property line.
 - 2) The southern area shall be a minimum of 10 feet in width.
 - b. The above widths are to be measured from the property line along Harborview. Additional landscaping may be extended into the right of way up to the sidewalk edge.
 - c. Landscaping shall be provided on any remaining portion of the site which are not required for parking stalls or driveway areas including, but not limited to, the inside of the curve where the driveway turns into the Gig Harbor Marina property. Grasscrete may be used in place of formal landscaping on the inside of the curve, noted above.
2. Recommendation: It is recommended that the requested Shoreline Development Permit be approved, subject to the following conditions:
 - a. Front yard landscaping shall be provided as specified in Conditions C.1.a and C.2.b above.

- b. Other landscaping shall be provided as specified in Condition C.1.c above.
- c. A landscape plan shall be submitted for review and approval by the planning staff prior to paving of the parking lot.
- d. The driveway shall be striped so as to delineate full-width access into the Gig Harbor Marina property. The driveway shall be demarcated as a no-parking zone.
- e. The PVC pipe in the catch basin shall include a tee with a plug on the top. A final drainage and grading plan shall be submitted to and approved by the Public Works Department prior to paving and grading of the site. Storm water retention devices shall be consistent with the Public Works Construction standards and must include, at a minimum, an oil-grease separator.
- f. The applicant shall be required to obtain all necessary approvals from the Washington Department of Fish and Wildlife prior to construction.

Dated this 1st day of December, 1995.


Ron McConnell
Hearing Examiner

RECONSIDERATION:

Any aggrieved person feeling that the decision of the Examiner is based on erroneous procedures, errors of law or fact, error in judgment, or the discovery of new evidence which could not be reasonably available at the prior hearing, may make a written request for reconsideration by the Examiner within ten (10) days of the date the decision is rendered. This request shall set forth the specific errors of new information relied upon by such appellant, and the Examiner may, after review of the record, take further action as he or she deems proper.

APPEAL OF EXAMINER'S DECISION:

Any party who feels aggrieved by the Examiner's decision may submit an appeal in writing to the Gig Harbor Planning Director within (14) days from the date the final decision of the Examiner is rendered, requesting a review of such decision.

Such appeal shall be upon the record, established and made at the hearing held by the Examiner. Whenever a decision of the Examiner is reviewed by the City Council pursuant to this section, other parties of record may submit written memoranda in support of their position. In addition, the Council shall allow each side no more than fifteen minutes of oral presentation. However,

no new evidence or testimony shall be presented to the Council during such oral presentation. The City Council shall accept, modify or reject any findings or conclusions, or remand the decisions of the Examiner for conclusions, or remand the decisions of the Examiner for further hearing; provided that any decision of the City Council shall be based on the record of the hearing conducted by the Examiner; however, the Council may publicly request additional information of the appellant and the Examiner at its discretion.

Upon such written appeal being filed within the time period allotted and upon payment of fees as required, a review shall be held by the City Council. Such review shall be held in accordance with appeal procedures adopted by the City Council by resolution. If the Examiner has recommended approval of the proposal, such recommendation shall be considered by the City Council at the same time as the consideration of the appeal.

Further action by the Examiner shall be within thirty (30) days of the reconsideration request.

EXHIBITS:

The following exhibits were offered and entered into the record:

- A. Staff Report, with attachments
- B. Hearing comments by John Gilich, with an attached plan

PARTIES OF RECORD:

John Gilich
P.O. Box 587
Gig Harbor, WA 98335

Janice Neville
2114 Crescent Lake Drive
Gig Harbor, WA 98335



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

**GIG HARBOR COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Hearing Examiner
FROM: Planning Staff
DATE: November, 29, 1995

RE: VAR 95-10/SDP 95-05 -- Variance to reduce perimeter area landscape requirements for parking lot & Shoreline Development Permit for parking lot.

I. GENERAL INFORMATION

APPLICANT: John S. Gilich
P.O. Box 587
Gig Harbor, WA 98335

OWNER: (same)

AGENT: (same)

II. PROPERTY DESCRIPTION

1. **Location:** 3110 Harborview Drive
2. **Site Area/Acreage:** 27,520 sq.ft. (including tidelands)
3. **Natural Site Characteristics:**
 - i. **Soil Type:** Harstine (uplands) Hydraquents (tidelands)
 - ii. **Slope:** 10 - 12 percent slope
 - iii. **Drainage:** Easterly toward bay
 - iv. **Vegetation:** Blackberry thicket along south perimeter

4. **Zoning:**

i. **Subject parcel:** WC (Waterfront Commercial)

ii. **Adjacent zoning and land use:**

North: WC Harbor Inn restaurant

South: WC Vacant

East: Gig Harbor Bay

West: DB - Downtown business

5. **Utilities/road access:** The property is accessed by Harborview Drive and is served by City sewer.

III. **APPLICABLE LAND-USE POLICIES/CODES**

1. **Comprehensive Plan:** The Comprehensive Plan designates this area as waterfront.

Pg. 71 - GOAL - PROTECT NATURAL QUALITY. Preserve and protect the unique, interdependent relationship between the water, land and cultural heritage.

Pg. 72 - GOAL - MIXED USE WATERFRONT. Retain a mixed use waterfront including those fishing, boating, tourist and residential uses which provide the shoreline unique appeal.

Pg. 72, #8 - Commercial Uses - Encourage development of water-oriented commercial uses in waterfront locations which can be provided adequate and unobtrusive supporting services and improvements, including parking . . .

Pg. 73 - GOAL - QUALITY URBAN DEVELOPMENT. Define and enforce the highest quality standards concerning present and future land use developments within the waterfront areas.

Pg. 73, #11 - Access and visibility - Create an accessible and visible waterfront and shoreline including the development of public beaches, fishing and boating docks, picnic and passive overlooks and viewpoints. Require private developments to provide equivalent access and visibility to the tenants and users of new private developments, to users of the waterway and to the public at large.

2. **Gig Harbor Shoreline Master Program:**

Section 3.13 - PARKING. Includes, in part, the following policies and regulations:

POLICIES:

1. Parking facilities should not extend over the surface of Gig Harbor nor interfere with any views to or from the water's surface.
2. Parking should not be located any further than four hundred feet from the activity.
3. All parking facilities should be appropriately screened, landscaped, and maintained so as not to have detrimental aesthetic effects on their surroundings.
4. Surface drainage from parking facilities should not adversely affect the water quality of Gig Harbor.
5. Parking lot surfaces should be constructed to minimize erosion and siltation of materials into Gig Harbor Bay.
6. Common parking areas are encouraged between uses.

REGULATIONS:

1. Parking facilities shall be designed, screened, and landscaped in accordance with the landscaping standards for the underlying zoning district to minimize adverse effects on the shoreline areas of the City of Gig Harbor
2. Pedestrian access walkways shall be provided between upland parking areas and the site which they serve.
3. Parking facilities for boat trailers shall be by Conditional Use Permit.
4. Parking over the water surface shall be prohibited.
5. Primary purpose commercial parking lots shall be prohibited from the shoreline areas.
6. Parking areas shall be surfaced with asphalt or concrete. Grasscrete or other similar hard surface may be utilized for a portion of the parking area as determined by the Public Works Director.
7. Parking shall not be located any further than four hundred feet from the activity and should preferably be located on the upland side of Harborview Drive.

2. Zoning Ordinance:

GHMC Section 17.72.020 defines parking design standards as follows:

17.72.020(C) - All off street parking spaces shall be at least nine feet in width and at least 19 feet in length, both exclusive of access drives, yards, and ramps. Such spaces shall have a vertical clearance of at least seven feet.

17.72.020(D) - Off-street parking spaces may be located in any yard unless otherwise indicated in Chapter 17.72 GHMC.

17.72.020(E) - All off-street parking spaces and access areas shall be surfaced with portland cement concrete or asphaltic concrete paving to the standards established by the city.

GHMC Section 17.78.080 defines landscaping and screening requirements for parking lots as follows:

17.78.080(A) - Perimeter Landscaping. In order to soften the visual effects or separate one parking area from another or from other uses, the following standards apply:

1. Adjacent to a street or road, the minimum width shall be equal to the required yard for the underlying land use or a strip 10 feet wide, whichever is greater. On all other perimeters the depth shall be a minimum of five feet.

GHMC Section 17.50.040 requires the following setbacks:

Front yard - 20 feet

Side yard (non-residential) - 10 feet

Rear yard (abutting tidelands) - 0 feet

Variations may be granted only if the applicant can successfully demonstrate that all of the following criteria can be met:

- A) The proposed variance will not amount to a rezone nor authorize any use not allowed in the district.
- B) There are special conditions and circumstances applicable to the property such as size, shape, topography or location, not applicable to land in the same district and that literal interpretation of the provisions of this ordinance would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this ordinance.
- C) That the special circumstances and conditions do not result from the actions of the applicant.

- D) The granting of the variance will not constitute a grant of special privilege inconsistent with limitation upon other properties in the vicinity and zone.
- E) That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated.
- F) The variance is the minimum variance that will make possible the reasonable use of the land.

IV. BACKGROUND INFORMATION: The subject site is a vacant parcel on the shoreline which has been used for unimproved parking by both the Harbor Inn and the Gig Harbor Marina. The site includes an easement allowing access to Gig Harbor Marina which limits. The site is narrow, being only 60 feet wide (with 63 feet of frontage). The width of the parcel, combined with the access easement for Gig Harbor Marina limits the ability to develop the parcel.

V. REQUEST/PROJECT DESCRIPTION: Mr. Gilich wishes to asphalt the site and formally develop it as a parking lot. Because the cost of the project is expected to exceed \$2,500, a Shoreline Substantial Development permit is required. Due to the limited width of the site, Mr. Gilich is unable to provide the required perimeter area landscaping and also meet the minimum requirements for driveway and parking stall dimension, without limiting parking to one side of the site only. This would significantly reduce the amount of parking that could otherwise be provided. Mr. Gilich is therefore requesting a variance to allow parking up to both side property lines and up to the front property line. Two triangular areas of landscaping are proposed along the front property line to mitigate the reduced landscaping requirements. The applicant has submitted the following statement (shown in *italics*) which outlines his request:

The area under proposal for asphaltting has been in continuous use, all or in part, for the past 80 or more years. Its present and past use does not violate any existing or previous regulations, covenants, laws or statutes. It is in full compliance to all regulations as it is now being utilized.

Present Concerns:

Although the property is in full compliance as it now stands, the request to asphalt the property puts it in direct conflict with the City's current parking and landscaping requirements. If parking requirements are met with asphaltting, then the landscaping requirements are violated. Conversely, if the landscaping requirements are met, then the parking requirements are violated - a no win situation by anyone. Therefore, this leads to a request for a variance to the landscaping request. The variance is necessary so that all parties may benefit.

In order to maintain the integrity of the parking area, I am requesting modification (variance) in the landscaping requirements that any landscaping be limited to the entrance portion of the

property facing on Harborview Drive. This approach will afford a softening to public view in regard to the entrance approach.

In addition, there already exists a substantial greenbelt (landscaping) on the west side of the property adjacent to the Harbor Inn Restaurant. On the easterly side there is natural vegetation the full length of the property.

Due to the very nature of the property's location all precaution must be observed to meet the need for view and safety along with the aesthetic requirements and therefore landscaping needs to promote a balance between the two. This request is submitted in good faith so as to satisfy the intent of the landscaping requirements.

VI. **PUBLIC NOTICE:** The property was posted and legal notice was sent to property owners within 300 feet and was published in the Peninsula Gateway. No public input has been received.

VII. **ANALYSIS:** In light of the parcel's limited size and easement restrictions, the staff believes that a parking lot is not an unreasonable use of the property. Because parking is a much less intense use than typical waterfront parcels, it is not reasonable to severely limit the number of parking stalls by limiting parking to one side or by requiring full landscaping requirements. The staff believes that provision of landscaping near the street would adequately soften the appearance of the parking lot as seen from the street. It would in fact be more visually pleasing than the existing gravel lot which has no landscaping along the street.

While a reduction of landscaping is reasonable, the proposed landscaping does not appear adequate. The code requires that front yard landscaping be at least 20 feet deep for parking lots. The staff recommends at least 10 feet. Additionally, there is opportunity for a landscape island on the inside of the curve where the driveway turns into the Gig Harbor Marina property.

Additional Staff and/or agency comments are as follows:

1. **Building Official:** The Building Official has indicated that the driveway should be striped so as to delineate full-width access into the Gig Harbor Marina Property. The driveway should be demarcated as a no-parking zone.
2. **Public Works:** The PVC pipe in the drainage catch basin will require a tee with a plug on top (drawing submitted to Public Works does not indicate this).
3. **Washington Department of Fish and Wildlife, letter of November 1, 1995:** As summarized, WDFW is requiring stormwater control and treatment. The agency states that and HPA (hydraulics project approval) would be required
4. **SEPA Responsible Official:** On October 20, 1995, the SEPA Responsible Official issued a determination of non-significance (DNS) under WAC 197-11-340(2).

VIII. FINDINGS AND CONCLUSIONS:

Based upon a site inspection and the analysis contained in Part VII of this report, the Staff finds as follows:

Based upon a site inspection and the analysis contained in Part VII of this report, the Staff finds that the proposed development meets the general goals and policies for development of the shoreline as stated in Part 2 of the City's Shoreline Master Program, and also the specific goals and policies for parking lots stated in Part 3.13 of the Shoreline Master Program, provided that a general variance for a reduction of required landscaping as defined in the zoning code is approved.

Regarding the requested variance for a reduction of required landscaping, the staff finds as follows:

- A) The proposed variance will not amount to a rezone nor authorize any use not allowed in the district. Parking is allowed in the WC zone.
- B) There are special conditions and circumstances applicable to the property including its narrow width combined with an access easement for the adjacent parcel which significantly restrict the ability to develop the property similar to parcels in the same district and a literal interpretation of the provisions of this ordinance would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district under the terms of City zoning ordinances.
- C) The special circumstances and conditions do not result from the actions of the applicant.
- D) The granting of the variance will not constitute a grant of special privilege inconsistent with limitation upon other properties in the vicinity and zone.
- E) That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated, provided that landscaping is provided as described in the staff analysis above.
- F) The variance is the minimum variance that will make possible the reasonable use of the land.

IX. RECOMMENDATION:

Variance: The staff recommends approval of the requested variance to allow a reduction of required landscaping, subject to the following conditions:

1. The front yard landscaping shall be at least 10 feet deep and shall be provided fully on-site. Landscaping may also be extended into the right-of-way up to the sidewalk edge.

2. Landscaping shall be provided on any remaining portion of the site which are not required for parking stalls or driveway areas including, but not limited to, the inside of the curve where the driveway turns into the Gig Harbor Marina property.

Shoreline Permit: The staff recommends that the Hearing Examiner forward a positive recommendation to the City Council on the requested substantial development shoreline permit allowing paving of the upland property for parking purposes, subject to the following conditions:

1. The front yard landscaping shall be at least 10 feet deep and shall be provided fully on-site. Landscaping may also be extended into the right-of-way up to the sidewalk edge.

2. Landscaping shall be provided on any remaining portions of the site which are not required for parking stalls or driveway areas including, but not limited to, the inside of the curve where the driveway turns into the Gig Harbor Marina property.

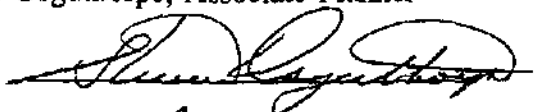
3. A landscape plan shall be submitted to and approved by the planning staff prior to paving of the parking lot.

4. The driveway shall be striped so as to delineate full-width access into the Gig Harbor Marina Property. The driveway shall be demarcated as a no-parking zone.

5. The PVC pipe in the catch basin shall include a tee with a plug on the top. A final drainage and grading plan shall be submitted to and approved by the Public Works Department prior to paving and grading of the site. Storm water retention devices shall be consistent with the Public Works Construction standards and must include, at a minimum, an oil-grease separator.

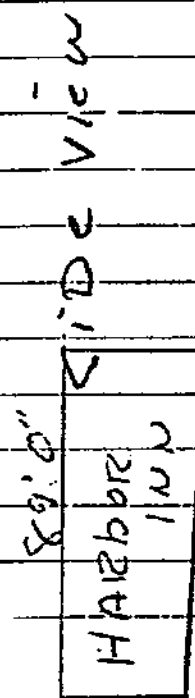
6. The applicant shall be required to obtain all necessary approvals from the Washington Department of Fish and Wildlife prior to project construction.

Project Planner: Steve Osguthorpe, Associate Planner



Date: Nov 21, 1985

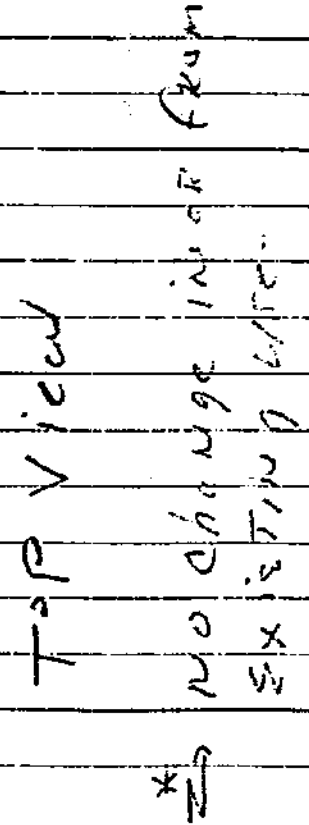
Harbor View Drive



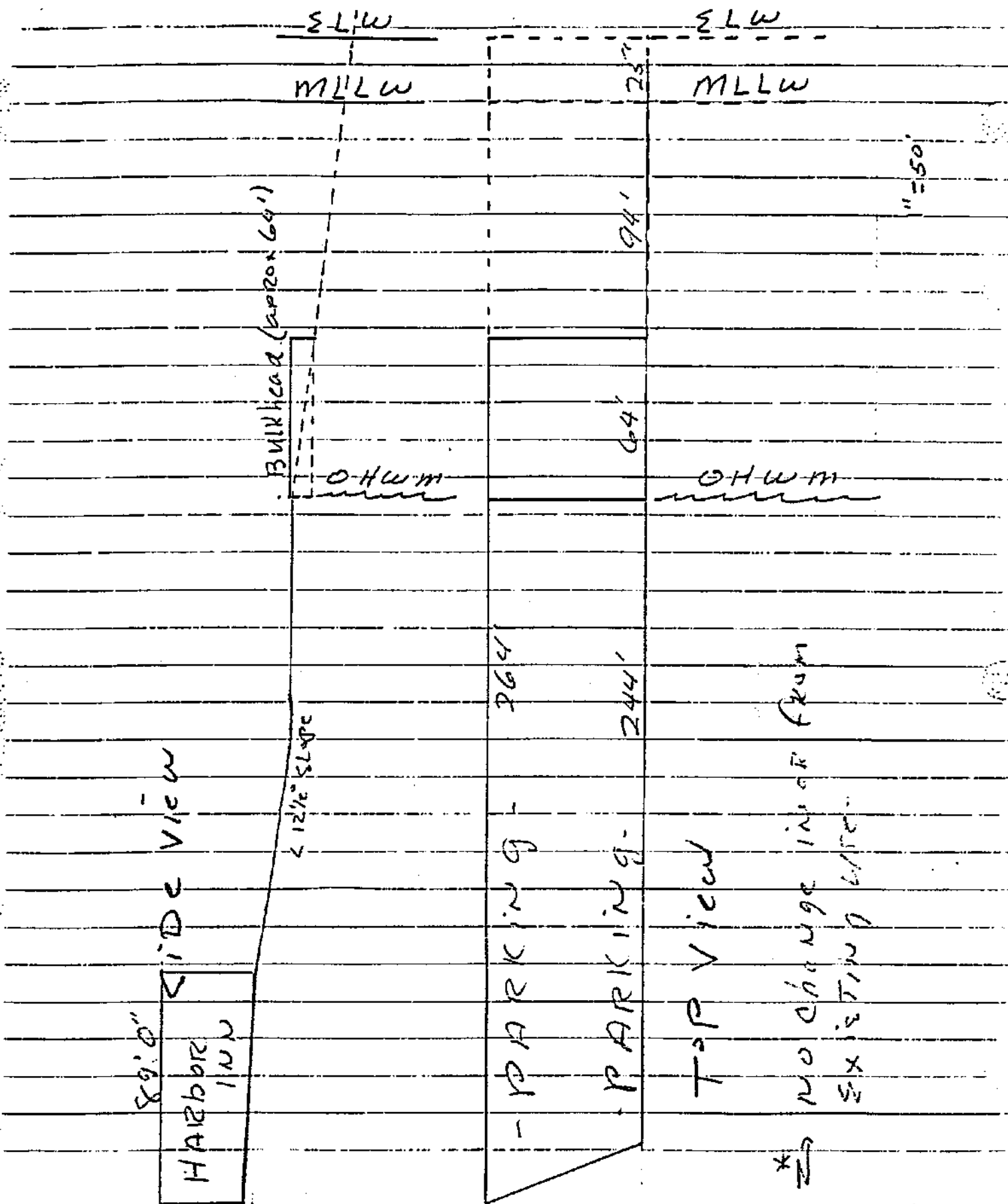
12 1/2° Slope

Bulkhead (approx 64')

OHWM

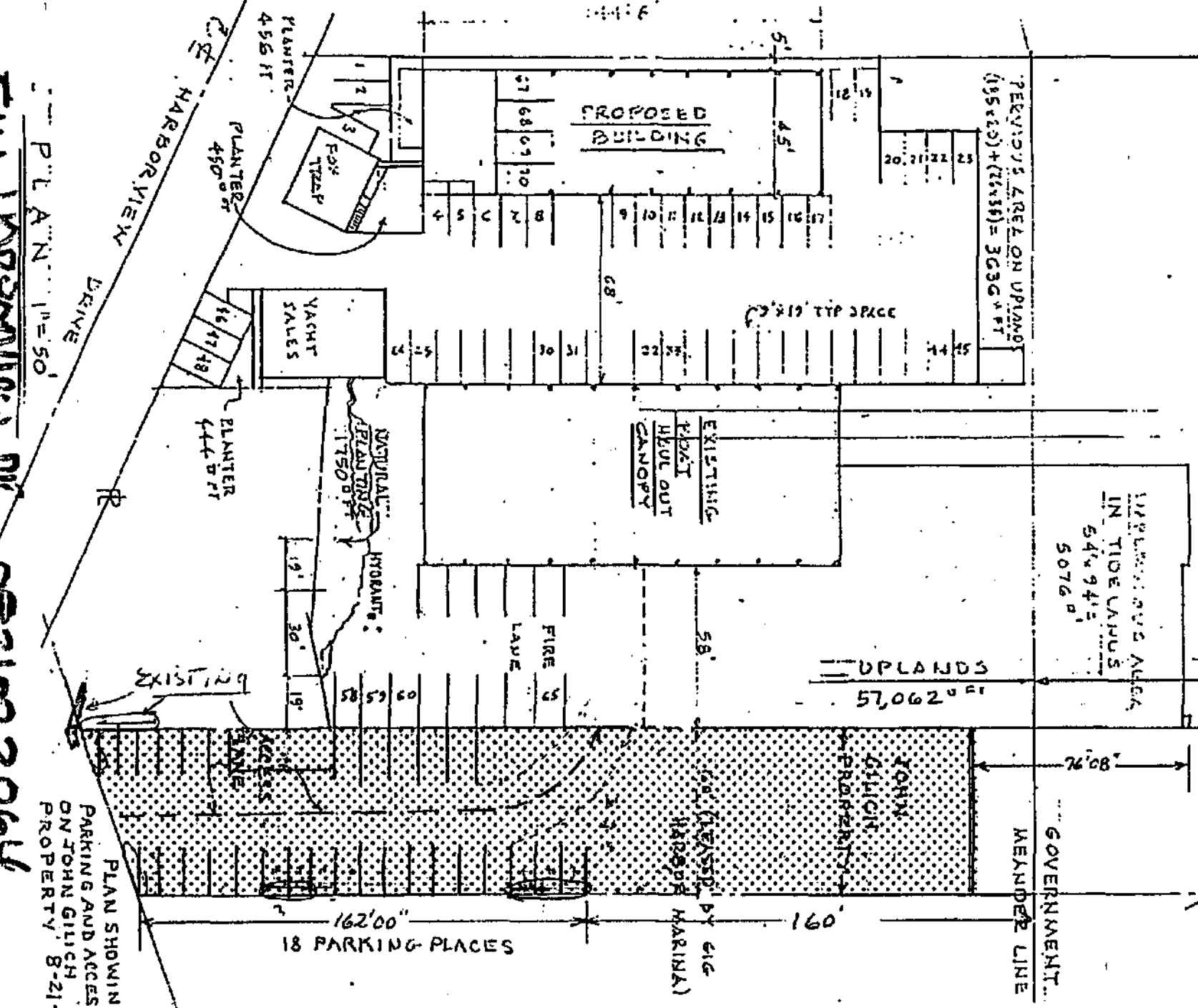


* No change in or from existing site.



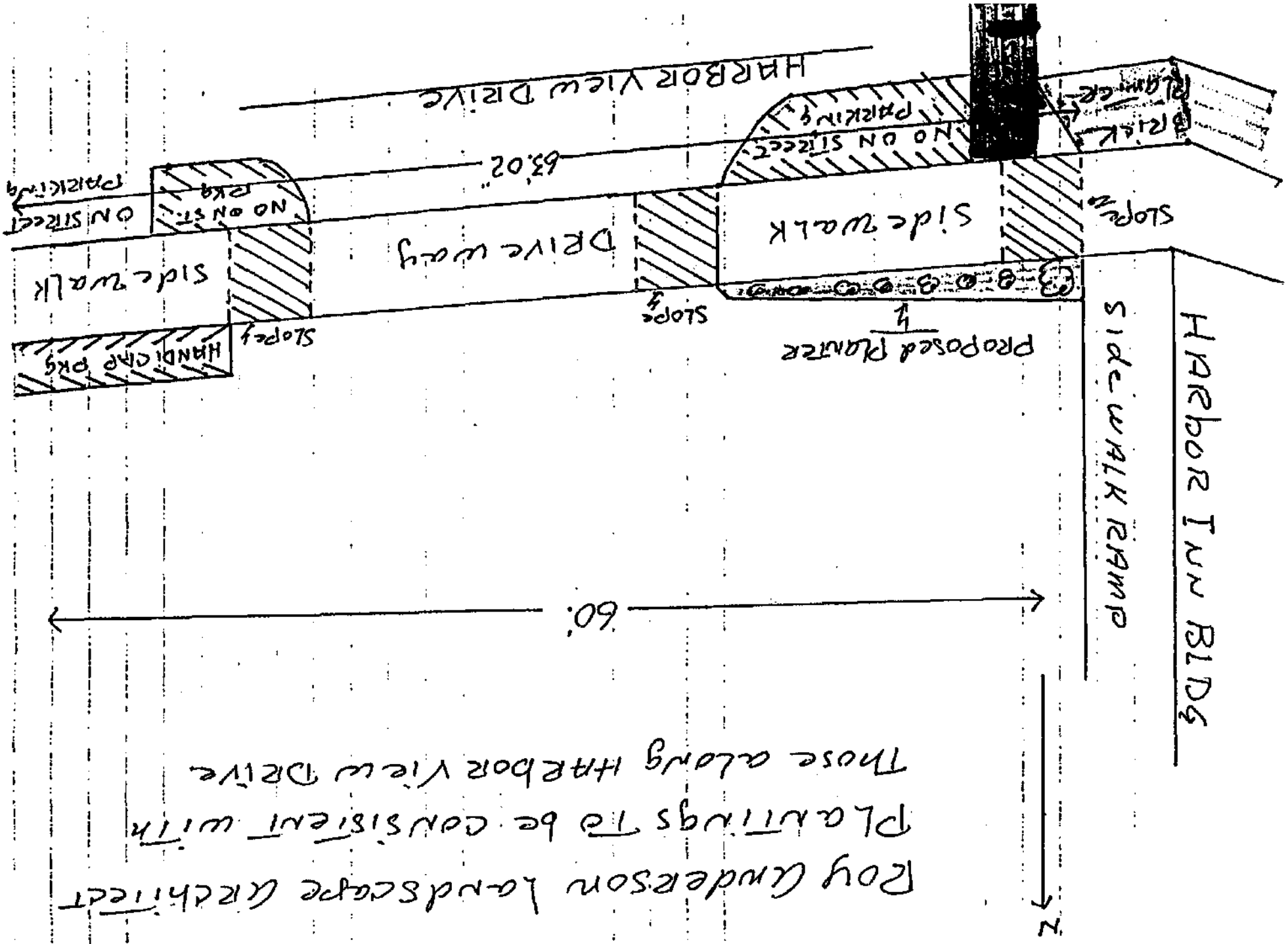
Roy Anderson

AMENDED LANDSCAPING: INTERIOR LOT
VEHICLE USE AREA = 25,580 sq ft
FIVE PERCENT LANDSCAPE = 1279 sq ft
NATURAL AND LANDSCAPE AREA = 3,825 sq ft
REQUIRED 1279 sq ft PROVIDED BY:
(4) AREAS > 350 sq ft = 1400 sq ft > 1279 sq ft

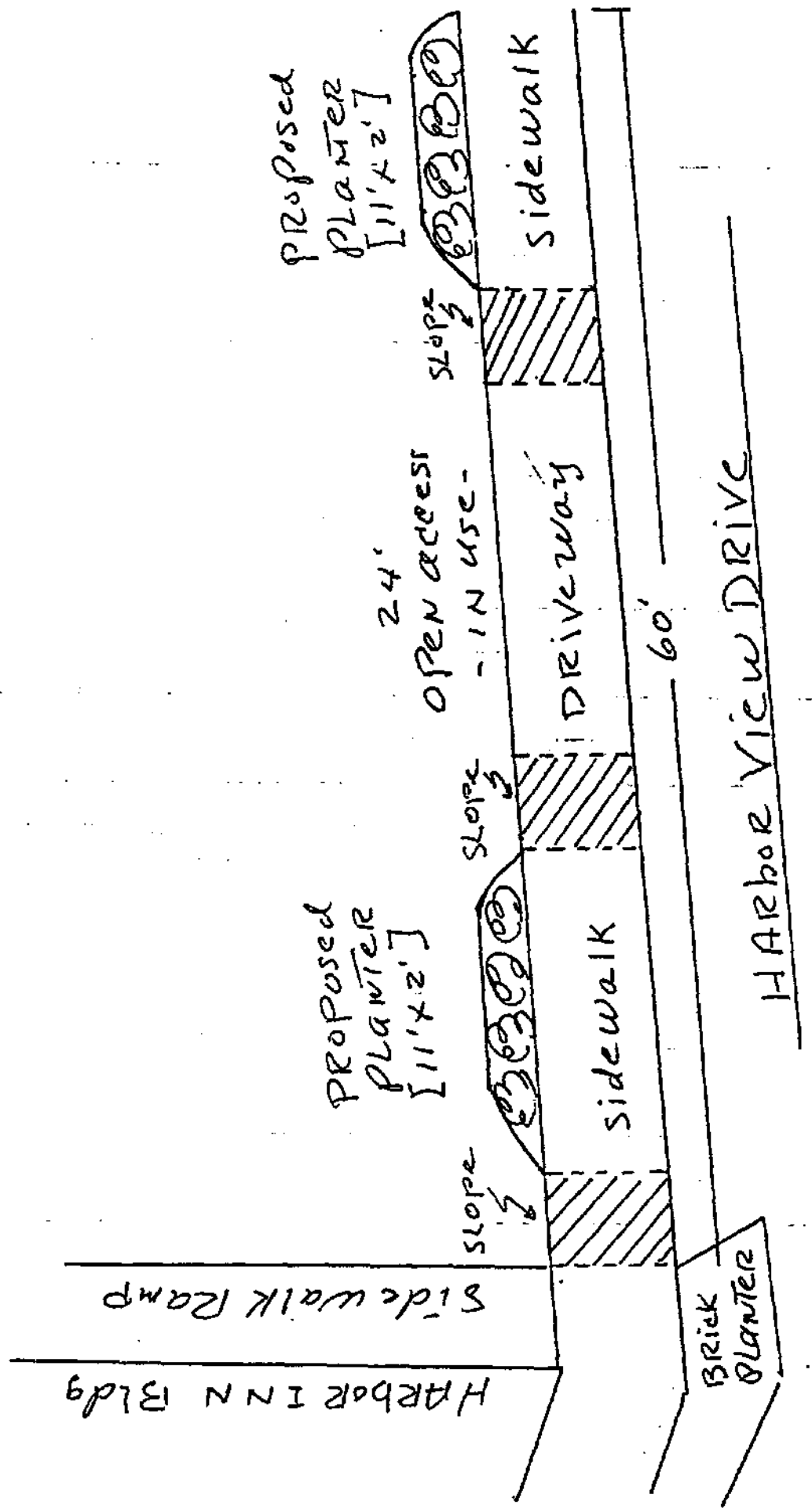
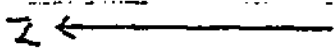


P.L. PLAN 118-50
INTERNATIONAL NATIONAL BUILDING
 PLAN SHOWING
 PARKING AND ACCESS
 ON JOHN GILICH
 PROPERTY 8-21-94

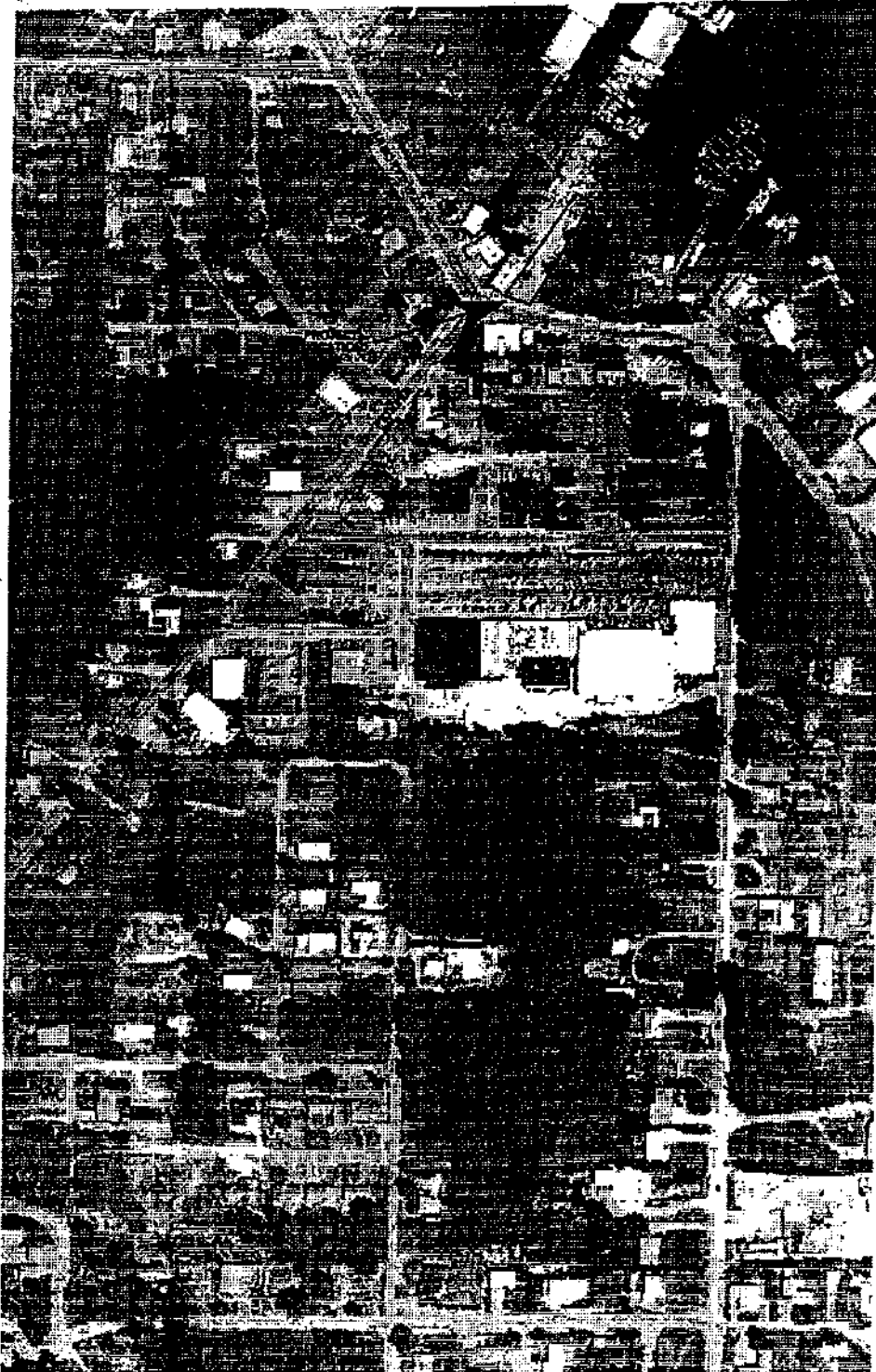
Roy Anderson Landscape Architect
Plannings to be consistent with
those along Harbor View Drive



Roy Anderson Landscap Architect
Plantings To be consistent with
those on Harbor View Drive.



SDP95-05/SPR95-08/VAR95-10 - GILICH PARKING
LOT





City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR *MH*
**SUBJECT: ADOPTION OF PUBLIC WORKS STANDARDS BY ORDINANCE/
FIRST READING**
DATE: JANUARY 3, 1995

INFORMATION/BACKGROUND

It is necessary, given current case precedent, to re-adopt our Public Works Standards by ordinance instead of resolution, as was the case at original adoption. The proposed ordinance accomplishes that goal.

RECOMMENDATION

Staff and Legal Counsel recommend adoption of the ordinance as proposed at the second reading.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ADOPTING THE PUBLIC WORKS STANDARDS OF THE CITY OF GIG HARBOR BY REFERENCE.

WHEREAS, it is necessary that the City of Gig Harbor has definite written guidelines and Public Works standards for development projects so that both the city staff and all property owners, developers, and contractors can better plan for development projects; and

WHEREAS, it is of benefit to all concerned that said guidelines and standards be located in one reference manual, and were adopted by Resolution No. 403, now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Those certain guidelines and standards entitled "PUBLIC WORKS STANDARDS" for the City of Gig Harbor and published in 1994 and a copy filed with this ordinance with the City Clerk are hereby adopted as the official public works standards for use on all development projects within the City of Gig Harbor and on all development projects located within the City of Gig Harbor's service areas, annexation areas, or planning areas to the extent that the city has the authority to require such guidelines and standards.

Section 1. 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 2. 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.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK: December 28, 1995

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR *MH*
SUBJECT: ADOPTION OF AMENDMENTS/ PCRC INTERLOCAL AGREEMENT
DATE: JANUARY 3, 1995

INFORMATION/BACKGROUND

A final version of the Puget Sound Regional Council formation agreement is presented. The terms of inclusion are currently innocuous. The current by-laws proposed for the PCRC are also attached for your reference.

RECOMMENDATION

Staff recommends adoption of the proposed resolution.



Pierce County

Department of Planning and Land Services

2401 South 35th Street
Tacoma, Washington 98409-7460
(206) 591-7200 • FAX (206) 591-3131

DEBORA A. HYDE
Director

December 11, 1995

RECEIVED
DEC 14 1995
CITY OF GIG HARBOR

TO: Pierce County Regional Council
Growth Management Coordinating Committee

SUBJECT: PCRC By-Laws and Interlocal Agreement

Enclosed please find the a clean copy of the new By-Laws and Interlocal Agreement for the Pierce County Regional Council. From time to time as the PCRC makes amendments to the By-Laws, amended copies will be forwarded to the jurisdictions.

Also enclosed is the representative list for PCRC and GMCC. Please let me know if you find any errors pertaining to your jurisdiction.

If you have any questions, please don't hesitate to call me at 591-3761.

Sincerely,

VICKY L. LAMPMAN
Office Assistant

Enclosures



**CITY OF GIG HARBOR
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR,
WASHINGTON, ADOPTING AMENDMENTS TO THE INTERLOCAL AGREEMENT
CREATING THE PIERCE COUNTY REGIONAL COUNCIL.**

WHEREAS, the cities and towns of Pierce County and Pierce County adopted an interlocal agreement creating the Pierce County Regional Council (PCRC) in 1992, and

WHEREAS, PCRC serves as a multi-government forum for coordination of growth management issues, reviews and approves for funding certain transportation projects, and provides the opportunity for building consensus on issues common to all of the cities and towns and the county, and

WHEREAS, the Executive Committee of the PCRC has approved a series of amendments to the bylaws of the organization and amendments to the interlocal agreement creating the organization, and

WHEREAS, it is necessary for the cities and towns of Pierce County and Pierce County to approve the amendments to the interlocal agreement, and

WHEREAS, the amendments will become effective when approved by 60 percent of the eligible jurisdictions representing 75 percent of the total population of the county, and

WHEREAS, this agreement stands alone and does not affect any other Interlocal Agreement entered into by Pierce County and the City of Gig Harbor, NOW, THEREFORE,

**THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY
RESOLVES AS FOLLOWS:**

That the amendments to the Interlocal Agreement Creating an Intracounty Organization are hereby approved. Said amendments are attached to this resolution and incorporated by reference herein.

RESOLVED this _____ day of January, 1996.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST / AUTHENTICATED:

Mark Hoppen, City Administrator

Filed with the City Administrator: 1/3/96

Passed by the City Council:

Resolution No. _____

Pierce County Regional Council

By-Laws and Interlocal Agreement



October, 1995

**BY-LAWS
OF THE
PIERCE COUNTY REGIONAL COUNCIL**

ARTICLE I - Purpose

The purpose of the By-laws is to govern the proceedings of the Pierce County Regional Council, consistent with the Interlocal Agreement which created the organization. In the event of a conflict between these By-laws and the Interlocal Agreement, the Interlocal Agreement shall control.

ARTICLE II - Organization and Membership

Section 1. The agency shall be organized into a General Assembly; and Executive Committee; and task forces and committees as established by the Executive Committee.

Section 2. Members: Pierce County and each city or town in Pierce County shall be a member upon adoption of the Interlocal Agreement, provided however, a city or town partially located in Pierce County and partially in any other county must have a population of at least 500 persons in Pierce County before adopting the Interlocal Agreement.

Section 3. Ex Officio Associate Members: The Puyallup Tribal Council, the Port of Tacoma Commission, Pierce Transit, and WSDOT District 3 shall be ex officio associate members. Ex officio associate members may each provide a representative to serve as a non-voting member of the Executive Committee. Other governmental jurisdictions, including cities or towns located in other counties, may be admitted to ex officio associate membership at the direction of the Executive Committee.

Section 4. Other Associate Members: Other non-municipal governments such as federal agencies, other state agencies, other tribes, school districts and other special purpose districts may become associate members upon approval of the Executive Committee. Associate members are non-voting.

ARTICLE III - Officers

Section 1. The officers of the Pierce County Regional Council shall be a President and a Vice President.

Section 2. President: The President shall conduct the meetings of the Executive Committee, preside over meetings of the General Assembly, and shall be responsible for the preparation of the agenda for said meetings. The President shall ensure that the functions of the Pierce County Regional Council are carried out to the best of his or her ability.

Section 3. Vice President: The Vice President shall preside and perform the duties of the President in the absence of the President.

Section 4. Elections: The President and Vice President of the Pierce County Regional Council shall be elected by the Executive Committee from among the Executive Committee's voting membership. The Vice President shall be from a different member jurisdiction than the President.

Section 5. Term: The President and Vice President shall serve for one year and their terms of office shall begin at the beginning of the calendar year. In the event of a vacancy in the office of the President, the Vice President shall succeed to said office for the unexpired portion of the term. In the event there is a vacancy in the office of the Vice President, the Executive Committee shall elect from its membership a new Vice President to serve the unexpired portion of the term. In the event there is a vacancy in the office of the President and Vice President, the Executive Committee shall elect from its membership a new President and Vice President to serve the unexpired portion of the terms.

ARTICLE IV - The General Assembly

Section 1. Date: The General Assembly of the Pierce County Regional Council shall meet a least annually, at a time and place designated by the Executive Committee.

Section 2. Composition: The General Assembly of the Pierce County Regional Council shall be comprised of elected officials from the legislative authorities of the member jurisdictions and the chief elected officials from the member jurisdictions. Associate members and staff from the various jurisdictions shall be encouraged to participate in General Assembly meetings, but without a vote.

Section 3. Notice: Written notice and the agenda of all General Assembly meetings shall be delivered or mailed to all member jurisdictions at least ten (10) days prior to the meeting; provided however, that if the President or Executive Committee determines that an emergency exists they may make a written findings to that effect in which event a meeting may be held on written notice delivered to each member jurisdiction at least three (3) days before the meeting; and, provided further, that a member jurisdiction may waive notice of the meeting by written instrument filed with the Executive Committee at or prior to the time the meeting convenes.

Section 4. Purpose: The purpose of the annual meeting of the General Assembly will be to adopt an annual work program and take action on such matters as the President or Executive Committee may determine.

Section 5. Quorum: A quorum of the General Assembly shall meet both of the following requirements: at least thirty percent (30%) of the eligible voting members shall be present and at least fifty percent (50%) of the member jurisdictions shall be represented.

Section 6. Voting: Actions voted upon shall be approved by simple majority vote, except as specified in the Interlocal Agreements, these By-laws, or by requirement of state or federal law.

Section 7. Special Voting: If requested by any two voting members from different jurisdictions, the special voting process shall be required for the following actions:

- a. Adoption of the annual work program;
- b. Action to overturn an amendment to the By-laws; and
- c. Action on any matter identified in Article V, Section 8 which would allow for special voting if the action were before the Executive Committee.

Under the special voting process, action by the General Assembly shall require a majority vote from each of the following: a majority vote of the Pierce County representatives who are present, a majority vote of the City of Tacoma representatives who are present, and a majority vote of the other representatives who are present. No

action may be taken without the quorum including at least one representative from Pierce County or at least one representative from the City of Tacoma. No ex officio associate member or other associate member may request special voting.

ARTICLE V - The Executive Committee

Section 1. Date: The Executive Committee shall designate a regular time and place for its meetings.

Section 2. Composition: The Executive Committee shall be comprised of voting members who are elected officials representing member agencies as determined in the Interlocal Agreement. Each ex officio associate member shall designate a non-voting representative to the Committee.

Section 3. Appointment: Representatives to the Executive Committee shall be appointed as follows:

- (a) A member jurisdiction granted representative(s) by the Interlocal Agreement shall choose its representative(s) and designated alternates by its own appropriate process.
- (b) Each Executive Committee representative with the authority to vote shall be an elected official.
- (c) An ex officio associate member may designate its representative and alternate by its own appropriate process.
- (d) The name, address and phone number of all representatives and their designated alternates shall be filed in writing with the Executive Committee.
- (e) Other elected officials and staff from member jurisdictions shall be encouraged to attend and participate in Executive Committee discussions, but without a vote.

Section 4. Notice: An Agenda with supporting materials shall be mailed at least seven (7) days in advance of all regularly scheduled meetings; provided however, that if the President or any five (5) voting members of the Executive Committee determines that an emergency exists, they may make a finding to that effect in which event a special meeting may be held on facsimile or written notice delivered to each representative at least five (5) days in advance. The agenda for a special meeting shall be limited to those items specified in the notice.

Section 5. Purpose: The Executive Committee shall direct the affairs of the Pierce County Regional Council between the annual meetings of the General Assembly. The Executive Committee shall exercise on behalf of the Pierce County Regional Council all powers and managerial and administrative authority not reserved for the General Assembly.

Section 6. Quorum: A quorum of the Executive Committee shall consist of one-third of the voting representatives.

Section 7. Voting: Each voting representative on the Executive Committee shall have one vote. All actions of the Executive Committee will be by simple majority vote unless otherwise provided by law or in these By-laws.

Section 8. Special Procedure for Resolving Differences: When jurisdictions have differences on an issue that may be resolved through collaboration and consensus, the special procedure described in this section may be used. Any voting member may request the special procedure of this section. If the special procedure is requested, no vote on any of the following matters shall occur until the next regular meeting of the Executive Committee:

- a. Adoption of amendment of the By-laws;
- b. Recommendation or amendment of the annual work program;
- c. Adoption of a budget;
- d. Authorization for the expenditure of funds;
- e. Implementation of responsibilities identified in Article VI, Section A, subsection 9 of the interlocal agreement.

The voting member invoking this section shall state the basis of the member's concern and agree to participate in discussions aimed at resolving the concern. This issue of concern automatically shall be on the agenda for action at the next regular meeting of the Executive Committee, unless such action is continued by majority vote of the Executive Committee. The intervening period shall be used to discuss and seek consensus on the issue of concern. The special procedure in this section may only be used once on the same issue of concern. No ex officio associate member or other associate member may request the special procedure of this section.

Section 9. Absence of voting members: If an elected official representative of a jurisdiction is not present, and no elected official from the jurisdiction is available to serve as an alternate, the jurisdiction may be represented on the Executive Committee by a staff member of the jurisdiction or citizen as designated by the jurisdiction. Staff or citizen alternates may freely participate in discussions before the Executive Committee, but shall not vote.

ARTICLE VI - Committees

Section 1. Committees: The President may appoint or the Executive Committee may require the President to appoint standing, ad hoc, or special task forces or committees to advise the Committee in its functions.

Section 2. Membership: Membership of task forces and committees may include members and associate members, elected officials, local government staffs, citizens, professionals in the field, and other experts.

Section 3. The Pierce County Growth Management Coordinating Committee shall serve as one of the advisory committees for the purpose of providing advice and recommendations on growth management issues. A Transportation Coordinating Committee shall provide advice on transportation and infrastructure issues.

ARTICLE VII - Work Program

Section 1. The Executive Committee shall recommend the annual work program for review, revision, and adoption by the General Assembly.

Section 2. The Executive Committee shall control all expenditures and budget available funds in accordance with the adopted work program and shall have the power to amend the work program to meet unanticipated needs or changed conditions.

ARTICLE VIII - Open Meetings

All meetings of the Pierce County Regional Council shall conform to the Open Meetings Act, RCW 42.30. The Executive Committee shall adopt procedures to ensure appropriate public notice of all meetings of the Pierce County Regional Council.

ARTICLE IX - Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the General Assembly and the Executive Committee in all cases to which they are applicable and in which they are not inconsistent with the Interlocal or these By-laws or any special rules of order the General Assembly or the Executive Committee may adopt.

ARTICLE X - Amendments to By-laws

These By-laws may be amended at any regular or special meeting of the Executive Committee; provided however, that a copy of the proposed amendment has been mailed to each member jurisdiction and each representative to the Executive Committee at least fifteen (15) days prior to the meeting at which the vote to amend is taken. Any amendment(s) of the By-laws shall be effective immediately upon adoption by the Executive Committee; provided that the next meeting of the General Assembly may take action to overturn such amendment(s). Any action taken by the Executive Committee based upon the authority of an amendment to the By-laws shall be valid if taken prior to an action by the General Assembly to overturn the amendment.

Adopted by the Pierce County Regional Council Executive Committee.

October 1995

(Date)

Sandra Volkmer
(Officer)

Michael J. Conner
(Officer)

INTERLOCAL AGREEMENT

CREATION OF AN INTRACOUNTY ORGANIZATION

This agreement is entered into by and among the cities and towns of Pierce County and Pierce County. This agreement is made pursuant to provisions of the Interlocal Cooperation Act of 1967, Chapter 39.334 RCW. This agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action and evidenced by execution of the signature page of this agreement.

I. NAME:

THE NAME OF THE ORGANIZATION WILL BE THE PIERCE COUNTY REGIONAL COUNCIL

II. MISSION:

The Pierce County Regional Council is created to promote intergovernmental cooperation on issues of broad concern, and to assure coordination, consistency, and compliance in the implementation of State law covering growth management, comprehensive planning, and transportation planning by county government and the cities and towns within Pierce County. It is the successor agency to the Growth Management Steering Committee and serves as the formal, multi-government link to the Puget Sound Regional Council.

III. CREATION:

This agreement shall become effective when sixty percent (60%) of the cities, towns and county government representing seventy-five percent (75%) of the population within Pierce County become signatories to the agreement. The agreement may be terminated by vote of two or more legislative bodies collectively representing sixty percent (60%) of the population within Pierce County.

IV. MEMBERSHIP AND REPRESENTATION:

- A. Membership is available to all cities and towns within Pierce County and Pierce County.
- B. Associate membership is available to such nonmunicipal governments as transit agencies, tribes, federal agencies, state agencies, port authorities, school districts and other special purpose districts as may be interested. Associate members are non-voting.
- C. The General Assembly of the organization shall be comprised of all elected officials from the legislative authorities and the chief elected executive official of the member cities, towns and county government. Associate members and staff from the various jurisdictions shall be encouraged to participate in General Assembly meetings, but without a vote.

- D. The Executive Committee of the organization shall be comprised of representatives from member jurisdictions as follows: four (4) representatives from Pierce County including the County Executive and three members of the County Council; three (3) representatives from the City of Tacoma; and one (1) representative from each of the remaining jurisdictions. Each representative shall have one vote.
- E. One representative from the Puyallup Tribal Council, one representative from the Port of Tacoma Commission, one representative from Pierce Transit, and one representative of WSDOT District 3 will be ex officio, non-voting members of the Executive Committee. At its discretion, the Executive Committee may create additional ex officio, non-voting positions from among other Associate members.
- F. Voting members of the Executive Committee shall be elected officials and shall be appointed by the local jurisdictions they represent. Alternate representatives to the Executive Committee may be designated who are elected officials and are of the same number as the authorized membership for each jurisdiction or group of jurisdictions. Other elected officials and staff from the various jurisdictions shall be encouraged to participate in Executive Committee discussions, but without a vote.
- V. GENERAL ORGANIZATION:
 - A. Structure
 - 1. The organization shall consist of a General Assembly, an Executive Committee, and advisory committees and task forces as created by the Executive Committee.
 - 2. The organization will utilize a calendar year for purposes of terms of office of members of the Executive Committee and the work program.
 - B. Executive Committee
 - 1. The Executive Committee shall carry out all powers and responsibilities of the organization between meetings of the General Assembly. The Executive Committee may take action when a quorum is present. One-third of the voting members shall constitute a quorum. Except as specified in the by-laws, actions voted upon shall be approved by simple majority vote of the quorum. The by-laws shall provide for special voting processes and the circumstances when such processes are to be used.
 - 2. A president and vice president shall be selected by the Executive Committee from among its voting members. The president and vice president shall serve for one year terms.
 - 3. The Executive Committee shall establish a regular meeting time and place. Executive Committee meetings shall be conducted in accordance with the Open Public Meetings Act (RCW 42.30).

4. Committees or task forces shall be established as required and may utilize citizens, elected officials and staff from the member jurisdictions in order to enhance coordination and to provide advice and recommendations to the Executive Committee on matters of common interest including, but not limited to, planning, transportation, and infrastructure.

C. General Assembly.

1. The General Assembly shall meet at least annually and may hold additional meetings as needed. The General Assembly may take action when a quorum is present. Thirty percent (30%) of the voting members representing a majority of the various jurisdictions shall constitute a quorum. Except as specified in the by-laws, actions voted upon shall be approved by a simple majority vote of the quorum. The by-laws shall provide for special voting processes and the circumstances when such processes are to be used.
2. The president and vice president of the Executive Committee shall serve as president and vice president of the General Assembly.
3. The General Assembly shall adopt an annual work program.
4. The General Assembly meetings shall be conducted in accordance with the Open Public Meetings Act (RCW 42.30).

VI. FUNCTIONS AND AUTHORITY:

A. The Pierce County Regional Council will:

1. Promote intergovernmental coordination within Pierce County.
2. Facilitate compliance with the coordination and consistency requirements of the state growth management law.

3. Provide a forum to promote cooperation among and/or between jurisdictions with respect to urban growth boundaries, comprehensive plan consistency, development regulations, siting of facilities, highway, rail, air and water transportation systems, solid waste issues and other areas of mutual concern.
4. Develop consensus among jurisdictions regarding review and modification of countywide planning policies.
5. Serve as the formal, multigovernment link to the Puget Sound Regional Council.
6. Develop recommendations, as required, for distribution of certain federal, state and regional funds.
7. Provide educational forums on regional issues.
8. Make recommendations to federal, state and regional agencies on plans, legislation, and other related matters.
9. Serve as the successor organization to the Growth Management Steering Committee which developed the county-wide planning policies, and complete such tasks as may have been begun by the Steering Committee, including the following responsibilities:
 - a. develop model implementation methodologies;
 - b. assist in the resolution of jurisdictional disputes;
 - c. provide input to joint planning issues in Urban Growth Areas;
 - d. provide input in respect to county-wide facilities;
 - e. advise and consult on policies regarding phased development, short plats, vested rights and related issues;
 - f. review and make a recommendation to Pierce County on the respective location of Urban Growth Area boundaries;
 - g. make a recommendation to Pierce County regarding dissolution of the Boundary Review Board;
 - h. monitor development, including population and employment growth; and
 - i. provide advice and consultation on population disaggregation.
- B. The organization shall adopt by-laws to govern its proceedings. By-laws shall be adopted by the Executive Committee and shall be in effect unless contrary action is taken by the General Assembly.
- C. Nothing in this agreement shall restrict the governmental authority of any of the individual members.

VII. AMENDMENTS:

Amendments to this agreement may be proposed by any member of the General Assembly and shall be adopted by affirmative resolution of the Executive Committee and of the individual legislative bodies of sixty (60%) percent of the member jurisdictions representing seventy-five (75%) percent of the population of Pierce County.

VIII. SEVERABILITY:

If any of the provisions of this agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

IX. FILING:

A copy of this agreement shall be filed with the County Auditor and each city/town clerk, the Secretary of State, and the Washington State Department of Community Development.

IN WITNESS WHEREOF, this agreement has been executed by each member jurisdiction as evidenced by signature pages affixed to this agreement.

INTERLOCAL AGREEMENT

CREATION OF AN INTRACOUNTY ORGANIZATION

Signature Page

The legislative body of the undersigned jurisdiction has authorized execution of the Interlocal Agreement, Creation of an Intracounty Organization.

IN WITNESS WHEREOF

This agreement has been executed by _____
(Name of City/Town/County)

BY: _____
(Mayor/Executive)

DATE: _____

Approved:

BY: _____
(Director/Manager/Chair of County Council)

Approved as to Form:

BY: _____
(City Attorney/Prosecutor)

PCRC/GMCC REPRESENTATIVES FOR 1996

City	PCRC Representative	PCRC Alternate	GMCC Representative
Bonney Lake	<p>Councilmember Carl Vigna City of Bonney Lake 8207 189th Ave E Bonney Lake WA 98390 Fax: 862-8538 862-8602</p>	<p>Mayor Rex Pulfrey City of Bonney Lake P O Box 7380 Bonney Lake WA 98390 Fax: 862-8538 862-8602</p>	<p>Patrick Tabineau City of Bonney Lake P O Box 7380 Bonney Lake WA 98390 Fax: 862-8538 862-8602</p>
Buckley	<p>Councilmember Kim Walthers City of Buckley P O Box D Buckley WA 98321 Fax: 829-2659 829-2145</p>		<p>Miller West City of Buckley P O Box D Buckley WA 98321 Fax: 829-2659 829-1921</p>
Carbonado	<p>Mayor Richie Morgan Town of Carbonado P O Box 2 Drawer 91 Carbonado WA 98323 Fax: 829-9912 829-0125</p>		<p>Mayor Richie Morgan Town of Carbonado P O Box 2 Drawer 91 Carbonado WA 98323 Fax: 829-9912 829-0125</p>
DuPont	<p>Mayor Willard Shenkel City of DuPont P O Box 445 DuPont WA 98327 Fax: 964-3554 964-8121</p>	<p>Councilmember Lorraine Overmyer City of DuPont P O Box 445 DuPont WA 98327 Fax: 964-3554 964-8121</p>	<p>Dennis Clarke City of DuPont P O Box 455 DuPont WA 98327 Fax: 964-3554 964-8121</p>
Eatonville	<p>Mayor Kirk Heinz Town of Eatonville P O Box 309 Eatonville WA 98328 Fax: 832-3977 832-3361</p>	<p>Councilmember Keith Richard Town of Eatonville P O Box 309 Eatonville WA 98328 Fax: 832-3977 832-3361</p>	<p>Mart Kask Kask Consultants 500 Union St. #930 Seattle WA 98101 Fax: 467-8129 467-1444</p>
Edgewood	<p>Mayor Terry Faherty City of Edgewood 10315 16th St. E. Edgewood WA 98372 Fax: 952-3537 952-3299</p>		

PCRC/GMCC REPRESENTATIVES FOR 1996

City	PCRC Representative	PCRC Alternate	GMCC Representative
Pife	<p>Mayor Marian Martelli Wetsch City of Pife 5213 Pacific Highway E. Pife WA 98424-2681 Fax: 922-5355 922-1703</p>		<p>Howard Schesser Mary Frances Olson, Alternate City of Pife 5213 Pacific Highway E. Pife WA 98424-2681 Fax: 922-5355 922-9625</p>
Firecrest	<p>Councilmember Kathy McVay City of Firecrest 115 Ramsdell Firecrest WA 98466 Fax: 566-0762 564-8901</p>	<p>Mayor David Viafore City of Firecrest 115 Ramsdell Firecrest WA 98466 Fax: 566-0762 564-8901</p>	<p>Jeff Boers City of Firecrest 115 Ramsdell St. Firecrest WA 98466-6999 Fax: 566-0762 564-8902</p>
Gig Harbor	<p>Mayor Gretchen Wilbert City of Gig Harbor 3105 Judson Street Gig Harbor WA 98335 Fax: 851-8563 851-8136</p>		<p>Ray Gilmore City of Gig Harbor 3105 Judson Street Gig Harbor WA 98335 Fax: 851-8563 851-4278</p>
Lakewood	<p>Mayor William Harrison City of Lakewood 9315 Gravelly Lake Dr. S.W. #203 Lakewood WA 98499 Fax: 589-3774 589-2489</p>	<p>Councilmember Claudia Thomas City of Lakewood 9315 Gravelly Lake Dr. S.W. #203 Lakewood WA 98499 Fax: 589-3774 589-2489</p>	<p>Cornell Kirkland City of Lakewood 9315 Gravelly Lk. Dr. S.W. #203 Lakewood WA 98499 Fax: 589-3774 589-2489</p>
Milton	<p>Mayor Leonard Sanderson City of Milton 1000 Laurel St. Milton WA 98354 Fax: 922-2385 922-8733</p>		<p>Mayor Leonard Sanderson City of Milton 1000 Laurel St. Milton WA 98354 Fax: 922-2385 922-8733</p>
Orting	<p>Mayor Guy S. Colorossi City of Orting P O Box 489 Orting WA 98360 Fax: 893-6809 893-2219</p>		<p>Mayor Guy S. Colorossi City of Orting P O Box 489 Orting WA 98360 Fax: 893-6809 893-2219</p>

PCRC/GMCC REPRESENTATIVES FOR 1996

City	PCRC Representative	PCRC Alternate	GMCC Representative
Pacific	<p>Mayor Debra Jorgensen City of Pacific 100 3rd Avenue S. Pacific WA 98047</p>		<p>Pat Cates Hedges and Roth 1011 E. Main, #101 Puyallup WA 98372 Fax: 840-6217 840-9847</p>
Pierce County	<p>Mr. Doug Sutherland Pierce County Executive 737 County-City Bldg. 930 Tacoma Avenue Tacoma WA 98402 Fax: 596-6628 591-7477</p> <p>Councilmember Karen Biskey/ Councilmember Bill Stoner/ Councilmember Sally Walker Pierce County Council 1046 County-City Bldg 930 Tacoma Avenue Tacoma WA 98402 Fax: 591-7509 591-7777</p>		<p>C. B. "Chip" Vincent Pierce County Planning & Land Svcs. 2401 S. 35th Street, Room 228 Tacoma, WA 98409 Fax: 591-3680 596-2722</p>
Puyallup	<p>Mayor Mike Deal City of Puyallup 218 West Pioneer Puyallup WA 98371 Fax: 841-5484 841-4321</p>	<p>Councilmember Donald Matloy City of Puyallup 218 West Pioneer Puyallup WA 98371 Fax: 841-5484 841-4321</p>	<p>Mike Casey City of Puyallup 218 West Pioneer Puyallup WA 98371 Fax: 840-6678 841-5444</p>
Roy	<p>Councilmember Roy Hammonds City of Roy P O Box 267 Roy WA 98580 Fax: 843-2286 City: 843-1113 Home: 843-1984</p>		<p>Leland Weaver City of Roy 315 S. 133rd St. Tacoma, WA 98444-4821 Fax: 843-2286 537-7305</p> <p>Greg McCormick, Alternate 1917 SW 330th Federal Way WA 98023 Fax: 661-4024 661-4119</p>

PCRC/GMCC REPRESENTATIVES FOR 1996

City	PCRC Representative	PCRC Alternate	GMCC Representative
Ruston	<p>Councilmember Del Brewer Town of Ruston 5318 North 49th Street Ruston WA 98407 Fax: 752-3754 Home: 752-5902 Pager: 280-3244</p>		<p>Carl Stixrood Richard Carothers Associates 814 E. Pike Street Seattle, WA 98122 324-5500 526-7396 (home)</p>
South Prairie	<p>Mayor Pat Stubbs Town of South Prairie P O Box F South Prairie WA 98385 Fax: No Fax 897-8878</p>		<p>Mayor Pat Stubbs Town of South Prairie P O Box F South Prairie WA 98385 Fax: No Fax 897-8878</p>
Steilacoom	<p>Mayor Janda Volkmer Town of Steilacoom 1715 Lafayette Steilacoom WA 98388 Fax: 582-3463 581-1900</p>		<p>Lois Stark Town of Steilacoom 1715 Lafayette Steilacoom WA 98388 Fax: 582-3463 581-1900</p>
Sumner	<p>Councilmember Mike Connor City of Sumner 1104 Maple St. Sumner WA 98390 Fax: 863-2850 863-5263</p>	<p>Councilmember Ron Scholz City of Sumner 1621 Robinson Road Sumner WA 98390 Fax: 863-2850 863-5263 Cell. #381-1428</p>	<p>John Doan City of Sumner 15505 63rd St Ct E Sumner WA 98390 Fax: 863-2850 863-5263</p>
Tacoma	<p>Mayor Brian Ibersole/ Councilmember Paul Miller/ Councilmember Bob Evans City of Tacoma 747 Market St., Room 1220 Tacoma WA 98402 Fax: 591-5123 591-5100</p>		<p>Donna Stenger City of Tacoma 747 Market St, 9th Floor Tacoma WA 98402 Fax: 591-2002 591-5210</p>
University Place	<p>Councilmember Linda Bird City of University Place P O Box 64289 University Place WA 98466 Fax: 566-5658 566-5656</p>	<p>Councilmember Ron Williams City of University Place P O Box 64289 University Place WA 98466 Fax: 566-5658 566-5656</p>	<p>Joann Smith City of University Place P O Box 64289 University Place WA 98466 Fax: 566-5658 566-5656</p>

PCRC/GMCC REPRESENTATIVES - EX OFFICIO MEMBERS FOR 1996

Organization	PCRC Representative	GMCC Representative
Office of Urban Mobility	Renee Montgelas Alternate: Craig Stone Office of Urban Mobility 401 2nd Avenue South, Suite 307 Seattle WA 98104 Fax: 206-464-6084 206-464-5878	
Pierce County Library District	Neel Parikh Pierce County Library Processing & Administrative Center 3005 112th St. E. Tacoma WA 98446 Fax: 537-4600 536-6500	Diane Thompson Pierce Co. Library Processing & Administrative Center 3005 112th St. E. Tacoma, WA 98446 Fax: 537-4600 536-6500
Pierce Transit	Ken Stanley Director of Development Pierce Transit P O Box 99070 Tacoma WA 98499-0070 Fax: 581-8075 581-8135	Vicki Cannard Capital & Long Range Planning Manager Pierce Transit P O Box 99070 Tacoma WA 98499-0070 Fax: 581-8075 581-8129
Port of Tacoma	Jeannie Beckett Port of Tacoma P O Box 1837 Tacoma WA 98401 Fax: 593-4588 383-9465	
Puget Sound Regional Council	King Cushman Alternate: Mary McCumber Puget Sound Regional Council 1011 Western Avenue #500 Seattle WA 98104-1035 Fax: 587-4825 464-6174	Lori Peckol Puget Sound Regional Council 1011 Western Avenue #500 Seattle WA 98104-1035 Fax: 587-4825 587-5062

REPRESENTATIVES FROM CITIES OUTSIDE PIERCE COUNTY FOR 1996

City	PCRC Representative	GMCC Representative
Auburn		Bob Sokol City of Auburn 25 West Main Auburn WA 98001-4998 Fax: 206-931-3053 206-931-3090



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR *MMA*
SUBJECT: APPROVAL OF AMENDMENTS TO THE PIERCE COUNTY
COUNTY-WIDE PLANNING POLICIES
DATE: JANUARY 3, 1995

INFORMATION/BACKGROUND

A final version of the amendments to the Pierce County County-wide Planning Policies is presented. The terms of inclusion are currently innocuous. It is necessary to approve these amendments by resolution. Legal Counsel is of the opinion that no current agreements between Pierce County and the City of Gig Harbor will be affected by the proposed amendments. Also, Legal Counsel maintains that the amendments will affect neither current city ordinances or public works standards, including methods of contracting for outside utilities.

RECOMMENDATION

Staff recommends adoption of the proposed resolution.



Pierce County

Department of Planning and Land Services

2401 South 35th Street
Tacoma, Washington 98409-7460
(206) 591-7200 • FAX (206) 591-3131

DEBORA A. HYDE
Director

RECEIVED
NOV 17 1995
CITY OF GIG HARBOR

November 15, 1995

TO: Pierce County Regional Council

SUBJECT: Interlocal Agreement - Amendments to the Pierce County County-wide Planning Policies

At their October 19th meeting, the PCRC, hearing no changes to the amendments to the County-wide Planning Policies, instructed the clerk to mail out a copy of the interlocal agreement and amendment to each of the cities and towns.

It is necessary for 60% of the jurisdictions representing 75% of the population to adopt the interlocal agreement at a future meeting of their city, town, or county council for it to become effective. After passage, please send a signed copy of the Interlocal Agreement to me at the following address:

Vicky Lampman
Pierce County Planning and Land Services
2401 S. 35th Street, Room 228
Tacoma, WA 98409

Thank you for your assistance.

Sincerely,

VICKY L. LAMPMAN
Office Assistant

Enclosure - Interlocal Agreement

A: CWPPINTL



**CITY OF GIG HARBOR
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR,
WASHINGTON, ADOPTING AMENDMENTS TO THE PIERCE COUNTY COUNTY-
WIDE PLANNING POLICIES.**

WHEREAS, the cities and towns of Pierce County and Pierce County adopted an interlocal agreement creating the Pierce County Regional Council (PCRC) in 1992, and

WHEREAS, the organization is charges with numerous responsibilities, including serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act, and developing a consensus among jurisdictions regarding modification of the County-wide Planning Policies, and

WHEREAS, Resolution 95-17, adopted by the Pierce County Council, and identical resolutions adopted by the several cities and towns in Pierce County committed those governments to completing negotiations on a series of unresolved issues relating to local implementation of the Growth Management Act, and

WHEREAS, those negotiations, conducted in open public meetings of the PCRC during the months of February through September 1995 have resulted in adoption by the PCRC Executive Committee of recommended amendments to the Pierce County County-wide Planning Policies, and

WHEREAS, these amendments do not affect other prior agreements reached between Pierce County and the City of Gig Harbor, and

WHEREAS, the Pierce County County-wide Planning Policies provide for amendments to be adopted through amendment of the original interlocal agreement. The Pierce County County-wide Planning Policies may be amended upon the adoption of the amendments by the Pierce County Council and ratification by 60 percent of the jurisdictions in Pierce County (13 of 20) representing 75% of the total population on June 28, 1991 (452,850 of 603,800), NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

That the amendments to the Pierce County County-wide Planning Policies are hereby approved. Said amendments are attached to this resolution and incorporated by reference herein.

RESOLVED this ____ day of January, 1996.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST / AUTHENTICATED:

Mark Hoppen, City Administrator

Filed with the City Administrator: 1/3/96

Passed by the City Council:

Resolution No. _____

INTERLOCAL AGREEMENT

AMENDMENTS TO THE PIERCE COUNTY COUNTY-WIDE PLANNING POLICIES

This agreement is entered into by and among the cities and towns of Pierce County and Pierce County. This agreement is made pursuant to the provisions of the Interlocal Cooperation Act of 1967, RCW 39.334. This agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action and evidenced by execution of the signature page of this agreement.

BACKGROUND:

- A. The Pierce County Regional Council (PCRC) was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County. The organization is charged with numerous responsibilities, including serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act, and developing a consensus among jurisdictions regarding modification of the County-wide Planning Policies.
- B. Resolution 95-17, adopted by the Pierce County Council, and identical resolutions adopted by the several cities and towns in Pierce County committed the governments to completing negotiations on a series of unresolved issues relating to local implementation of the Growth Management Act.
- C. Those negotiations, conducted in open public meetings of the PCRC during the months of February through September 1995 have resulted in adoption by the PCRC Executive Committee of recommended amendments to the Pierce County County-wide Planning Policies.
- D. The Pierce County County-wide Planning Policies provide for amendments to be adopted through amendment of the original interlocal agreement adopting the policies or by a new interlocal agreement. The Pierce County County-wide Planning Policies may be amended upon the adoption of the amendments by the Pierce County Council and ratification by 60 percent of the jurisdictions in Pierce County (13 of 20) representing 75% of the total population on June 28, 1991 (452,850 of 603,800).

PURPOSE:

This agreement is entered into by the cities and towns of Pierce County and Pierce County for the purpose of adoption of amendments to the Pierce County County-wide Planning Policies.

The amendments to the Pierce County County-wide Planning Policies shown on Attachment A are attached to and made part of this interlocal agreement.

DURATION:

This agreement shall become effective upon adoption by the Pierce County Council and ratification by the legislative bodies of the cities and towns of Pierce County comprising 60 percent of the jurisdictions in Pierce County representing 75 percent of the total population on June 28, 1991. This agreement will remain in effect until subsequently amended or repealed as provided by the Pierce County County-wide Planning Policies.

SEVERABILITY:

If any of the provisions of this agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

FILING:

A copy of this agreement shall be filed with the Pierce County Auditor and each city or town clerk.

IN WITNESS WHEREOF, this agreement has been executed by each member jurisdiction as evidenced by the signature page affixed to this agreement.

INTERLOCAL AGREEMENT

AMENDMENTS TO THE PIERCE COUNTY COUNTY-WIDE PLANNING POLICIES

Signature Page

The legislative body of the undersigned jurisdiction has authorized execution of the Interlocal Agreement, Amendments to the Pierce County County-wide Planning Policies.

IN WITNESS WHEREOF

This agreement has been execute _____
(Name of City/Town/County)

BY: _____
(Mayor/Executive)

DATE: _____

Approved

BY: _____
(Director/Manager/Chair of County Council)

Approved as to Form:

BY: _____
(City Attorney/Prosecutor)

Amendment to County-wide Planning Policies 9-22-95

COUNTY-WIDE PLANNING POLICY ON URBAN GROWTH AREAS, PROMOTION OF CONTIGUOUS AND ORDERLY DEVELOPMENT AND PROVISION OF URBAN SERVICES TO SUCH DEVELOPMENT

Background-Requirements of the Growth Management Act

The Washington Growth Management Act identifies the encouragement of development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner [RCW 36.70A.020(1)], the reduction of sprawl, (i.e., the inappropriate or premature conversion of undeveloped land into low-density development) [RCW 36.70A.020(2)], and the provision of adequate public facilities and services necessary to support urban development at the time the development is available for occupancy and use (without decreasing current service levels below locally established minimum standards [RCW 36.70A.020(12)]) as planning goals to guide the development and adoption of comprehensive plans and development regulations.

The Growth Management Act further requires (1) that the County designate an "urban growth area" or areas within which urban growth shall be encouraged and outside of which growth shall occur only if it is not "urban" in character; (2) that each municipality in the County be included within an urban growth area; (3) that an urban growth area include territory outside of existing municipal boundaries only if such territory is characterized by urban growth or is adjacent to territory that is already characterized by urban growth. [RCW 36.70A.110(1); for definition of "urban growth" see RCW 36.70A.030(14).]

The designated county and municipal urban growth areas shall be of adequate size and appropriate densities so as to accommodate the urban growth that is projected by the State Office of Financial Management to occur in the County for the succeeding 20-year period. While each urban growth area shall permit urban densities, they shall also include greenbelt and open space areas [RCW 36.70A.110(2)].

As to the timing and sequencing of urban growth and development over the 20-year planning period, urban growth shall occur first in areas already characterized by urban growth that have existing public facility and service capacities to service such development, second in areas

already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources [RCW 36.70A.110(3)]. Urban government services shall be provided primarily by cities, and should not be provided in rural areas.

The Growth Management Act Amendments expressly require that county-wide planning policies address the implementation of urban growth area designations [RCW 36.70A.210(3)(a)], the promotion of contiguous and orderly development, the provision of urban services to such development [RCW 36.70A.210(3)(b)], and the coordination of joint county and municipal planning within urban growth areas [RCW 36.70A.210(3)(f)].

Principles of Understanding Between Pierce County and the Municipalities in Pierce County

While following the goals and regulations of the Growth Management Act, Pierce County and the municipalities in Pierce County will strive to protect the individual identities and spirit of each of our cities and of the rural areas and unincorporated communities.

Further agreements will be necessary to carry out the framework of joint planning adopted herein. These agreements will be between the county and each city and between the various cities.

The services provided within our communities by special purpose districts are of vital importance to our citizens. Consistent with the adopted regional strategy, these districts will be part of future individual and group negotiations under the framework adopted by the county and municipal governments.

While the Growth Management Act defines sewer service as an urban service, Pierce County currently is a major provider of both sewer transmission and treatment services. The county and municipalities recognize that it is appropriate for the county and municipalities to continue to provide sewer transmission and treatment services.

The county recognizes that urban growth areas are often potential annexation areas for cities. These are also areas where incorporation of new cities can occur. The county will

work with existing municipalities and emerging communities to make such transitions efficiently.

At the same time, annexations and incorporations have direct and significant impacts on the revenue of county government, and therefore, may affect the ability of the county to fulfill its role as a provider of certain regional services. The municipalities will work closely with the county to develop appropriate revenue sharing and contractual services arrangements that facilitate the goals of GMA.

The County-wide Planning Policies are intended to be the consistent "theme" of growth management planning among the county and municipalities. The policies also spell out processes and mechanisms designed to foster open communication and feedback among the jurisdictions. The county and the cities and towns will adhere to the processes and mechanisms provided in the policies.

5. Urban Development Standards

5.1 The provisions of this section shall apply to all municipalities and urban growth areas located in the County.

5.2 The following development standards shall be the minimum required for urban developments and shall apply to all new development in urban growth areas, except as provided in Section 5.6 below.

5.2.1 Streets, Roads and Arterials. All public streets, roads, and arterials shall be constructed to the minimum requirements outlined in the City and County Design Standards adopted pursuant to RCW 35.78.030 and RCW 43.32.020. Curbs, gutters, and sidewalks will be required on both sides. Private streets and roads may be approved, but shall be required to meet these requirements.

5.2.2 Street Lighting. Street lighting shall be required at signalized intersections. Street lighting in new subdivisions shall be provided at all intersections controlled by a traffic signal or sign, and at certain road corners, elbows, and cul-de-sacs. Installation and maintenance of street lighting in subdivisions shall be the responsibility of the developer or homeowner's association unless the local jurisdiction assumes responsibility. When ownership of the street lighting has not been assumed by the local jurisdiction, the light standards shall be located on private property.

5.2.3 Domestic Water. A domestic water system must meet requirements under RCW 70.119 and WAC 246-290 for group "A" systems, or the functional equivalent.

5.2.4 Storm Water Facilities. A storm water drainage system shall be designed and constructed in accordance with the Department of Ecology Storm Drainage Technical Manual or a locally adopted storm water manual approved by DOE.

5.2.5 Sanitary Sewer. At a minimum, sanitary sewer hook-ups shall be required for all new development, if sewer lines are located within 300 feet of the development. In those cases where sewer lines are not located within 300 feet of the development, the jurisdiction may permit such development to use interim septic on-site systems and dry sewer facilities. Dry sewer facilities includes any means effective to permit connection to future extended sewer lines. The permitting jurisdiction allowing such facilities shall enforce applicable design and performance standards and administrative procedures.

5.2.6 Fire Protection. Fire protection and flow requirements shall be in accordance with Pierce County Code Chapter 15.12.

5.2.7 Solid Waste and Recycling. Garbage pick-up shall be provided weekly, and recycling and yard waste pick-up biweekly, consistent with federal and state laws and regulations.

5.3 It is desired by the signatories to these policies that the following Urban Development Standards be the minimum goals for urban developments in Urban Growth Areas.

5.3.1. Street Cleaning. Standards for street cleaning shall be discussed and should be developed, consistent with requirements of federal and state water quality standards.

5.3.2 Transit. Urban transit service plans adopted by the Pierce County Public Transit Benefit Authority.

5.3.3 Library. Appropriate jurisdictions should provide 450 square feet of library space per 1,000 persons.

5.3.4 Parks and Recreation. Provisions for parks at a level of 3.0 acres of neighborhood/community parks per 1,000 population should be made for all plats and short

plats as required by RCW 58.17. Such provision can be made either through dedication to the public of land, or through provision of funds, as mitigation, for park land purposes.

5.4 All development within an urban growth area shall be provided services pursuant to the provision of this agreement and the joint planning agreements adopted pursuant to it. It is recognized that the County may provide certain urban services within an Urban Growth Area, and that cities may provide certain urban services within the same area, but outside their current municipal boundaries.

5.5 The county and each municipality shall enter into an interlocal cooperation agreement providing for the approval and delivery of public facilities and services in the Urban Growth Area. Such further agreements shall include, where appropriate, provisions relating to services such as law enforcement and schools and the services of special purpose districts and other service providers.

5.6 Ordinances allowing variances and deviations to the urban development standards may be adopted by each responsible jurisdiction for those limited circumstances necessary to allow for recognition of community plans and goals, recognized historic character, or special physical or engineering circumstances, as long as such variances and deviations are otherwise consistent with these policies. A legislative authority adopting a variance or deviation to the minimum urban development standards under this section must share such adoption with the PCRC Executive Committee.