

GIG HARBOR CITY COUNCIL MEETING

OCTOBER 14, 1991

7:00 p.m., City Hall Council Chambers

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
OCTOBER 14, 1991

PUBLIC COMMENT/DISCUSSION:

1. Report from City Dwellers on priorities for 1992.

CALL TO ORDER:

PUBLIC HEARINGS:

1. Wetland Management Ordinance - 1st reading. Reg by SMA - Dec 1 deadline
2. Amendment to Zoning Code text - Retirement Homes as conditional use in an R-1 district - 1st reading.

APPROVAL OF MINUTES:

CORRESPONDENCE:

1. Letter of Appreciation from Department of Transportation.
2. Report from Pierce County Utilities on Solid Waste Management Plan.
3. Citizens Against Litter requests for dumpster screening and cigarette receptacles.

OLD BUSINESS:

1. Revised short subdivision ordinance - 2nd reading.

NEW BUSINESS:

1. Amendment to business license ordinance - 1st reading.
2. Resolution opposing Initiative 559.
3. Olympic Drive traffic study.
4. Harborview Drive overlay project - contract award.
5. Special occasion liquor license requests from St. Nicholas Church, Performance Circle, Peninsula Neighborhood Association. New license application - Kinza Teriyaki. License renewal - Bayview Grocery.
6. Amendment to Uniform Fire and Building Code (Sprinkler Systems) - 1st reading.
7. New street names requested.

DEPARTMENT MANAGERS' REPORTS:

1. Police: Monthly statistic report.
2. Public Works: Review of projects in progress.

COUNCIL COMMITTEE REPORTS: None scheduled.

MAYOR'S REPORT:

1. Framework agreement for adoption of county-wide planning policy.

COMMITTEE REPORT: None scheduled.

ANNOUNCEMENT OF OTHER MEETINGS:

APPROVAL OF PAYROLL:

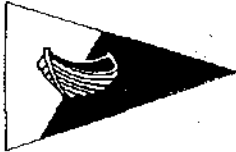
Warrants

APPROVAL OF BILLS:

EXECUTIVE SESSION:

1. Imperiale claim.

ADJOURN:



City of Gig Harbor, The "Maritime" City.

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: Mayor Wilbert and City Council
FROM: Ray Gilmore, Planning Director
DATE: October 10, 1991
SUBJ.: 1st Reading/Public Hearing -- Proposed Wetland
Management Ordinance (Recommendation from Planning
Commission)

A copy of the proposed wetland management ordinance, including a summary of the key sections, has been previously transmitted to Council members. Please bring the relevant material with you to the meeting of October 14.

The first reading is also a public hearing. Staff will provide a brief overview of the ordinance prior to the public testimony portion. Following testimony, Council may address questions/concerns to staff or, as previously recommended, develop a listing of pertinent items for consideration by the Planning Commission in a worksession at it's next meeting on Tuesday, October 15, 1991.



City of Gig Harbor, The "Maritime" City.

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCILMEMBERS
FROM: *PK* PLANNING COMMISSION
DATE: OCTOBER 9, 1991
RE: RECOMMENDATION ON AMENDMENTS TO ZONING CODE TEXT
RETIREMENT HOMES / ASSISTED LIVING FACILITIES

Master Properties, Inc., has requested an amendment to the zoning code text which would allow retirement homes in an R-1 district as a conditional use. Although this was provided for in the old zoning code text, the revised code of April, 1990 did not list retirement homes as permitted or conditional in an R-1 district. Master Properties requests the amendment so that they may complete the assisted living facility on North Harborview. The amendment, however, is applicable in R-1 districts city-wide.

The Planning Commission has deliberated and discussed the issue at great length over two meetings. It is the Planning Commission's finding that retirement homes, as per the proposed new definition, could be accommodated in R-1 districts as a conditional use, as site specific conditions warrant. The Planning Commission finds that the criteria for obtaining a conditional use permit provides the needed flexibility to determine the suitability of a project for a given site and also provides for the conditioning of a project to minimize or to avoid impacts to surrounding properties and the neighborhood.

The Planning Commission voted 4 in favor and 1 against the amendment to Section 17.15.030 to allow retirement homes as a conditional use and voted unanimously in favor of the proposed definition of retirement homes/assisted living complex.

An ordinance for your favorable consideration is attached.

CITY OF GIG HARBOR
ORDINANCE NO.

AN ORDINANCE TO TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE AMENDING SECTION 17.16.030 TO ALLOW RETIREMENT HOMES AS CONDITIONAL USES IN R-1 DISTRICTS AND A NEW SECTION 17.04.705 WHICH SPECIFICALLY DEFINES RETIREMENT HOMES/ASSISTED LIVING FACILITY./

WHEREAS, the Planning Commission considered the request of Master Properties, Inc., to amend the zoning code text to allow retirement homes as a conditional use in R-1 districts; and,

WHEREAS, the request by Master Properties, Inc., is predicated on their desire to complete a retirement home/assisted living facility on North Harborview Drive which was initially approved by the City in 1987, but which has since not been completed and the original building permit for the project expired; and,

WHEREAS, the building permit for the project had expired, the zoning code was revised and did not address retirement homes in the R-1 district; and,

WHEREAS, the Planning Commission finds that, through the conditional use permit process, retirement homes could be sited in an R-1 district, dependent upon the suitability of the site for such a use; and,

WHEREAS, the Planning Commission has recommended approval of the proposed zoning code text amendments as being consistent with the housing goals and objectives of the Comprehensive Plan.

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, ORDAINS as follows:

Section 1 Section 17.16.030 the Gig Harbor Municipal Code is amended to read as follows:

...

F. Retirement home/assisted living facility.

...

PAGE 2

Section 2 New Section 17.04.705 (Definitions) is hereby adopted as follows:

17.04.705 Retirement home/assisted living facility. A multiple dwelling place of residence for the occupancy of several individuals or couples fifty-five years of age or older in living quarters which feature limited services for ambulatory retired persons. These services are to be limited to basic housekeeping, dietary services and minimal nursing care such as medication administration. Those persons requiring a higher level of care cannot be maintained in such a facility.

Section 3 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 This ordinance shall take effect and be in full force five (5) days after publication.

Gretchen A. Wilbert, Mayor

ATTEST:

Michael R. Wilson
City Administrator/Clerk

Filed with City Clerk: 10/9/91
Passed by City Council:
Date published:
Date effective:

RECEIVED

JUL 30 1991

Master Properties, Inc.

CITY OF GIG HARBOR

2815 Second Avenue, Suite 260
206-441-8850 Office

Seattle, Washington 98121
Fax 206-441-3629

July 26, 1991

City of Gig Harbor
c/o Mr. Gilbert Alvarado
3105 Judson Street
Gig Harbor, Washington 98335

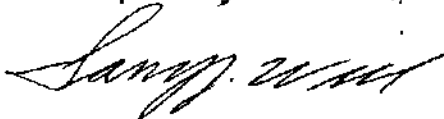
Request For "Text Amendment"

To Whom It May Concern:

Request is hereby made for a "Text Amendment" regarding the property located at 9324 North Harborview Drive, Gig Harbor. the "Text Amendment" is to request that the R-1 Zoning at the above location would allow for a retirement home to be built.

The reason for this request is to ultimately complete the existing facility .

Respectfully Submitted,



Larry J. Will

REGULAR GIG HARBOR CITY COUNCIL MEETING OF SEPTEMBER 23, 1991

PRESENT: All present, except Mayor Wilbert left the meeting early.

PUBLIC COMMENT/DISCUSSION: None scheduled.

CALL TO ORDER: 7:05 p.m.

PUBLIC HEARINGS:

1. Revised short subdivision ordinance - 1st reading.
Planning Director Ray Gilmore summarized the revised and updated ordinance.

There was no public comment.

MINUTES:

MOTION: To approve the minutes of the continued meeting of September 4, 1991.
Davis/English - unanimously approved.

MOTION: To approve the minutes of the regular meeting of September 9, 1991.
English/Hoppen - approved by a vote of 3 - 0 with Frisbie and Davis abstaining.

OLD BUSINESS:

1. Hearing Examiner report and recommendation on SDP88-02/SP88-04: Darrah.

Mr. Gilmore provided the background and history of the proposal.

Peter Darrah spoke on his own behalf.

MOTION: To table discussion and action on this item for one hour to allow Mr. Darrah to provide to scale drawings on the map.
Frisbie/Davis - unanimously approved.

2. Request for consideration to annex ANX91-07: Tallman.
(Councilmember Perrow removed himself from discussion of this item due to a possible conflict of interest.)

Mr. Gilmore presented the annexation request.

Geoff Moore, agent for the applicant, provided council

with information regarding the process his client had used in contacting the neighboring property owners.

George Cvitanich and Lucius Kentfield, neighboring property owners, spoke in favor of the annexation.

James Tallman, applicant, provided council with answers to questions regarding the development of the property.

Guy Powell, neighboring property owner, expressed concerns over maintaining wetlands property and stated he was undecided on the annexation.

MOTION: To accept the 10% petition for annexation.
Frisbie/Davis - unanimously approved.

3. Skateboard ordinance - 2nd reading.

Police Chief Denny Richards provided council with information regarding the ordinance.

Dustin Landry expressed a desire for the city to install a skateboard park. Chief Richards explained the insurance costs for a park of that kind would be more than the city could afford. Mayor Wilbert encouraged the young people to get together to see if they could established a skateboarding area.

MOTION: To adopt Ordinance #607.
English/Hoppen - unanimously approved.

DARRAH ITEM:

MOTION: To remove the issue from the table.
Frisbie/Davis - unanimously approved.

Mr. Darrah was unable to comply with council's request to provide a scale drawing due to a lack of the tools necessary.

John Paglia, attorney for neighboring property owner (Adam Ross), spoke against the project.

Kathy Marshall, lease manager for the State Department of Natural Resources, reported that Mr. Darrah was one month behind on his lease payment. She could not verify whether the drawings he produced of his leased property were valid.

John Kerr, property owner to the south, expressed concerns regarding the development of the property.

MOTION: To deny the application.
Frisbie/Hoppen - unanimously approved.

MOTION: To approve Resolution #329 denying the application as suggested by Councilmember Frisbie. Resolution #329 to have attached Exhibits "X", "Y", and "Z".
Frisbie/Davis - unanimously approved.

NEW BUSINESS:

1. Resolution/Interlocal Agreement - Growth Management.
Mr. Gilmore presented the information on the interlocal agreement.

MOTION: To approve Resolution #330.
Frisbie/Davis - unanimously approved.

2. Sewer Treatment Plant expansion engineering services agreement - Gray & Osborne, Inc.
Public Works Director Ben Yazici provided information regarding the contract with Gray & Osborne.

(Mayor Wilbert left during discussion of this item.)

MOTION: To approve the agreement for engineering services.
Davis/English - unanimously approved.

MOTION TO AMEND ORIGINAL MOTION:
To modify the agreement as suggested by councilmembers Frisbie and Perrow.
Frisbie/English - unanimously approved.

3. Harborview Drive Repair.
Mr. Yazici explained the difficulty of the repair to Harborview Drive at Murphy's Landing and the need to move quickly to begin the project.

MOTION: To approve the agreement with Woodworth and Company for repair of Harborview Drive.
Perrow/Davis - unanimously approved.

4. Olympic Drive Traffic Study.

MOTION: To table this issue until the meeting of October 14, 1991.
Perrow/Davis - second was withdrawn and the motion died for lack of a second.

MOTION: To approve the expenditure of \$9,000 for the traffic signal coordination project at Olympic Drive.
Davis/Hoppen - unanimously approved.

DEPARTMENT MANAGERS' REPORTS:

1. Administration:

City Administrator Mike Wilson prepared a written report for council regarding the final financial report for the ULID No. 2 project.

COUNCIL COMMITTEE REPORTS: None scheduled.

MAYOR'S REPORT: None scheduled.

BILLS:

MOTION: To approve payment of warrants #7574 through 7823 in the amount of \$92,814.00 except for warrant #7762 payable to James Mason.
Perrow/Davis - the vote was tied at 2 - 2 with Hoppen and English voting against. The motion was approved when Mayor Pro-tem Frisbie broke the tie and voted in favor.

ADJOURN:

MOTION: To adjourn at 9:55 p.m.
English/Davis - unanimously approved.

Cassette recorder utilized.
Tape 248 Side A 015 - end
Side B 000 - end
Tape 249 Side A 000 - end
Side B 000 - 350.

Mayor

Mayor Pro-Tem



**Washington State
Department of Transportation**

Transportation Building KF-01
Olympia, Washington 98504-5201
(206) 753-6005

Duane Berentson
Secretary of Transportation

October 3, 1991

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OCT - 7 1991
CITY OF GIG HARBOR

The Honorable Gretchen Wilbert
Mayor of the City of Gig Harbor
3105 Judson Street
Gig Harbor, WA 98335

Dear Mayor Wilbert:

I was pleased that you were able to attend the opening ceremonies last week for the 19th Street Interchange on SR 16 in Tacoma.

We commend your involvement and support for this critical transportation link. This project will provide a tremendous benefit to the users of our transportation system for many years.

Your participation in helping us celebrate this special occasion, was greatly appreciated.

Sincerely,

DUANE BERENTSON
Secretary of Transportation

DB/cl



City of Gig Harbor. The "Maritime" City.

3105 JUDSON STREET • P.O. BOX 145

GIG HARBOR, WASHINGTON 98335

(206) 851-8136

TO: CITY COUNCILMEMBERS
FROM: GRETCHEN WILBERT, MAYOR
SUBJECT: PIERCE COUNTY SOLID WASTE MANAGEMENT PLAN
DATE: OCTOBER 10, 1991

In February, 1991, Sally Sharred of Pierce County appeared before the council and explained the background of the Tacoma-Pierce County Solid Waste Management Plan. The state "Waste Not, Washington" act mandated counties to develop and implement a waste reduction and recycling program.

The Pierce County ordinance before you is the result of that mandate.

Also included for your information is the recycling data collection report from Pierce County.



Pierce County

Department of Utilities

9116 Gravelly Lake Drive S.W.
Tacoma, Washington 98499-3190
(206) 593-4050 • FAX (206) 582-8146

DONALD T. PERRY, P.E.
Director

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SEP 19 1991
CITY OF GIG HARBOR

September 16, 1991

Mayor Gretchen Swayze Wilbert
City of Gig Harbor
P.O. Box 145
Gig Harbor, WA 98335-0145

Dear Mayor Wilbert:

Pierce County has recently adopted a minimum service level ordinance for the collection of recyclables from multi-family complexes, condominiums, and mobile home parks.

The haulers have initiated the process of offering this service to multi-family complexes within your community. When fully implemented, all residents of Pierce County will have an opportunity for residential recycling collection.

This ordinance was planned to include a series of priorities within its contents including; adaptability to your community's needs, compatibility with the existing single family curbside program, and consistency with the requirement of RCW 70.95 and the recommendations of the Tacoma-Pierce County Solid Waste Management Plan.

Enclosed for your reference is a copy of the Multiple Family Recycling Ordinance #91-86. We would like to ask that you keep it on file for future consultation. If you like to discuss the program and/or Ordinance further, please contact Wendy Lev or Sally Sharrard at 593-4050.

Sincerely,

MARTY ERDAHL
Assistant Director
Pierce County Utilities

S00559.RME

cc: Pat Dunn, Heller, Ehrman, White, and McAuliffe
Don Hawkins, Murrey Disposal
Paul Henderson, Lakewood Refuse
Neil Holden, University Place
Norm LeMay, Pierce County Refuse



1 FILE NO. 259

PROPOSAL NO. 91-86

2 Sponsored by: Councilmembers Barbara Gelman and Barbara Skinner

3 Requested by: County Executive/Utilities Department

4 ORDINANCE NO. 91-86

5 AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING MINIMUM LEVELS OF
6 SERVICE FOR MULTIPLE FAMILY SOURCE SEPARATION RECYCLING
7 COLLECTION; NOTIFYING THE WASHINGTON UTILITIES AND
8 TRANSPORTATION COMMISSION TO CARRY OUT AND IMPLEMENT THE
9 PROVISIONS OF THE WASTE REDUCTION AND RECYCLING ELEMENT
OF THE COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN; AND
REQUESTING THAT THE PIERCE COUNTY EXECUTIVE COORDINATE
WITH THE INCORPORATED AREAS OF THE COUNTY IN THE
DEVELOPMENT OF THEIR SOURCE SEPARATION PROGRAMS.

10 WHEREAS, the Tacoma-Pierce County Solid Waste Management Plan,
11 adopted by the County Council in Ordinance No. 87-196 and RCW
70.95.010 have established source separation of solid waste as a
12 fundamental strategy of solid waste management; and

13 WHEREAS, pursuant to RCW 70.95.010, the County is primarily
14 responsible for the development and implementation of aggressive and
effective source separation strategies; and

15 WHEREAS, RCW 70.95.090 as amended in 1991 establishes source
16 separation strategies that include the collection of source separated
recyclable materials from single and multiple family residences in
17 urban areas, and conveniently located drop-off sites and/or buy-back
centers in rural areas; and

18 WHEREAS, RCW 70.95.092 and .160 provide that the County shall
19 establish minimum levels of service for the source separation of
recyclables, including source separation for multiple family
20 dwellings; and

21 WHEREAS, the County Executive, in response to the County
22 Council's Resolution R89-175, and in cooperation with the
certificated haulers and recyclers, has developed a program which
includes rate structures with incentives for recycling and a data
collection and evaluation program; and

23 WHEREAS, the County Council believes that the implementation of
24 the source separation program should begin immediately for multiple
family residential dwellings; and

25 WHEREAS, pursuant to Chapter 298 of the State of Washington Laws
26 of 1991, multiple family dwellings are defined to include multiple
family complexes, apartments, condominiums, and mobile home parks
27 that are commercially-billed multiple residential units; and

28 RECEIVED

AUG 23 1991

1
2 WHEREAS, RCW 36.58.040 provides that the legislative authority
3 of a County may elect to award a contract to collect source separated
4 recyclable materials or may notify the Washington Utilities and
5 Transportation Commission (WUTC) to carry out and implement the
6 provisions of the waste reduction and recycling element of the Plan;
7 and

8 WHEREAS, the County Council believes that the solid waste
9 haulers operating in the County and certificated by the WUTC have
10 consistently provided necessary, efficient, and convenient waste
11 collection services to the unincorporated portions of the County, and
12 have sufficient and reasonable experience, knowledge, and standing
13 within the County to provide the opportunity of performing the
14 minimum levels of service; and

15 WHEREAS, the WUTC is directed in RCW 81.77.030 to carry out and
16 implement provisions of the County's minimum levels of service for
17 recycling through the approval of rates for certificated solid waste
18 haulers in order to assure that the provisions of specified recycling
19 services are met; and

20 WHEREAS, the certificated haulers are required by RCW 81.77.030
21 to request rate structures consistent with the solid waste management
22 priorities set forth in RCW 70.95.010 and the minimum levels of solid
23 waste collection and recycling services pursuant to the Tacoma-Pierce
24 County Solid Waste Management Plan; and

25 WHEREAS, municipalities within the County are charged separately
26 with establishing required recycling collection services through
27 municipal collection, contract collection, or WUTC regulated
28 collection, and the County Council believes that the County Executive
should continue to cooperate with the municipalities in developing
source separation recycling collection programs; NOW, THEREFORE,

BE IT ORDAINED By the Council of Pierce County:

Section 1. The Pierce County Council, pursuant to the authority
granted in RCW 70.95.160, hereby establishes the minimum levels and
types of services for the collection of source separated recyclable
material from commercially-billed multiple family complexes,
condominiums, and mobile home parks in the urban and rural areas of
unincorporated Pierce County, as indicated in Exhibit "A", attached
hereto and by this reference incorporated herein.

Section 2. Pursuant to the authority granted in RCW
36.58.040(2), the Pierce County Council hereby elects to use the
certificated solid waste collection companies where subject to the
jurisdiction of the WUTC to implement the recycling program outlined
herein for commercially-billed multiple family complexes,
condominiums, and mobile home parks and hereby notifies and requests
the WUTC to carry out and implement the recycling program for a

three-year period as permitted by RCW 81.77.150 through approval of collection rates as authorized by 81.77.030 and .160 and as requested solely by the following certificated haulers with the following certificate numbers:

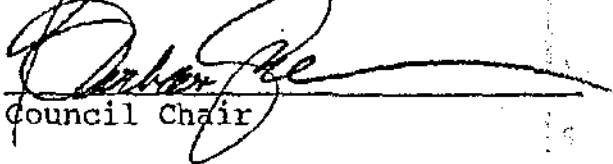
Name	Certificate Number
1. Harold LeMay Enterprises, Inc. Pierce County Refuse	G-98
2. American Disposal	G-87
3. Murrey's Disposal Company	G-9
4. University Place Refuse Service, Inc.	G-64
5. Lakewood Refuse Service	G-18

Section 3. The Pierce County Council requests that the Pierce County Executive continue coordination with the municipalities in the County to assist them in the development and implementation of residential multiple family source separation programs for their communities.

Section 4. If any section of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the section to other persons or circumstances is not affected.

PASSED this 20th day of August, 1991.

PIERCE COUNTY COUNCIL
Pierce County, Washington

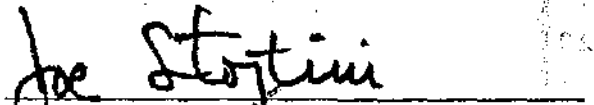


Council Chair

ATTEST:

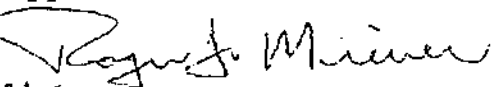

Sandy Bassett, Acting
Clerk of the Council

PIERCE COUNTY EXECUTIVE



Approved Vetoed
this 21st day of August, 1991.

Approved As To Form Only:



Chief Civil Deputy
Prosecuting Attorney

Date of Publication of
Notice of Public Hearing: July 31 and August 14, 1991

Effective Date of Ordinance: August 31, 1991

1 b) As an optional service, a certificated hauling company may
2 offer collection of other recyclables including the
3 collection of mixed waste paper: envelopes, junk mail,
4 magazines, catalogs, phone books, writing paper, computer
5 paper, unlined cereal boxes.

6 3. **Marketing:** The haulers shall develop agreements with local
7 Pierce County buy-back recycling centers and recycling processors
8 to handle the marketing and/or processing of recyclables
9 collected through the multiple family residential recycling
10 program. The agreements shall include a 10% local preference
11 allowance for Pierce County recycling businesses for recycled
12 materials collected through the program. The allowance shall be
13 for the marketing of newspaper, glass, steel ("tin") and aluminum
14 cans, mixed paper, and cardboard. Haulers are discouraged from
15 entering into long-term supply contracts for recycled materials
16 with out-of-county recyclers when Pierce County recyclers are
17 available, capable, competent, and willing to process and market
18 the materials.

19 4. **Incentive Collection Rates:** Haulers shall request the Washington
20 Utilities and Transportation Commission (WUTC) to adopt a rate
21 structure which includes the cost to implement the source-
22 separation multiple family residential recycling collection
23 program contained in these minimum levels of service and
24 consistent with the priorities of RCW 70.95.010. The collection
25 rates shall include:

26 a) Collection costs for the multiple family residential
27 recycling program shall be spread throughout each hauler's
28 entire commercially-billed multiple family complex,
condominium, and mobile home park customer base and should
include the haulers' administration costs to report monthly
tonnages to the County's Data Collection Program.

b) An incentive rate structure where at any given level the cost
of providing garbage and recycling collection services to a
multiple family complex, condominium, or mobile home park
must be less expensive than the provision of garbage alone
with one exception. The exception is where the hauler and
the owner of a multiple family complex or condominium agree
that no reasonable recycling collection service can be
provided because of the lack of space for multi-material
collection containers, or lack of site access for collection
trucks. Haulers shall notify the County which complexes
cannot receive recycling collection service because of the
lack of space or lack of site access.

- c) The incentive rate structure shall include a \$.75 per dwelling unit per month reduction in garbage service rates for those complex owners who choose to offer a recycling collection program to their residents.
- d) The rates shall include the haulers' cost of leasing recycling bins for individual dwelling units from Land Recovery Incorporated, including the cost of delivering the bins.
- e) Collection rates shall include a separate bin delivery service fee equal to or less than the replacement cost of the recycling bins. This service replacement cost shall not apply to the first-time delivery of recycling bins for dwelling units. Owners of complexes, condominiums, and mobile home parks are responsible for the replacement cost for lost or stolen bins.
- f) The rates shall include the hauler's mailing and administration costs for the mutually agreed-upon coordinated public information program.
- g) The rates shall assume a 70% (plus or minus 5%) participation rate in the number of multiple family complexes, condominiums, and mobile home parks with an average of 22.5 lbs per dwelling unit per month for recycling materials collected.
- h) The haulers are required to order equipment to carry out the program as soon as practicably possible with implementation to begin no later than October 1, 1991.
- i) The haulers shall capitalize and amortize the equipment costs over a minimum of three years.

5. **Data Collection Program:** Haulers shall report tonnages collected by material on a monthly basis to the County's Data Collection Program. The County shall aggregate the tonnages and include these in the Quarterly and Annual Reports. The County will use the tonnages to track the effectiveness of the recycling program and its relationship to the County's overall recycling rate and achievement of the 50% recycling goal by 1995.

6. **Informational and Educational Program:** The County shall work with the haulers to provide an information program targeted towards the owners/managers and the residents of multiple family complexes, condominiums, and mobile home parks. The program shall include, at a minimum, information materials about the various program alternatives to be distributed to the owners/managers of the multiple family residences and information about how to prepare and deposit recyclables distributed to the

1 residents of the individual dwelling units by the multiple family
2 owners/managers. For those complexes unable to choose recycling
3 collection, the County will provide information to the
4 owner/manager for each dwelling unit about the location of buy-
5 back recycling centers and drop-off collection sites. The
6 haulers program costs in the rate base shall be limited to the
7 cost of postage, phone hot lines, and other items mutually agreed
8 upon by the haulers and the County.

- 6
7. **Recycling Bins:** The County shall provide, through its contract
7 with Land Recovery Inc. (LRI), for LRI to purchase and lease the
8 curbside bin set of three and the single bin to haulers who
9 dispose waste at Pierce County solid waste disposal facilities.
10 The rental rate shall be \$.25 per year per bin for each of the
11 nestable, stackable bins and \$.25 per year for the single bin.
12 The style and the color of the bins shall be standardized
13 throughout the County. The bins shall be marked with an
14 identification of LRI ownership. The County through its contract
15 with LRI shall provide for LRI to sell recycling bins at cost to
16 self-haulers who do not have garbage collection.



Pierce County

Department of Utilities

9116 Gravelly Lake Drive S.W.
Tacoma, Washington 98499-3190
(206) 593-4050 • FAX (206) 582-9146

DONALD T. PERRY, P.E.
Director

October 3, 1991

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OCT - 7 1991

CITY OF GIG HARBOR

Mayor Gretchen Swayze Wilbert
City of Gig Harbor
P.O. Box 145
Gig Harbor, WA 98335-0145

Dear Mayor Wilbert:

Enclosed please find the Pierce County Data Collection Program's Second quarter and Year-to-date 1991 reports. You will see with our latest 36% recycling rate that our program has continued to develop and expand. This growth is primarily due to new participating businesses (currently 45) as well as increased recycling activities in the County. With the phase-in implementation of multi-family recycling beginning this month and the full implementation of single-family curbside pickup to all cities and towns, the latter portion of 1991 should reflect a substantial increase in our Residential Recycling Program.

We plan to continue monitoring the expansion of Pierce County's recycling activities. We are looking forward to keeping you informed of our progress.

Please call me or Andrea Friedrichsen, Solid Waste Analyst, at 593-4050, if you have any questions.

Sincerely,

MARTY ERDAHL
Assistant Director

S00568.RME

enclosures: Letter to Executive
2nd Quarter Report
Year-to-date Report





Pierce County

Department of Utilities

9116 Gravelly Lake Drive S.W.
Tacoma, Washington 98499-3190
(206) 593-4050 • FAX (206) 582-9146

DONALD T. PERRY, P.E.
Director

RECEIVED
OCT - 7 1991
CITY OF GIG HARBOR

September 30, 1991

Executive Joe Stortini
County City Building
930 Tacoma Avenue South
Tacoma, WA 98409

Dear Executive Stortini:

Enclosed please find the 1991 Second Quarter and the Year-to-date Data Collection reports on recycling activities in Pierce County. The Second Quarter report reflects a 36% recycling rate for the County, which includes the City of Tacoma, Fort Lewis and McChord Air Force Base. This represents a 2% increase since the first quarter of the year.

The 11,836 ton increase of recyclable materials collected is largely due to additional cardboard data and a number of new used motor oil processors/businesses reporting data to the County. Also, spring and early summer activities added substantial yard and garden waste volumes to the program.

The Waste Disposal section indicates a corresponding increase of 9,115 tons disposed during the second quarter. We attribute this increase largely to the rapid population growth rate in Pierce County.

Should you have any questions, please call me at 593-4050.

Sincerely,

R. MARTY ERDAHL
Assistant Director of Utilities

S00563.RME

enclosures

cc: Pierce County Council
Fred Anderson, Director of Operations
Donald Perry, Director of Utilities
Tony Tipton, Assistant Director of Utilities
Pierce County Haulers
Pierce County Recyclers

WASTE DISPOSAL
Second Quarter 1991
(in tons)

PIERCE COUNTY DISPOSAL #

Residential Self-Haul ▶	5,943
Mixed Municipal Solid Waste (MMSW) †	47,865
Commercial Self-Haul ▲	<u>34,214</u>

PIERCE COUNTY TOTAL

88,022

CITY OF TACOMA DISPOSAL

City Landfill	43,699
Hidden Valley Landfill	<u>6,505</u>

CITY OF TACOMA TOTAL

50,204

FORT LEWISMcCHORD AFB DISPOSAL

Fort Lewis	9,070
McChord AFB	<u>1,135</u>

FORT LEWISMcCHORD TOTAL

10,205

TOTAL PIERCE COUNTY WASTE DISPOSED

148,431 Tons

PIERCE COUNTY YEAR-TO-DATE RECYCLING REPORT
(in tons)

PERIOD: Second Quarter (4/1 - 6/30) and Year-to-Date (1/1 - 6/30) 1991,
CUMULATIVE (supplement to 1991 Second Quarter Recycling Report)

RESPONSE RATE: 89% Average

RECYCLING RATE: 35% Average

MATERIAL	1991 2nd QUARTER VOLUMES	1991 YEAR-TO-DATE VOLUMES
Refillable Beer	190.83	376.89
Glass	1,642.86	3,433.17
Newspaper	8,593.09	16,459.07
Cardboard	10,208.36	16,387.66
Computer Paper	327.44	658.34
Hi-Grade Paper	1,763.22	3,620.12
Magazines	244.36	260.99
Mixed Paper	2,018.97	4,175.47
Phone Books	14.52	40.61
Aluminum	499.83	903.39
Other Aluminum	26.03	53.38
Foil	1.18	2.46
Tin Cans	385.35	609.68
Ferrous/Non Ferrous*	25,218.18	50,463.88
Auto Batteries	131.64	293.26
Household Batteries	0.00	4.50
Used Oil	1,283.43	1,299.63
Starters	.23	.26
Generators	.23	.26
Alternators	.23	.26
Radiators	1.94	5.44
Cat. Convertors	0.00	.15
P.E.T.	30.94	56.39
H.D.P.E.	15.52	31.32
Other Plastic	15.71	16.41
Appliances	297.56	1,060.38
Tires	.26	40.61
Yard Waste	9,433.79	13,467.43
Demolition	.09	.18
Landclearing	3.08	5.08
Wood	225.45	684.44
Gypsum	3,631.71	6,634.10
Textiles	227.28	490.69
Food Waste	18,348.78	36,998.01
Other	365.36	411.48
TOTAL:	<u>85,147.44 tons</u>	<u>158,945.37 tons</u>

* includes partial estimates based upon findings in Best Management Practices Analysis for Solid Waste, WDOE, 1988.

WASTE DISPOSAL
January 1 - June 30, 1991
(in tons)

PIERCE COUNTY DISPOSAL*

Residential Self Haul	10,605
Mixed Municipal Solid Waste	90,576
Commercial Self Haul	<u>71,162</u>

PIERCE COUNTY TOTAL: 172,343

CITY OF TACOMA DISPOSAL

City Landfill	78,906
Hidden Valley Landfill	<u>17,059</u>

CITY OF TACOMA TOTAL: 95,965

FORT LEWIS/McCHORD AFB DISPOSAL

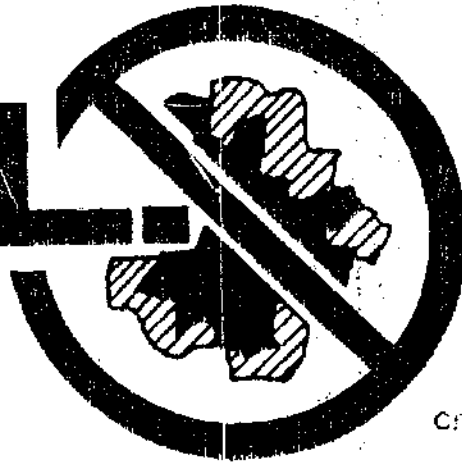
Fort Lewis	17,355
McChord AFB	<u>2,084</u>

FORT LEWIS/McCHORD TOTAL: 19,439

TOTAL PIERCE COUNTY DISPOSAL 287,747 tons

C.A.L.

CITIZENS AGAINST LITTER



RECEIVED
SEP 3 0 1991
CITY OF GIG HARBOR

September 29, 1991

3617 - 108th Street N.W.
Gig Harbor, Washington 98335

Mr. Keith Uddenberg
Keith Uddenberg, Inc.
Box 444
Gig Harbor, Washington 98335


Dear Mr. Uddenberg:

First of all, I would like to express my thanks for your response to our requests in the past. The recycling boxes at Thriftway and Stock Market have proven to be very beneficial toward our recycling fund. The monies gained have gone toward beautification projects to enhance the city, such as the hanging flower baskets, etc. One of the projects undertaken was the landscaping in front of the "Welcome to Gig Harbor" sign on Soundview.

I also wish to thank you for your participation in cleaning up and beautifying the area on Judson Street and Soundview in the areas near the Thriftway store.

I would like you to consider another proposal. Soundview is the one continuing street through Gig Harbor, which in part takes traffic past the back side of Olympic Village and Stock Market Foods in particular. Would it be possible for a screening to be put in back of Stock Market to hide the dumpsters, etc. from traffic. It is terribly unsightly when people drive by to have to see the mess collecting there. We would appreciate your consideration of installing a screening in this area, and thank you for your cooperation.

Sincerely,

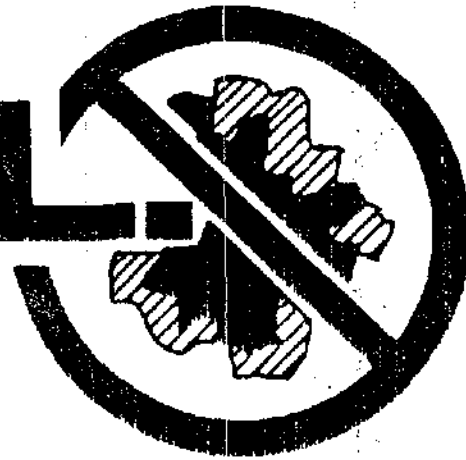

Jo Whetsell, Chairman
CITIZENS AGAINST LITTER

cc: Mayor Gretchen Wilbert ✓

JW:ap

C.A.L.

CITIZENS AGAINST LITTER



September 26, 1981

3517 - 108th Street N.W.
Gig Harbor, Washington 98335

Mr. Ben Yazici, P.E.
Public Works Director
City of Gig Harbor
3105 Judson Street
P. O. Box 145
Gig Harbor, Washington 98335

Dear Mr. Yazici:

My purpose in writing to you is to ask again if the following things would be done in the city:

I. It would be wonderful if receptacles for cigarettes would be put, for sure, by the aggregate bench at Jarewich Park, the aggregate bench at the 3-way stop in front of Joanie's store, and at the bus stop in the parking lot in front of Shoreline restaurant. If these were to be done, it would seem like we were really concerned about keeping Gig Harbor looking clean.

II. CAL volunteers have diligently planted and watered the flower boxes on the observation deck on No. Harborview Drive. They still look beautiful! It would be great if the city could weed around the deck where there are so many tall weeds.

Thank you for your considerations to us.

Sincerely,

Jo Whetsell, Chairman
CITIZENS AGAINST LITTER

cc: Mayor Gratches Wilbert ✓

JW:ep



City of Gig Harbor. The "Maritime" City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: Mayor Wilbert and City Council
FROM: Ray Gilmore, Planning Director
DATE: October 10, 1991
SUBJ.: 2nd Reading -- Proposed Revised Short Subdivision
Ordinance

This matter was previously considered by the Council at a public hearing on September 23. A copy of the proposed ordinance is attached for your review and favorable consideration.

SUMMARY
REVISED DRAFT SHORT SUBDIVISION ORDINANCE
CHAPTER 16.40

The revised short subdivision ordinance is a substantial re-write of an ordinance adopted by the City in 1975 and which has not undergone a revision or update since that time. The revised ordinance contains more definitive standards respective to design, street layout, dedication of right-of-way, storm drainage control, fire protection facilities, common facilities ownership and maintenance (other than public), application requirements, revised administrative procedures, and updating in conformance with RCW 58.17.

The more substantive changes are as follows:

Section 16.40.040. Specifically defines the administrator of the ordinance as the Planning Director or designee.

Deletes current section 16.40.070 on environmental analysis and impact statement in order to be consistent with the City of Gig Harbor Environmental Review Ordinance (adopted in 1988) and the State of Washington SEPA administrative code (WAC 197-11). Environmental review of short subdivisions would occur in conformance with applicable City and state regulations.

Section 16.40.080 and .090. Provides for a preliminary administrative decision to be rendered within 45 days of the filing of a complete application for a short plat.

Section 16.40.100. Provides for the appeal of an administrative decision on a preliminary short subdivision application by the applicant or adjacent property owner. Appeal is to the City Hearing Examiner.

Section 16.40.120 and .130. Establishes minimum standards for street right-of-way, surface width and surfacing requirements (public and private); provides minimum standards for road geometrics and alignment; dedication of right-of-way (when required); traffic control signage; storm drainage control and improvements; utility installation requirements. Requires that minimum improvements be installed prior to final short plat approval, which is within one year of the preliminary approval date.

Summary -- Revised Short Subdivision Ordinance
PAGE 2

Section 16.40.140. Provides for the establishment of a home owners association for the ownership and maintenance of common facilities (private) within the plat.

Section 16.40.150. Provides for specific data to be placed on the final plat, including signature spaces for the approval of the Mayor, the City Administrator, the Public Works Director and the Planning Director (NOTE: The old ordinance required only the approval signature of the Mayor).

Section 16.40.055. Establishes minimum standards for location and composition of survey monuments.

Section 16.40.180. Provides for the review of variances from the minimum standards of the ordinance. Variances would be considered by the City Hearing Examiner, in accordance with the public hearing review procedures established in the City Zoning Code, Section 17.10.

Section 16.40.190. Provides for the posting of a bond for required minimum improvements. Such bonds have a maximum term of eighteen months. Improvements must be installed within twelve months of the posting of the bond.

CITY OF GIG HARBOR

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REPEALING CHAPTER 16.40 AND ADOPTING A NEW CHAPTER 16.40 FOR THE REGULATION AND MANAGEMENT OF SHORT SUBDIVISIONS WITHIN THE INCORPORATED LIMITS OF THE CITY OF GIG HARBOR AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gig Harbor adopted its short subdivision ordinance, Chapter 16.40 of the Gig Harbor Municipal Code in 1975; and,

WHEREAS, Chapter 16.40 has not been updated since its adoption; and,

WHEREAS, it is in the public's interest and welfare to update Chapter 16.40 of the G.H.M.C. to provide more definitive standards for the development of streets, subdivision design, street layout, dedication of right-of-way, storm drainage control, fire protection, common facilities maintenance, application requirements and revised administrative procedures; and,

WHEREAS, the updated Chapter 16.40 of the G.H.M.C. reflects the most recent revisions to Chapter 58.17 (State Subdivision Act).

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, ORDAINS as follows:

Section 1. Chapter 16.40 is hereby repealed.

Section 2. The following chapter is hereby enacted:

Chapter 16.40

SHORT SUBDIVISIONS

- 16.40.010 Title
- 16.40.020 Applicability
- 16.40.030 Definitions

Short Subdivision Management
Ordinance #
Page 2

- 16.40.035 Exemptions
- 16.40.040 Administration
- 16.40.050 Short Sub Application Info Requirement
- 16.40.060 Short Sub Application Procedure
- 16.40.070 Adequacy Distribution
- 16.40.080 Administrator's Action
- 16.40.090 Administrator's Decision
- 16.40.100 Appeal of Administrator's Decision
- 16.40.110 Expiration
- 16.40.120 Requirements for Short Subdivisions
- 16.40.130 Minimum Standards and Improvements
- 16.40.140 Common Facilities Ownership
- 16.40.150 Inspection Procedures
- 16.40.155 Monuments, Standards and Requirements
- 16.40.160 Format of Short Plat
- 16.40.170 Administration
- 16.40.180 Variances Authorized
- 16.40.190 Performance Assurance
- 16.40.200 Penalties and Enforcement
- 16.40.210 Severability

16.40.010 Title. The ordinance codified in this chapter shall be referred to as the City short subdivision ordinance.

16.40.020 Applicability. Every division of land into four or fewer lots, tracts, parcels or sites for the purpose of sale, lease or transfer shall be considered a short subdivision of land within the City of Gig Harbor and shall proceed in conformance with this Chapter.

16.40.030 Definitions. Whenever the following words or phrases appear in this Chapter, they shall be given the meaning attributed to them by this section. "Shall" is always mandatory and the word "may" indicates a use of discretion in making a decision. Words not specifically defined herein shall be defined in the edition of Webster's New Collegiate Dictionary published in 1990.

1. Administrator: The City of Gig Harbor Planning Director or his/her designee.
2. Cul-de-sac: A road closed at one end with no through access; a dead-end street.
3. Dedication: The deliberate appropriation of land by an owner for any general or public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property

has been devoted. The intention to dedicate shall be evidenced by the owner of the presentment for filing of a final plat or short plat showing the dedication thereon and the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.

4. Easement: A written grant by a property owner of one or more property rights to a person.
5. Final short plat: The final drawing of the short subdivision and dedication prepared for recording with the Pierce County Auditor and containing all elements and requirements of this chapter and any conditions of preliminary short subdivision approval.
6. Owner: An individual, firm, association, syndicate, partnership or corporation having sufficient proprietary interest to seek the development of land.
7. Short Subdivision: The subdivision or redivision of land into four or fewer lots, tracts parcels or sites, any one of which is less than five acres or 1/128th of a section in area for the purpose of sale, lease, transfer or ownership.
8. Utilities: Utilities shall consist of all necessary utilities for construction and habitation purposes such as sewer, potable water, electrical and phone.

16.40.035 Exemptions. The following are excluded from the provisions of this chapter:

- A. Cemeteries and other burial plots while used for that purpose.
- B. Divisions made by testamentary provisions, or the laws of descent.
- C. Divisions of land into lots or tracts classified or designated for industrial use or commercial use when the City has approved a binding site plan for the use of the land in accordance with local regulations.
- D. A division for the purpose for lease when no residential structure other than mobile homes or travel trailers are permitted to be placed upon the land when the City has approved a binding site plan for the use of the land in accordance with local regulations.
- E. A division made for the purpose of alteration by boundary line adjustment, between platted or

unplatted lots or both, which does not create any additional lot, tract, parcel, site or division nor create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site

16.40.040 Administration. The City of Gig Harbor Planning Director or his/her designee is vested with the responsibility to administer the provisions of this chapter and shall have the authority to approve or disapprove short subdivisions.

16.40.050 Preliminary Short Subdivision Application Information Requirements. The preliminary short subdivision application shall consist of a short subdivision map drawn to scale, together with written data in such form that when the maps and written data are considered together, they shall fully and clearly represent the proposed short subdivision. The following data shall be furnished:

1. The name of the short subdivision.
2. A legal description of the boundary of the short subdivision.
3. A map depicting: the boundaries of the subject property, including exterior dimensions; the dimensions of the lots created; the date of the map, and a north arrow; a scale of the map not to be less than 1 inch equals 50 feet; the total area of the short plat and the total area of each lot created.
4. The name and addresses of the land owner(s), land dividers, engineer and surveyor.
5. Existing zoning district map designation.
6. Existing land use, including location of all existing structures and setbacks (in feet) from property lines.
7. Proposed uses for each lot.
8. A vicinity map which clearly relates the property's location respective to public roads, natural water courses (lakes, streams or ponds), including wetlands, and any bluffs or slopes exceeding 15%.
9. Location of proposed streets and access to public road and location of all existing and proposed easements on the property or lots to be created.
10. A preliminary stormwater management plan which shows the current slope and drainage vectors and

- which also describes the approximate degree and extent of storm water to be generated and how it will be contained.
11. A preliminary utilities plan which shows the general layout of water, sanitary and storm sewer power lines.
 12. Names and addresses of adjacent property owners on all sides of the property.
 13. Environmental impact evaluation as may be required by the State Environmental Policy Act, RCW 43.21c, and the City of Gig Harbor Environmental Policy Ordinance, Title 18, of the Gig Harbor Municipal Code.

16.40.060 Preliminary Short Subdivision Application Procedure. Any person seeking approval of a short subdivision shall complete the preliminary application forms provided by the Administrator, submit the required copies of the application including the application fee, as set forth in Chapter 3.40, G.H.M.C.

16.40.070 Adequacy, Distribution and Agency Response to Preliminary Short Subdivision Application. Upon a determination by the Administrator that an application for a short subdivision is complete as required by this Chapter, the Administrator shall affix a file number and date of receipt to the application and distribute copies of the application to all or a portion to the below listed agencies which may have an interest in the proposal. Distribution of the application to review agencies shall occur by no later than three days from the receipt of the complete application. Upon receipt of the application, the review agencies may submit comments to the Administrator by no later than fifteen (15) days from their receipt of the application. Review agencies are:

1. City Department of Public Works
2. City Fire Marshal
3. Pierce County Assessor's Office
4. Peninsula Light Company
5. Telephone Utilities
6. Other agencies as deemed appropriate by the Administrator.

Comments from the Department of Public Works and the Department of Community Development shall reference any requirements of City Code or Washington State law.

16.40.080 Administrator's Action. Within forty-five (45) days following the filing of a complete application or such additional period as the land divider may authorize, the Administrator shall approve or disapprove the preliminary short subdivision and shall notify the applicant, in writing, of the specific findings for the decision.

16.40.090 Administrator's Decision. The Administrator shall consider the recommendations of the responding agencies. Based upon the information provided, the Administrator shall determine if the preliminary short subdivision is consistent with the requirements of this chapter; the City Comprehensive Plan; the City Zoning Code; the City Wetland Management Ordinance; the City Environmentally Sensitive Areas Ordinance and Environmental Policy Ordinance; the City Shoreline Master Program, as applicable; the City Floodhazard Protection Ordinance; the City Fire Code Ordinance, and; the public health, safety, welfare, use and interest.

If the Administrator finds that the preliminary short subdivision complies with the above requirements, the preliminary short subdivision shall be approved. If the Administrator finds that the preliminary short subdivision does not comply with the above requirements, the preliminary short subdivision shall be denied.

The Administrator shall apply such reasonable conditions to the approval as may be necessary to assure that the preliminary short subdivision is consistent with the requirements of this section. The administrator shall provide written findings of fact for a decision to approve or deny a preliminary short subdivision.

16.40.100 Appeal of Administrator's Decision. Any decision of the Administrator regarding a preliminary short subdivision application may be appealed in writing to the City of Gig Harbor Hearing Examiner by the applicant or any interested person as defined below by no later than ten (10) days from the date of the decision. The written appeal shall be on forms supplied by the Administrator and shall be filed with the City. An interested person shall be defined as a property owner immediately adjacent to all boundaries of the proposed short subdivision.

The appeal to the Hearing Examiner shall be conducted in accordance with the procedures established under Chapter

17.10 for hearings conducted by the Hearing Examiner. The Examiner's decision is final and shall be supported by findings and conclusions, and is final unless appealed to the City Council, pursuant to Chapter 17.10.

16.40.110 Expiration. Proposed final short subdivisions shall be submitted within one year of preliminary short subdivision approval unless an extension of not more than one year is granted by the Administrator in writing prior to the expiration date.

If the proposed final short subdivision is not submitted within the required time period, or an extension is not granted, the approval of the preliminary short subdivisions shall be null and void. Requests for an extension shall be submitted not later than ten (10) days prior to the expiration of the original approval period. No extension shall be considered after that date. Approval of an extension shall be based upon a determination that the land divider is making reasonable progress towards completing the requirements for finalization of the short subdivisions. The Administrator shall not grant more than one extension.

16.40.120 Requirements for Short Subdivisions. All short subdivisions shall comply with the minimum standards and improvements as set forth in Section 16.40.130 of this chapter. All required improvements shall be installed after preliminary approval and prior to final approval of the short subdivision.

16.40.130 Minimum Standards and Improvement Requirements.

A. Street Right-of-Way, Surface Width and Surfacing Requirements.

Public roads shall conform to the requirements of the City of Gig Harbor Public Works Department, and shall also include the provisions for sidewalks and other safe pedestrian walking areas, and curbs and gutters, as required. As built plans, bearing the stamp of a civil engineer licensed in the State of Washington shall, be provided. Additionally, dedicated right-of-way shall be provided, as required, and shall conform to City standards. Public streets shall be dedicated to the City on the final plat and shall be maintained by the City.

Private streets may be permitted for any short subdivision where access to three or less lots will be provided to a public street. Private streets shall meet the following minimum standards:

1. A minimum surface width of 24 feet, consisting of an all-weather compacted surface.
 2. A minimum easement width of thirty feet. Upon execution of a written agreement between adjacent property owners, an easement may be combined with an easement on neighboring property to create the required thirty foot minimum width.
- B. Access: Each lot created shall adjoin a dedicated public street or have access to such a public street by recorded easement of not less than thirty (30) feet.
- C. Road Design Geometrics and Alignment:
1. Curves - The centerline radii of street curves shall not be less than 100 feet. If the Department of Public Works determines that a greater radii is required for public safety, based upon anticipated speed limits and superelevation, such radii may be required.
 2. Grades - Street grades shall not exceed fifteen (15) percent.
 3. Street Intersection Requirements - Streets intersecting with other streets shall have an approach angle of not less than 75 degrees. Streets must be aligned with streets approaching from the opposite direction. If an off-street approach is requested, the off-set interval shall not be less than 125 feet. Edge of lane radii at intersections shall be 55 feet.
 4. Dead-end Streets - Dead-end streets shall terminate in a turnaround which has a minimum radius of 45 feet or with a hammerhead design consistent with the requirements of the City Fire Code, Title 15 of the Gig Harbor Municipal Code.

D. Right-of-Way Dedication, When Required.

The City may require the dedication of right-of-way within a portion of the short plat for future public road development. The determination of the need for the dedication of right-of-way shall be based upon:

1. The potential for alignment of internal streets within the plat and on adjacent properties with existing or proposed public streets; or,
2. Implementation of the City's Six Year Road Improvement Program; or,
3. A determination by the City that the dedication of right-of-way would further the public's health, safety, convenience and welfare; or,
4. The property fronts a public street which currently has insufficient right-of-way width and additional right-of-way is required to bring right-of-way width up to City standards.

Right-of-way shall be dedicated on the final short plat.

- E. Street Name Sign: Street name signs shall be placed at all street intersections within or abutting the short subdivision. Sign type and location shall conform to the applicable City standards.
- F. Traffic Control: Streets in a short subdivision shall be marked and signs posted for traffic control in conformance with the Manual of Uniform Traffic Control Devices.
- G. Fire Protection Facilities and Improvements: Fire protection facilities and improvements as required by the City Fire Code, Title 15 of the Gig Harbor Municipal Code, shall be installed, as per the requirements of the City Fire Marshal. Prior to final plat approval, detailed plans for the fire protection system, bearing the stamp of a civil engineer licensed by the State of Washington, shall be submitted to the City for Approval.
- H. Storm Drainage Control and Improvements:

1. Preliminary Short Subdivision Drainage Plans: Preliminary drainage plans necessary for common drainage improvements shall be provided with the application by the land divider. Preliminary drainage plans shall be reviewed and approved by the Department of Public Works prior to preliminary approval of the short subdivision. The drainage plan submitted shall be reviewed in conjunction with adopted or accepted area-wide City of Gig Harbor storm drainage plans or programs.

Prior to final short plat approval, the land divider shall submit to the Department of Public Works a final detailed storm drainage plan, if required during preliminary short subdivision approval. The final storm drainage plan shall be submitted to the Department of Public Works for approval at least thirty (30) days prior to final short subdivision approval. The final plan shall be designed by, and bear the stamp of, a civil engineer licensed by the State of Washington.

2. Drainage improvements for individual lots: Each final short subdivision shall include a statement which requires the lot owner to submit a site drainage plan prior to approval of a building permit for each lot. Drainage improvements required by the City approved drainage plan shall be installed by the land owner at the time the lot is developed and shall be inspected by the City for conformance with the approved drainage plan prior to occupancy. Lot-by-lot improvements shall be maintained by the lot owner within the short subdivision.
- I. Utility Installation and Requirements: All necessary utilities serving the lots within the short subdivision shall be installed underground. Installation shall occur prior to final short subdivision approval.
 - J. Utility Easements: Utility easements shall be reserved as required by the City.
 - K. Zoning: All short subdivisions shall conform to City Zoning Code requirements in effect at the time the short subdivision is submitted for preliminary

approval.

- L. Appropriate provisions shall be made for open space, recreation areas and parks, consistent with the City Comprehensive Plan or other recreation plan or program of the City.

16.40.140 Common Facilities Ownership and Maintenance. The responsibility for the maintenance and operation of common facilities and improvements which are not under public ownership shall be the responsibility of the lot owners within the short plat. The maintenance of such facilities may be the responsibility of the land divider, a lot owner's association, a public agency or a private entity consistent with applicable state requirements. The determination of the maintenance entity shall be made prior to a preliminary decision on the short subdivision.

If common facilities are to be maintained by a lot owners association, the lot owners' association shall be established and incorporated prior to final short subdivision approval. The bylaws of such an association shall authorize, at a minimum, the following authorities and responsibilities:

1. The enforcement of covenants imposed by the landowner or developer, and which shall be stated on the final plat.
2. The levying and collection of assessments against all lots to adequately accomplish the association's responsibilities.
3. The collection of money from lot owners to finance future improvements.
4. The collection of delinquent assessments through the courts, including monies to pay for the costs of court actions.
5. The letting of contracts to build, maintain and manage common facilities.

The final short subdivision shall include a covenant which requires indefinite existence of the association and automatic membership in the association upon the purchase or ownership of a lot. Articles and bylaws of incorporation of the association shall be submitted and approved by the Administrator prior to final short subdivision approval.

The covenant shall be filed with the County Auditor and the Auditor's file number for the short plat and covenants shall

be submitted to the City within thirty days of the filing date.

16.40.150 Improvements - Installation, Construction and Inspection Procedures. All required improvements shall be installed by the land divider prior to final short subdivision approval. Work shall not commence until final plans have been approved by the City and the City has given authority to proceed. All improvements shall be installed in accordance with applicable City construction and performance standards.

16.40.155 Monuments, Standards and Requirements.

- A. Permanent control monuments shall be established at:
 - 1. All controlling corners on the boundaries of the short subdivision;
 - 2. The intersections of centerlines of roads within the short subdivision;
 - 3. On the centerlines of roads within the short subdivision at point of curve and point of tangency, or points of intersection, as required by the County Engineer.
- B. Permanent control monuments may be placed on offset lines. The position and type of every permanent monument shall be noted on all plats or short plats.
- C. Permanent control monuments within the streets shall be set after the roads are paved.
- D. Every lot corner shall be marked by a 1/2" galvanized iron pipe or equivalent monument which shall be driven into the ground.
- E. All monuments must be at least partially composed of a ferrous material.

16.40.160 Format of Short Plat. The proposed final short plat may be presented to the Administrator at any time following preliminary short subdivision approval. The final short plat shall be accompanied by three copies.

Every final short plat shall consist of one or more pages, each 18 inches wide by 24 inches in length, clearly and legibly drawn on polyester base (mylar) film with a minimum thickness of three mil. All drawings and letterings on the final short plat shall be in permanent black ink or, as an acceptable alternative, photographically processed mylar film copies.

The perimeter of the short plat shall be depicted with

heavier lines than appear elsewhere on the plat and shall be at a scale of not less than one inch to one hundred (100) feet. The map shall include, but not be limited to, the following:

- A. All section, township, City or County lines lying within or adjacent to the short subdivision.
- B. Description of all corners necessary to determine the exterior boundaries of the short subdivision and show bearing and distance ties to a minimum of two monumented corners of record which were utilized for the construction of the survey.
- C. The location of all permanent monuments found and established within the short subdivision.
- D. The boundary of the short subdivision complete with the bearings to the nearest one second and lineal dimensions to the nearest one-hundredth of a foot.
- E. The lengths and bearings of all straight lines; the radii, length of arcs and central angles of all curves.
- F. The location, width, centerline and name of all streets within and adjoining the short subdivision.
- G. The location and width of all easements.
- H. Numbers assigned to all lots.
- I. The required minimum yards of the City Zoning Code or any setbacks which may be more restrictive than the Zoning Code. In lieu of dashed lines representing the required setback, a notation may be entered on the face of the plat to describe the required setbacks.
- J. Statements identifying the purpose of all dedicated common areas, other than streets,
- K. Dedications of land to the public or to the lot owners association shall be clearly indicated on the face of the final short plat for road rights-of-way, drainage ways, utility easements, recreation and open space.
- L. The name of the short subdivision, scale, north arrow and the date of preparation.
- M. A legal description of the land contained within the short subdivision.
- N. A signed statement by the surveyor of the short subdivision, attesting that it is a true and correct representation of the land surveyed, substantially as follows:

"I _____,

registered as a land surveyor by the State of Washington, certify that this short subdivision is based on an actual survey of the land described herein conducted by me or under my supervision; that the distances, courses, angles are shown thereon correctly; and that the monuments other than those monuments approved for setting at a later date, have been set on lot corners staked on the ground as depicted on the this short plat.

- O. A statement that all lots shall be a valid land use notwithstanding a change in zoning laws for a period of five years from the date of recording of the final short plat.
- P. A statement in substantially the following language:
"No portion of the this short subdivision may be altered, amended, deleted, added to or changed in any manner except by the short subdivision procedures set forth under this Title and in conformance with Chapter 58.17 RCW."
- Q. A statement of approval with signature space for the City Public Works Director as to:
 - 1. Survey data, for correct mathematical closure of all lots, blocks and boundaries.
 - 2. Certification that all required drainage and utility improvements have been constructed in conformance with approved plans.
- R. A statement of approval with signature space for the City Administrator which attests that there are not any delinquent assessments outstanding on the property.
- S. A statement of approval with signature space for the Administrator which attests that the short plat conforms to the City Zoning Code and the provisions of this Chapter.
- T. Where common facilities are to be owned and maintained by a lot-owners association, the short plat must contain a statement specifying that all lot owners are automatically members of the lot owners association upon assumption of ownership of a lot and that the association is responsible for the maintenance and management of specified common facilities consistent with the articles of incorporation.
- U. A full and correct legal description of the land divided by the short plat, including a declaration that the short plat is made with the free consent and in accordance with the desires of the owners.

Signature spaces for the land divider shall be provided.

- V. Where dedication for road right-of-way is required or provided, the final short plat or a separate written instrument shall contain and specify the dedication to the City and shall include a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said street. The certificate of dedication or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands divided and shall be recorded as part of the final plat.
- W. A title report of not less than thirty days from the date of submission of the final short plat which confirms that the title of the land as described and shown on the short plat is in the name of the owners signing the plat and any instrument of dedication.
- X. A signature space for the Pierce County Treasurer and a statement that all state and county taxes levied against the short platted property described hereon have been fully paid and discharged.
- Y. A signature space for the Pierce County Auditor, as required.

16.40.170 Administrator Action on Final Short Plat. The Administrator shall approve the final short plat if all of the following are met:

- A. That the requirements of state law and this Chapter pertaining to finalization of the short subdivision has been satisfied by the land divider.
- B. That a current title insurance report of not less than thirty days confirms the ownership interest in the divided land is in the names of the person whose signatures appear on the final short plat.
- C. That the conditions imposed as part of the preliminary approval have been met.

16.40.180 Variances Authorized. Variances to the standards prescribed by this section may be authorized by the City Hearing Examiner, provided that variances to dwelling density and minimum lot size may not be considered under this section. Request for variances shall be submitted

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simultaneously with the application. A variance may only be granted by the Hearing Examiner if all of the following are met:

- A. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other, similarly situated property in the City.
- B. There are special circumstances applicable to the property, including size, shape, drainage, topography, location and surroundings which under a strict application of the regulations would deprive the property of rights and privileges enjoyed by other property in the vicinity.
- C. Granting of the variance would not be materially detrimental to the public health, safety, welfare, use or interest, or injurious to property or improvements in the vicinity.
- D. The variance is necessary to correct a special circumstance and not simply for economic convenience.
- E. The granting of the variance will not materially compromise the goals and policies of the Comprehensive Plan or be inconsistent with other City land use ordinances.

16.40.190 Performance Assurance in Lieu of Required Improvements. In lieu of required minimum improvements, a bond in the amount of 150% of a contractor's bid for the cost of the required minimum improvements shall be posted with the city prior to final plat approval. If accepted by the City, the bond shall have a term not to exceed eighteen (18) months from the filing of the final plat with the Pierce County Auditor. Required improvements shall be constructed and installed within twelve (12) months of the filing of the final plat. Failure on the part of the land divider or land developer to construct or install the required improvements shall result in the city's foreclosure of the bond. Upon foreclosure of the bond, the City shall construct or complete the required improvements or contract for the construction or completion of the improvements.

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the violation continues. Assessment of a civil penalty shall be in accordance with the procedures established pursuant to Chapter 15.06, Gig Harbor Municipal Code. Appeal of a civil penalty order shall be to the City of Gig Harbor Hearing Examiner, pursuant to the procedures established under Chapter 17.10.

16.40.210 Severability.

If any section, sentence, clause or phrase of this ordinance, or the statutes adopted herein by reference, should be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. If any section, sentence, clause or phrase of this ordinance, or the statutes adopted herein by reference, should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other section, sentence, clause or phrase of this section.

Section 4. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary.

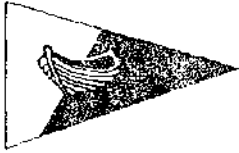
PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its mayor at a regular meeting of the Council held on this _____ day of _____, 1991.

Gretchen A. Wilbert, Mayor

ATTEST:

Michael R. Wilson
City Administrator/Clerk

Filed with the City Clerk: 8/18/91
Passed by City Council:
Date Published:



City of Gig Harbor. The "Maritime" City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: Mayor Wilbert and City Council
FROM: Michael R. Wilson, City Administrator *Mile*
SUBJECT: Business License Ordinance
DATE: October 11, 1991

The mayor has addressed in the past to you and me a concern relative to the city's business license policy. The mayor's perception has been: 1) "we do not require every business in the city to have a business license", and 2) the city is not taking strong enough action against business's which may be operating without a business license, including the possibility of the city taking action to terminate the business's operation in the city in the event such a license has not been issued.

I have been directed by the mayor to have the necessary ordinance drafted to insure the ability of the city to enforce the regulations and to maintain a complete record of business being conducted in the city. I have discussed this matter on numerous occasions with the mayor and legal counsel and am herewith offering a new city ordinance for your consideration.

As a point of information, I would like to again correct some inaccurate statements or misperceptions about how business licenses are issued. First, every business located in the city, other than churches and charitable or nonprofit organizations, are required to obtain a business license as provided under section 3.16.030 of the Gig Harbor Municipal Code. It should be noted that business licenses are not issued in the county. Second, we do keep a complete file and record of those businesses which have business licenses and such information is available for public review.

Business licenses are generally renewed in July of each year and numerous new licenses issued at various times during each year. If a business has not renewed a business license in a timely fashion, we track those businesses and send them a follow up letter requesting the \$20 renewal fee. Under the city's codes, if there is a violation of the business license provisions, the business shall be guilty of a misdemeanor. Relative to new businesses, we do our best to track those that are new to the area and have them obtain a business license. I have yet to see a business not obtain a license in the city because of not wanting to pay the \$20 fee. Furthermore, when a business receives a follow-up

Business License Memo
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letter from us to renew their license, they generally take action to renew the license.

As city administrator and clerk/treasurer in the administration of the business license program, I have not ascertained a need or interest to prosecute a business for failure to pay a \$20 renewal charge. Furthermore, I not recommend a change in the city's policies to provide for city forced termination of a business in the city for failure to obtain or renew a business license.

Presently the city codes do not address grounds for issuance of a business license. This attached ordinance will clarify that matter. It does not, however, put more "teeth" in the enforcement or violation sections of the code. Even though we do not presently have a "grounds for issuance" of a business license section within our codes, the process that Mr. Tanaka outlines in the draft ordinance already is being used and has been used by the city for a number of years. You will note in the attachments that the applicant will fill out the attached application and a checklist is circulated to each of the departments for review before a business license is issued. This ordinance drafted by legal counsel will not change our already established review process but will improve our codes, therefore, I would recommend your approval.

0008.080.001
WDT/srh
08/12/91

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ADDING A NEW SECTION 3.16.031 TO THE GIG HARBOR MUNICIPAL CODE ESTABLISHING CRITERIA FOR ISSUANCE OF A BUSINESS LICENSE.

WHEREAS, Section 3.16.030 of the Gig Harbor Municipal Code currently requires all businesses in the City of Gig Harbor to obtain and annually renew a business license and to pay a fee therefore, and

WHEREAS, the City Council finds that some businesses in the City are operating in violation of provisions of the City code, and

WHEREAS, the City Council finds that the following ordinance is necessary for the preservation of the public health, safety and general welfare, now, therefore,

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

Section 1. A new Section 3.16.031 is hereby added to the Gig Harbor Municipal Code to read as follows:

3.16.031 Grounds for Issuance. Before issuing or renewing any license required by Section 3.16.030, the City Clerk shall forward the initial application or the renewal application to relevant City Departments for review. The City departments shall advise the City Clerk if there are any violations of any provision of the Gig Harbor Municipal Code at the business location and if so shall cite the particular section being violated. The City Clerk shall issue a business license if

the business until all such violations have been corrected.

Section 2. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary which is hereby approved.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY CLERK, MICHAEL WILSON

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. _____