

**ORDINANCE NO. 1433**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO MINIMUM LOT SIZES FOR SUBDIVISIONS IN THE SINGLE FAMILY RESIDENTIAL (R-1), MEDIUM DENSITY RESIDENTIAL (R-2) AND MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICTS; AMENDING SECTIONS 17.16.060, 17.20.040 AND 17.24.050 OF THE GIG HARBOR MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

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WHEREAS, the City currently does not specify a minimum lot size for subdivisions of five or more lots in the R-1, R-2 and R-3 Zoning Districts; and

WHEREAS, the City recognizes, as a City planning under the Growth Management Act, its obligation to plan for growth pursuant to RCW 35.70A; and

WHEREAS, the City seeks consistency between the Comprehensive Plan and Zoning code within the R-1, R-2 and R-3 Zoning Districts and to ensure density and the appearance of density within the Zones remains single family in nature; and

WHEREAS, on October 8, 2018 the City Council directed staff to process the code amendment by direct consideration resulting in no Planning Commission review; and

WHEREAS, the proposed development regulation amendments were forwarded to the Washington State Department of Commerce on June 26, 2019, pursuant to RCW 36.70A.106; and

WHEREAS, the City's SEPA Responsible Official issued a threshold Determination of Non-significance for this Ordinance on August 8, 2019; and

WHEREAS, on September 16, 2019 and October 7, 2019 the City Council considered the proposed amendment at a work-study session; and

WHEREAS, on October 15, 2019 the Washington State Department of Commerce provided a formal response indicating that they do not oppose the proposed amendment to the R-1 zoning district; and

WHEREAS, on October 17, 2019, timely public hearing notice was provided to the City's official newspaper; and

WHEREAS, the City Council considered the Ordinance at first reading and public hearing on October 28, 2019 where the Ordinance proposed a minimum lot size for subdivisions in the R-1 Zoning District only; and

WHEREAS, on November 7, 2019, timely public hearing notice was provided to the City's official newspaper; and

WHEREAS, the City's SEPA Responsible Official issued an Addendum to the Determination of Non-significance on November 14, 2019; and

WHEREAS, on November 25, 2019, the City Council considered the amended Ordinance proposing minimum lot sizes for subdivisions in the R-1, R-2 and R-3 Zoning Districts at first reading and public hearing; and

WHEREAS, the City Council considered the Ordinance at second reading during a regularly scheduled City Council Meeting on December 9, 2019; Now, therefore,

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

**Section 1.** Section 17.16.060 in the Single Family Residential (R-1) Chapter of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.16.060 Development standards.**

In an R-1 district, the minimum lot requirements are as follows:

	<u>Short Subdivision</u>	<u>Subdivision</u>
A. Minimum lot area per building site-for short-plats <sup>1</sup>	7,200 sq. ft.	<u>7,500 sq. ft.</u>
B. Minimum lot width <sup>1</sup>	70'	<u>0.7 percent of the lot area, in lineal feet</u>
C. Minimum front yard setback <sup>2,4,5,1,3,4</sup>		House: 20' Porch: 12' Garage: 26'
D. Minimum rear yard setback <sup>2,3,1,2</sup>		30'

E. Minimum side yard setback <sup>2,31,2</sup>	8'
F. Maximum hard surface coverage	40%
G. Minimum street frontage	20'
H. Density	No minimum density – maximum of 4 dwelling units/acre

~~<sup>1</sup>A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7 percent of the lot area, in lineal feet.~~

<sup>21</sup>Development in the historical district shall comply with the setbacks defined in GHMC 17.99.310 and 17.99.320.

<sup>32</sup>Garages may be located in the defined side and rear yards, provided they conform to the criteria in GHMC 17.99.490(A)(1).

<sup>43</sup>For uses which require site plan review under Chapter 17.96 GHMC, the minimum front yard setback shall be 20 feet.

<sup>54</sup>Accessory structures shall meet the minimum front yard setback for a house.

**Section 2.** Section 17.20.040 in the Medium Density Residential (R-2) Chapter of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.20.040 Development standards.**

In an R-2 district, the minimum requirements are as follows:

	Single-Family and Duplex Dwellings	Other Residential and Nonresidential
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**A. Short Subdivision:**

<u>1. Minimum lot area:</u>	7,000 sq. ft./dwelling unit
<del>for short plats<sup>1</sup></del>	

<u>2. Minimum lot width:</u>	<u>50'</u>
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<del>B. Minimum lot width<sup>4</sup></del>	<del>50'</del>	<del>50'</del>
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**B. Subdivision:**

<u>1. Minimum lot area:</u>	<u>5,800 sq. ft./dwelling unit</u>
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	Single-Family and Duplex Dwellings	Other Residential and Nonresidential
<u>2. Minimum lot width:</u>	<u>0.7 percent of the lot area, in lineal feet</u>	
C. Minimum front yard <sup>3,4,2,3</sup>	House: 20' Porch: 12' Garage: 26'	25'
D. Minimum side yard <sup>2,3,1,2</sup>	8'	7'
E. Minimum rear yard <sup>2,3,1,2</sup>	30'	25'
F. Maximum hard surface coverage	60% of the total lot area	
G. Minimum density	No minimum	
H. Maximum density	6 dwelling units/acre	

~~<sup>4</sup>A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7 percent of the lot area, in lineal feet.~~

<sup>21</sup>Development in the historic district shall comply with the setbacks defined in GHMC 17.99.310 and 17.99.320.

<sup>32</sup>Garages accessory to single-family and duplex dwellings may be located in the defined side and rear yards, provided they conform to the criteria in GHMC 17.99.490(A)(1).

<sup>43</sup>Accessory structures to single-family and duplex dwellings shall meet the minimum front yard for a house.

**Section 3.** Section 17.24.050 in the Multiple Family Residential (R-3) Chapter of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.24.050 Development standards.**

In an R-3 district, the minimum lot requirements are as follows:

	Single-Family and Duplex Dwellings	Other Residential and Nonresidential
A. <u>Short Subdivision:</u>		

	Single-Family and Duplex Dwellings	Other Residential and Nonresidential
1. <u>Minimum lot area for short plats<sup>1</sup></u>	5,400 sq. ft./dwelling unit	
2. <u>Minimum lot width</u>	<u>50'</u>	
<del>B. Minimum lot width<sup>1</sup></del>	<del>50'</del>	<del>50'</del>
<u>B. Subdivision:</u>		
1. <u>Minimum lot area</u>	<u>4,400 sq. ft./dwelling unit</u>	
2. <u>Minimum lot width</u>	<u>0.7 percent of the lot area, in lineal feet</u>	
C. Minimum front yard <sup>32</sup>	House: 20' Porch: 12' Garage: 26'	20'
D. Minimum side yard <sup>23</sup>	8'	7'
E. Minimum rear yard <sup>23</sup>	30'	25'
F. Maximum hard surface coverage	60% of the total lot area	
G. Maximum density	8 dwelling units/acre	

~~<sup>1</sup>A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7 percent of the lot area, in lineal feet.~~

<sup>21</sup>Garages accessory to single-family and duplex dwellings may be located in the defined side and rear yards, provided they conform to the criteria in GHMC 17.99.490(A)(1).


<sup>32</sup>Accessory structures to single-family and duplex dwellings shall meet the minimum front yard for a house.

**Section 4. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be 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 5. Effective Date.** This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 9th day of December, 2019.

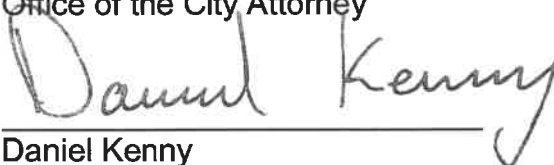
CITY OF GIG HARBOR

  
\_\_\_\_\_  
Mayor Kit Kuhn

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Molly M. Towslee, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

  
\_\_\_\_\_  
Daniel Kenny

FILED WITH THE CITY CLERK: 11/20/19  
PASSED BY THE CITY COUNCIL: 12/09/19  
PUBLISHED: 12/19/19  
EFFECTIVE DATE: 12/24/19  
ORDINANCE NO: 1433