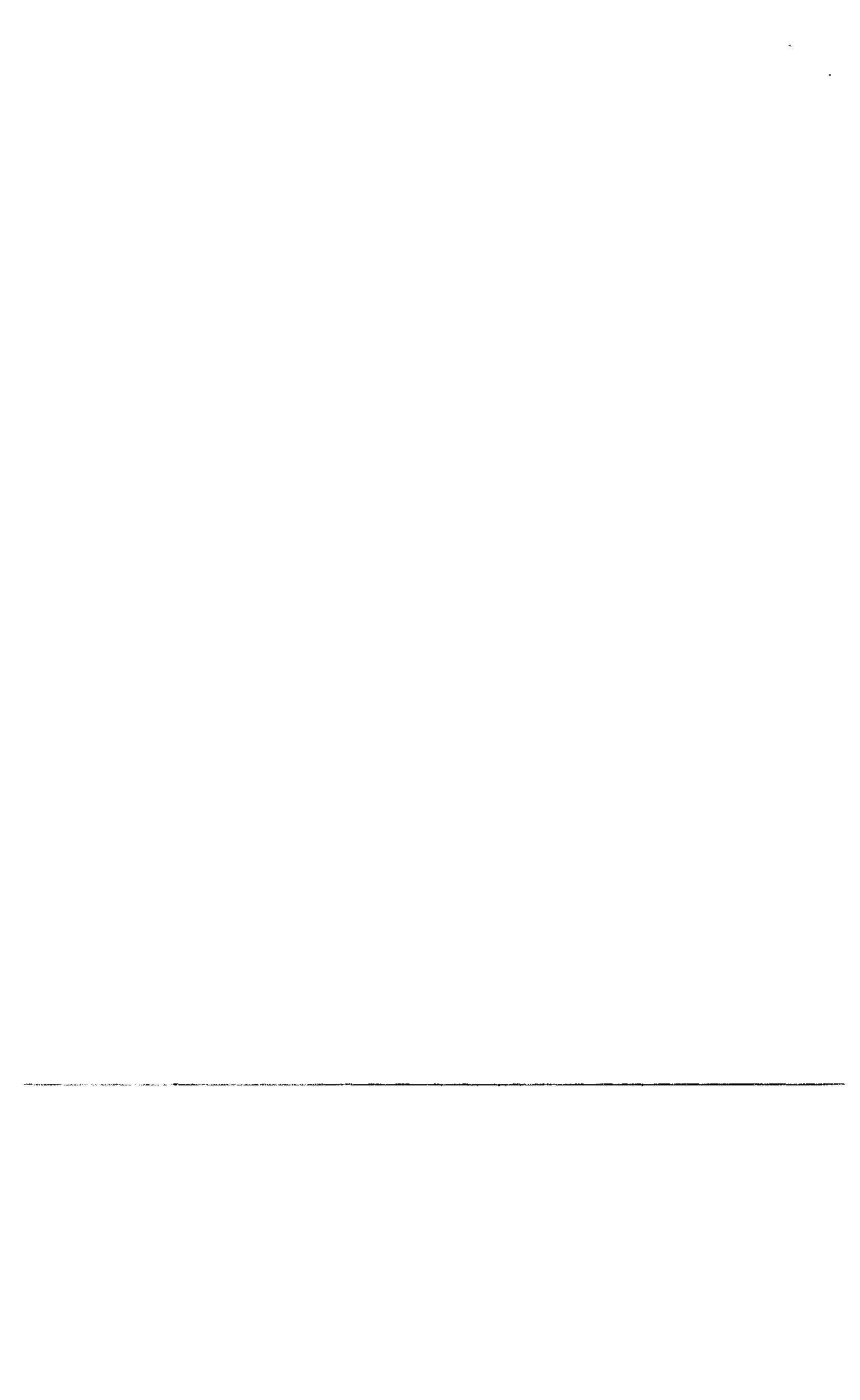


GIG HARBOR CITY COUNCIL MEETING

NOVEMBER 9, 1992

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





City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
NOVEMBER 9, 1992

PUBLIC COMMENT/DISCUSSION:

CALL TO ORDER:

ATTORNEY SUMMARY:

1. Appearance of Fairness issue.

PUBLIC HEARINGS:

1. ANX91-07: Tallman (pre-annexation zoning) - 2nd reading.
2. Ordinance amending Height Overlay District Ordinance - 1st reading.
3. 1993 Budget Ordinance - 1st reading.

APPROVAL OF MINUTES:

CORRESPONDENCE: None scheduled.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. Amendments to water, sewer, and storm drainage utility rate ordinances - 1st reading.
2. Pierce County Solid Waste Agreement.
3. Contract to amend excise tax return.
4. Special occasion liquor license - PNA.

DEPARTMENT MANAGERS' REPORTS:

1. Police.

COUNCIL COMMITTEE REPORTS: None scheduled.

MAYOR'S REPORT:

1. Association of Washington Cities - Important issues of 1993.

ANNOUNCEMENT OF OTHER MEETINGS: None scheduled.

APPROVAL OF PAYROLL:

Warrants #7659 through #7763 in the amount of \$136,968.24 (less warrants #7654 through #7658 which jammed in the printing).



APPROVAL OF BILLS:

Warrants # through # in the amount of \$

EXECUTIVE SESSION: None scheduled.


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: November 4, 1992
SUBJ.: Annexation 91-07 (Tallman Annexation) --
Preannexation Zoning (2nd Reading of Ordinance)
and Notice of Intent to Annex.

I have attached the public comments on the Tallman Annexation proposal received since the last public hearing date. Also included is a letter from Geoff Moore of PAC-Tech Engineering, which proposes an alternative zoning plan and an annexation agreement for the area, a resolution on the notice of intent to annex and an ordinance adopting the proposed zoning for the area. The zoning, of course, would not take effect until approval of the annexation request by Pierce County.

Staff offers comment on several issues which have been raised throughout this process.

Access Road Impact

Several comments have been made regarding the "70 foot wide road" on Mr. Tallman's property, just east of Cedarcrest subdivision. Although this is not a typical annexation issue, the question of impact has been repeatedly argued and discussed. The opportunity for impact mitigation occurred at the time the private road was proposed for construction under Pierce County jurisdiction. It is not known whether impact mitigation was required by Pierce County, and it seems doubtful as is evidenced by the current situation. The issue of the road's location may arise again if the property is subject to site plan review under City regulations. At that point in time, impact mitigation may be considered.

Although Council could consider an annexation agreement to require specific mitigation (i.e. relocation, more buffering, abandonment, etc.) for the road's "potential" impact, staff believes it more appropriate (and equitable to the property owner) to apply mitigation in response to a site specific proposal.

Reasonableness of Boundaries

Staff feels that this is an important issue as it will most assuredly be considered by the Boundary Review Board in its deliberation on the subject. Staff believes that a reasonable boundary would be defined by existing county roads.

Although this is not a problem in the north part of the annexation area, the south portion presents several potential boundaries which have not been considered by the petitioners in the petition. The petitioner has stated that attempts to bring the bordering subdivisions into the annexation area has met with resistance by the residents of the subdivision. Consequently, because of a lack of interest in being annexed, the neighboring subdivisions have been excluded from the petition.

Most of the opposition to the preannexation zoning (and the annexation itself) has been by adjacent subdivisions. It makes very little sense to attempt to include neighboring properties in this petition if the residents/owners do not want to be within the city. However, to establish a clear record on this issue (particularly for the BRB), the petitioners for this annexation could be given one final opportunity, within a reasonable time period (30-45 days), to include 60% of the assessed evaluation of the properties bordering the annexation area on the petition to annex. This would, however, require re-introduction of the ordinance and would effectively delay this annexation process by six weeks.

Other Impact Issues

Most, if not all, of the comments have reflected concern on impacts related to project development (traffic, noise, light, glare, aesthetics, etc.). Consideration of adequate or appropriate mitigation is possible if there is a specific project to consider, respective to the performance standards of the zoning code. As the city is only considering the preannexation zoning and the annexation itself, both of which are non-project proposals, it is pure speculation to determine performance related mitigation. It has even been suggested that the petitioner submit a PUD application for review by the Council prior to annexation. This is only possible if the project site is within the City.

Council Action

Council may consider several options at this meeting in acting on this annexation request:

- A. Act on the annexation request (by resolution) and

the preannexation zoning ordinance.

- B. Continue the item to the next meeting for final action (3rd reading of the preannexation zoning ordinance).
- C. If deemed appropriate, permit the petitioner an opportunity to secure a 60% petition to include the adjacent residential subdivisions in this annexation request.
- D. Remand the proposed preannexation zoning agreement zoning issue to the Planning Commission for review and recommendation following a public hearing by the Planning Commission.

Staff believes that option D is the most feasible as it has the potential to resolve many of the land use/zoning issues raised at the public hearings. Staff advises the petitioner to consider one more petition drive to include the adjacent residential areas. Although it has been stated by the petitioner that adjacent properties have expressed no interest in annexation to the city, documentation of this process should be readily apparent to the Boundary Review Board.

CITY OF GIG HARBOR
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR ACCEPTING THE ANNEXATION PETITION FOR THE AREA KNOWN AS THE GIG HARBOR INTERCHANGE (ANX 91-07) AND AS SUBMITTED BY PETITIONERS JAMES TALLMAN, ET.AL., AND ENTERS AN INTENT TO APPROVE AND REFERRING THE PETITION TO THE PIERCE COUNTY BOUNDARY REVIEW BOARD.

WHEREAS, on July 31, 1991, a petition for annexation of approximately 120 acres was submitted for the property ; and,

WHEREAS, the petition which has been certified by the City Administrator as legally sufficient containing the signatures of not less than 60% of the owners of assessed evaluation and the legal description of the subject property are attached to this resolution and made a part hereto; and,

WHEREAS, such annexation proposal is within the Urban Area Boundary as defined in the Urban Area Agreement of September, 1987, between Pierce County and the City of Gig Harbor; and,

WHEREAS, such annexation proposal is within the future potential annexation area as defined by the City of Gig Harbor; and

WHEREAS, on the 23rd of October, 1991, the City Council met with the initiating party during regular session of the Council; and,

WHEREAS, at that time the Council set forth the requirements placed on the petitioner wishing to annex as follows:

1. Assumption by the property owners their portion of the City of Gig Harbor's indebtedness;
2. The area shall be zoned as per the attached Exhibit "B."

WHEREAS, on May 18, 1992 a determination of non-significance was issued for the proposal, based upon a review of the environmental documents submitted by the petitioner, in accordance with the City of Gig Harbor Environmental Policy Ordinance, Title 18 of the Gig Harbor Municipal Code;; and,

WHEREAS, at the public hearing of November 9th, 1992, the City Council does hereby declare its intent to authorize

and approve said annexation, and to accept same as a part of the City of Gig Harbor; and,

WHEREAS, the City Council shall comply with the procedural requirements of RCW 35A.14 to the conclusion of this annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR:

Section 1. The City Council of the City of Gig Harbor does hereby declare its intent to authorize and approve the annexation and to accept the subject property as part of the City of Gig Harbor with the following requirements:

1. Assumption by the property owners their portion of the City of Gig Harbor's indebtedness.
2. The area shall be zoned as per the attached exhibit "B" and designated as within the height overlay district, subject to the City of Gig Harbor Zoning Code, Title 17 of the Gig Harbor Municipal Code.

Section 2. The City Clerk of the City of Gig Harbor hereby declares the annexation petition contiguous with the boundaries of the City of Gig Harbor and said property which is more particularly described in the petition which is marked Exhibit "A" and which is made a part hereto.

The City Council does refer the petition and petitioner to the Pierce County Boundary Review Board for approval of the annexation and the City Council shall not take any further action on the annexation proposal until such time the Pierce County Boundary Review Board has completed its review of the notice of intent to annex.

PASSED AND APPROVED, at the regularly scheduled City Council meeting of on the _____ day _____ of , 1992.

Gretchen Wilbert, Mayor

ATTEST:

Mark E. Hoppen, City Administrator

Filed with City Clerk: 9/18/92
Passed by City Council:

EXHIBIT "A"
LEGAL DESCRIPTION
ANX 91-07

EXHIBIT "B"
ZONING DESIGNATION MAP
ANX 91-07



City of Gig Harbor. The "Maritime City."

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

CITY OF GIG HARBOR

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR ADOPTING ZONING DESIGNATIONS FOR THE AREA INCLUDED UNDER A PETITION SUBMITTED BY JAMES TALLMAN FOR AN ANNEXATION (ANX 91-07) DESCRIBED AS THE GIG HARBOR INTERCHANGE ANNEXATION.

WHEREAS, on July 31, 1991, a petition for request for consideration of annexation of approximately 120 acres was submitted by James Tallman, et.al.; and,

WHEREAS, the petition requested a zoning plan and district designations in conformance with the City of Gig Harbor Comprehensive Plan of 1986; and,

WHEREAS, the City Council did on September 23, 1991, accept said petition for consideration; and,

WHEREAS, the petitioner submitted to the City of Gig Harbor Planning Commission proposed zoning district designations for the area; and,

WHEREAS, the Planning Commission, acting under its authority pursuant to RCW 35A.14.330, did conduct a public hearing on August 18, 1992 on the petitioners proposed annexation for the area; and,

WHEREAS, the Planning Commission, upon consideration of the staff's recommendation and the oral and written comments received in response to the public hearing did, at a worksession on September 1, 1991, propose a pre-annexation zoning plan for the area and adopted findings of fact in support of its recommendation to the City Council; and,

WHEREAS, such annexation proposal is within the future potential annexation area as defined by the City of Gig Harbor; and

WHEREAS, on May 18, 1992 a determination of environmental non-significance was issued for the proposal, based upon a review of the environmental documents submitted by the petitioner, in accordance with the City of Gig Harbor Environmental Policy Ordinance, Title 18 of the Gig Harbor Municipal Code; and,

WHEREAS, the City Council did conduct two public hearings not less than thirty days apart on September 28, 1992 and November 9, 1992, to accept public comment on the proposed zoning plan for the area; and,

WHEREAS, the City Council has complied with the procedural requirements of RCW 35A.14 in consideration of the pre-annexation zoning for the area subject to this annexation.

NOW, THEREFORE, the city council of the City of Gig Harbor ORDAINS as follows:

Section 1. The real property described in this ordinance as "Exhibit A" is hereby zoned in accordance with the zoning districts as defined on the exhibit and is within a height overlay district, per Section 17.62 of the Zoning Code.

Section 2. This ordinance shall be in full force and take effect five (5) days after the notification of approval of the annexation petition by the Pierce County Boundary Review Board according to law.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council on this November 9, 1992.

Gretchen Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Clerk/Treasurer

Filed with the City Clerk: 9/23/92
Passed by the City Council:
Date Published:
Effective Date:

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NOV 4 1992

CITY OF GIG HARBOR

4421 68th St. Ct. NW
Gig Harbor, WA 98335
November 2, 1992

Mayor Gretchen Wilbert and
Gig Harbor City Council
P.O. Box 145
Gig Harbor, Wa 98335

Dear Madam Mayor & the City Council:


I would like to make it known that we are opposed to the proposed zoning by developer James Tallman at the former "Plaza 16" site behind Cedarcrest subdivision and adjacent to Highway 16 at Wollochet. We are in favor of the City Planning Commission's recommended zoning for the Tallman Annexation, with the RE-1 and R-1 and a conservation zone for wetlands.

In addition to the Commission's recommendation, I would add the following:

1. An even larger area around the wetlands go to conservancy with park usage. Gig Harbor neighborhoods need more community parks.
2. The existing road between 72nd and Wollochet should be downsized to 35', changing the road from four lanes to two lanes, in keeping with surrounding areas, allowing a 40' buffer between property lines of homeowners and the edge of the rolled asphalt closest to Cedarcrest.
3. Council member Jeanne Stevens Taylor must abstain from voting on this issue, as she is a board member with Mr. Tallman and Mr. Moore in a pro-development coalition, and would be a conflict of interest.

Since current county zoning is primarily rural, one unit per acre, unless the above zoning adjustments are adopted, we must OPPOSE annexation of this property to the city. We do not wish to have our neighborhood zoned Commercial, which would cause an increase in traffic and congestion, noise, air pollution and crime, and would significantly decrease our property values, and the quality of living that we now enjoy.

Sincerely,



Hugh & Esther Kile

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

RECEIVED
NOV 2 1992
CITY OF GIG HARBOR

Dear Mayor Wilbert and City Council,

Please do not allow zoning RB2
to go through at Wollastet & Hunt.

We have tried for many
years to protect the last remaining
wet land area.

The residents of the area do
care and we have proven time
& time again our concern
with traffic & air water
supply. That concern will
create another traffic night -
mare.

Please listen to P. N. A. -
We don't try to stop development!
Only make it responsible
(Pet Name)

HELEN COYNE-HOERLE

ATTORNEY AT LAW
5231 RAY NASH DRIVE N.W.
GIG HARBOR, WASHINGTON 98335
(206) 265-6633

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NOV 2 1992

CITY OF GIG HARBOR

October 29, 1992

Mayor Gretchen Wilbert and the Gig Harbor City Council
City of Gig Harbor
P.O. Box 145
Gig Harbor, Washington 98335

Dear Madam Mayor and the City Council:

Re: Tallman Annexation/Plaza 16

I support the City Planning Commission's recommended zoning for subject annexation, i.e. RB-1 and R-1 with a conservation zone for the wetland areas. I strongly oppose the proponent's proposed zoning of B-2 and RB-2. The Peninsula does not need six story apartment buildings permissible under propositon's recommended zoning. The zoning decision on this project affects the quality of life on the entire Peninsula.

I believe, however, that the following should be added to the Commission's recommendation,:

1. Conservancy zoning should be extended beyond the immediate wetlands to permit park usage.

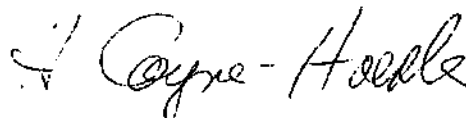
2. The road through the property should be reduced in size from its present 70' to 35,' reducing it from a four lane corridor to a two lane road, more in keeping with the surrounding area. Reduction of the road width would permit installation of a 40' buffer between the property line and the asphalt edge closest to the Cedarcrest subdivision.

3. CONFLICT OF INTEREST BY COUNCILMEMBER JEANNE STEVENS TAYLOR - Ms. Taylor's position as co-board member with property owner Tallman and Mr. Tallman's agent, Mr. Geoff Moore, in a pro-development coalition is a clear conflict of itnerest issue. Her vote on this proposal would violate the appearance of fairness doctrine.

SPR 335-90, Horsehead Bay Estates
September 21, 1992
Page 2

As you are aware, current county zoning for this area is primarily rural, one unit per acre of land. If you cannot adapt the current proposal to include my recommended additions, I believe the annexation should be rejected.

Sincerely yours,

A handwritten signature in cursive script that reads "Helen Coyne-Hoerle".

HELEN COYNE-HOERLE

HC/ds

10.30-92 RECEIVED

OCT 30 1992

CITY OF GIG HARBOR

Dear Mayor Wilbert and City Council,

I wish to express my support for the City Planning Commission's recommended zoning for the Tallman Annexation (RB-1-R-1) with the following additions:

1. establish more protected area around the wetlands
2. downsize the width of the road to 35' to allow buffering of property lines for Cedarcrest residents
3. cut off the road between the wetlands from any further development and allow roadbed to return to natural state

This area has been considered for re-zone at least two times in the last twelve years and has been denied for some of the following reasons: unstable soil conditions, steep slopes, wetlands, water run-off and adjacent residential areas.

Nothing has changed on this property that would justify the density of zoning the applicant is now requesting

The road that runs through the wetlands on the property has already caused significant ^{and subtle} changes. Mr. Cvitanich, a resident whose property abuts the road and wetland area, has had many truckloads of fill and topsoil brought in to attempt to control flooding on his property.

When I stand on 68th St and look toward Wallochek Dr., I see wet areas I do not recall seeing before.

Please consider the adjacent neighborhoods that will become part of Big Harbor's Urban Growth Area under the Growth Management Act. Their support of RB-1 and R-1 zoning will make for good future citizens. We need to work together.

Respectfully submitted,
 Lisa Powell
 4511 69th St. N.W.
 Big Harbor, WA. 98335

RECEIVED

OCT 12 1992

CITY OF GIG HARBOR

Mayor Wilbard and City Council

10/12/92

3105 Jackson Street

Gig Harbor, WA 98335

Dear Mayor Wilbard and City Council,

I would like to voice my support and approval of the Planning Commission Recommendation for the zoning of the Talno Annexation area. As a resident of Cedarcrest I feel our opinion is important. The Planning Commission proposal does it's best to preserve the flavor of our area, as well as our property values. Any denser development would cause a traffic nightmare like Olympic Village that would have an impact clear out to Fox Island and beyond. Obviously the wetlands preservation is an important issue, also.

I would encourage Councilwoman Jeanne Stearn-Taylor to abstain in voting on this issue due to her apparent conflict of interest. I have been to several city council meetings where members have voluntarily excused themselves when there was any appearance of fairness issue. It would enhance my already good feelings that the city council is sincere and fair.

Sincerely

Ed Dorkhan

4314 68th St. Ct. NW (Cedarcrest)

Gig Harbor, WA 98335



Peninsula Neighborhood Association
P.O. Box 507, Gig Harbor, WA 98335 (206) 858-3400

October 12, 1992

Gig Harbor City Council
03105 Judson Street
Gig Harbor, Wa. 98335

Re: Case ANX 91-07/ Gig Harbor Interchange
Correction of PNA Memorandum of October 9

Dear Mayor and Councilmembers:

The statement on page 1. of the above memo, referring to the county's "Rural Basic" zoning for the Tallman property, which reads, "This designation limits residential building density, for example, to no greater than one dwelling unit per 5 acres (0.2 du/acre)", should read as follows:

"This designation limits residential building density, for example, to no greater than one dwelling unit per one acre (1.0 du/acre)".

The density comparison made in the first paragraph of the second page should properly be, 3.5 du/acre for R-1 and RB-1 City zones vs. 1.0 du/acre for the County's Rural zone on the property.

The comparison still illustrates a significant increase in zone density, even if the R-1 and RB-2 zones are adopted as recommended by the Planning Commission.

Sincerely

Tom Morfee
Executive Director



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

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OCT 15 1992
CITY OF GIG HARBOR

Dear Mayor Wilbert and City Council,

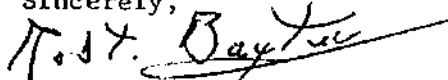
I support most of the Gig Harbor city commission's proposal to allow residential and very low level of commercial development in the Tallman annexation. RB 1 will not allow apartments or high traffic commercial businesses.

I take exception to the planning commission recommendations as follows:

1. We need a larger park around the wetland area.
2. The existing 70' wide road should be downsized to 35'
4. Jeanne Stevens-Taylor should step down from matters concerning the Tallman annexation to allow the appearance of fairness.

I agree with Nick Marovitch that ~~we are~~ all of us involved in this matter should become a part of Gig Harbor.

Sincerely,



Robert L. Baxter, Jr.
3615 60th St Ct NW
Gig Harbor WA 98335
Phone 858-3287

RECEIVED
OCT 12 1992
CITY OF GIG HARBOR

October 12, 1992

City Council
City of Gig Harbor
3105 Judson Street
Gig Harbor, WA 98335

Dear Council Members:

Re: Gig Harbor Interchange Case #ANX91-07

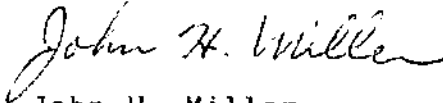
As a citizen of Gig Harbor and a member of the Committee of Greater Gig Harbor, I would like to express my concern for the above mentioned annexation being considered by your body.

In the interest of an orderly development of our community, it is felt that the City Council should follow the recommendations of the Planning Commission with regard to the zoning of the contemplated annexation. Their recommendations seem to provide some degree of protection against a too dense development and a maintenance of a village atmosphere rather than a commercial expansion.

Perhaps the developer could use the "planned community" approach in order to allay the concerns of those of the immediate area as well as the community as a whole.

The "fairness" issue has been raised with regard to a Council member serving on the Board of a pro-development organization. It would seem that the fox is guarding the hen house. Only an abstention in voting by a Council member who is actively part of the pro-development organization is in order.

Very truly yours,



John H. Miller
6556 Snug Harbor Lane
Gig Harbor, WA 98335

RECEIVED
OCT 13 1992
CITY OF GIG HARBOR

October 11, 1992

Mayor Gretchen Wilbert and
Gig Harbor City Council
3105 Judson Street
Gig Harbor, WA 98335

Dear Mayor Wilbert and Council Members:

This letter is in response to the Gig Harbor Interchange Annexation (Anx 91-07/James Tallman). As residents of Cedarcrest we are again concerned with several of the planning commission's recommendations as outlined at the September 28th council meeting. They are as follows:

1. That a portion of the parcel be zoned RB2---this is not appropriate to the surrounding residential areas. RB2 would allow a high intensity business district.
2. Traffic impact from resulting development (especially a RB2 zoning) along the interchange as well as along Wollochet and 46th St. would be phenomenal.
3. The existing dirt road that is currently 70 feet wide should be decreased to 35 feet. This would allow a buffer of vegetation from the development to the existing neighborhood of Cedarcrest.
4. There also needs to be adequate protection of the existing wetlands as well as protection to the wildlife habitat.
5. Jeanne Stevens-Taylor, Councilwoman of Gig Harbor, who is on another board with Mr. Tallman of a prodevelopment group, step down to allow the appearance of fairness concerning the vote on the Tallman annexation.

We appreciate your reading and documenting the above listed concerns.

Sincerely,

George Martinec
Yvonne Martinec

George & Yvonne Martinec
4321 69th St Ct NW
Gig Harbor, WA 98335
206 858-2486

Oct, 19th, 1992

NOV 4 1992

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Dear Mayor Wilbert and
City Council,

I am writing concerning
the Tallman Amendment.
I support the Amendment
neighborhood associations
recommendations of
a R3-1 and R-1
reassignment for this area.
When we moved to
Gig Harbor from Denver,
Colorado 4 years ago we
chose this as our home
because of the rural
character of the area
and the way they
surrounded the homes
and businesses in the
area. When we saw
the Tallman station and
the way it drove we thought
it was at the wonderful
country feeling and the

way they perceive the
fact in the harbor area
we want to live here!"
We thought this was
the concept that this
area took as a way of
life - a quality of living
that distinguishes us
from the urban sprawl
of the Tacoma area.
Our hearts have
been broken again and
again by the "obviously
greater city and country
development in alignment
these high density
"lots squeeze every cent
of of this property!"
mentality that has,
@canned since we
been here. Not only
have names and businesses
been squeezed on Tacoma
side property but the

Quality is of our low
course we just course.
Please keep us
maintain the mural
atmosphere we are
about to (much)
don't allow development
to dilute and threaten
us. If we wanted a
Tasman atmosphere
we would have had
in Tasman and not had
to have the bridge!
Where we live in
Colorado each developer
was required to set
aside a certain percentage
of the land for parks
and bike paths, as a
result we had wonderful
little neighborhood parks
and biking/walking paths
that connected the whole

city together, it was also
 a separate place to live
 and a result.
 Gutterman, I know
 you have seen the interests
 of the people of big
 of timber and I really
 appreciate that help
 we get our city and
 country starts to make
 "the people" and not
 the developers.

Thank you

Robert and
 Jimmy Brown



City of Gig Harbor. The "Maritime City."

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

TO: CITY COUNCILMEMBERS
CITIZENS OF GIG HARBOR
FROM: GRETCHEN WILBERT, MAYOR *GW*
SUBJECT: INTRODUCTION TO BUDGET REVIEW
DATE: NOVEMBER 5, 1992

Welcome to budget preparation time, 1993. A new era is upon us. An era for contemplating the future where visioning and planning will be our focus for 1993. The Growth Management Act, along with the Pierce County adopted policies, set our main agenda.

Our high priority this year is planning for our shoreline management, marine safety regulations, and meeting health department recommendations to provide the facility for responsible sewage control for live-aboards, pleasure and commercial craft, and residents. Updating our comprehensive plan, creating design standards with an historical element are also prime objectives. Strong citizen interest prevails in planning for parks, pedestrian and neighborhood safety, continued focus on maintenance of our public facilities and byways, clean water, clean air, and retaining the look and feel of our living environment.

The residents of the older and seemingly forgotten end of town look forward to continuing the planning effort initiated in August of 1991 of addressing the failing infrastructure on North Harborview. Private groups are waiting in the wings to participate in the revitalization of the head of the bay. The Finholm family plan a hill climb, the Rotary members are requesting an area to fulfill a national objective of urban reforestation, and Citizens Against Litter are eager to add beauty to the preservation of the historic landmark. Bandid efforts by locals have been fending off lawsuits by parking personal vehicles in areas dangerous to pedestrians. Al Bucholz painted a foot-wide path for pedestrians where no walkway was indicated. Neville has renewed his flower beds, screened his dumpsters, and eliminated a slippery condition on the sidewalk. Food waste no longer is emptied into Gig Harbor Bay, thus eliminating the rat problem. The pavement is sinking and pulling away from the sidewalk. Cracks in the pavement allow storm water to seep under and erode.

The city crew have been patching and repairing as needed on North Harborview. Ben obtained legal easement under private property for the main storm drain outlet for the entire north end, eliminating the need to build a new outfall. The city provided some sidewalks and a brick planter. Rob Orton of Peninsula Light

is working on a plan to underground utilities. Building owners, wanting to paint and fix up their buildings, wonder if there will be a planning theme for this historic end of town. The city owns an alley behind Finholm's Market; it happens to be a steep bank and the bank is eroding away. Residents on Franklin and Prentice would like easier pedestrian access to North Harborview.

I share this brief history with you because once again this project appears in the budget to have been struck by a cut. I look to you for guidance in achieving the interests in the community.

Tom Enlow will speak to the financial constraints dictating a need on our part to choose priorities. Most importantly, Mark and Tom will give you the emerging critical situation in our water fund resources. We will be faced with a water rate increase to meet our obligations and rebuild a reserve to meet emergencies. Our comprehensive water plan indicates we were scheduled to replace the water line on Peacock Hill Avenue last year; however, our revenue in the water fund at this time would fall short of meeting this goal.

Your administration will continue to give total energy to our neighbors concerns and needs in answering questions regarding annexations within our urban growth boundary. We will continue to share information with the residents and property owners north of Gig Harbor, in Cedarcrest, Shore Acres, the Westside, and East Gig Harbor in an effort to ease the pain of growth and development in the most beautiful place in the world. We have been discovered.

Our challenge in the greater community will be to influence decisions for appropriate changes within our judicial system, law enforcement, transportation needs, and land use.

Genuine praise must go to the councilmembers, staff, and citizens for entering the process of coordinated decision making and a willingness to continue the effort during this exciting time of change and challenge.

REGULAR GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 26, 1992

PRESENT: Councilmembers Frisbie, Stevens-Taylor, Platt, English, Markovich, and Mayor Wilbert.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: To approve the minutes of the meeting of October 12, 1992.
English/Stevens-Taylor - unanimously approved.

OLD BUSINESS:

1. Pete Darrah Application.
Councilmember Frisbie requested information from legal counsel regarding the Darrah application. Discussion followed regarding the history of the application.

MOTION: That Mr. Darrah's application, if still active, return to council the second meeting in November.
Frisbie/Platt - no action taken.

Further discussion regarding clarifying procedure led to an amended motion.

MOTION: With City Attorney's review and approval of procedural correctness, Pete Darrah's current application return to council for review the second meeting in November.
Frisbie/Markovich - unanimously approved.

NEW BUSINESS:

1. Contract for researching excise taxes.
Finance Director Tom Enlow explained the services offered by the firm of Benson and McLaughlin, CPA's in helping research excise laws.

MOTION: To engage Benson and McLaughlin to perform an initial review of city records for an amount not to exceed \$750.00.
English/Platt - unanimously approved.

2. Public Health Services Agreement.
City Administrator Mark Hoppen presented the updated Public Health Services Agreement and answered questions on the services provided.

MOTION: To approve the updated Public Health Services Agreement.
English/Stevens-Taylor - unanimously approved.

DEPARTMENT MANAGERS' REPORTS:

1. Public Works.

Public Works Director Ben Yazici reported that the plans and specifications for ULID #3 were completed and the project had been advertised for bid. He added this was a good time to advertise and he is expecting several competitive bids. After the bid opening November 18th, he will tabulate and report back the bid findings.

Mr. Yazici also gave an update on the Soundview Project. The curbs, gutters and sidewalks are in place and the first lift on the entire length of the street. Weather permitting, the second lift should be in place by the end of next week. He reported that the project is still well within budget.

2. Finance.

Mr. Enlow presented the quarterly report.

MAYOR'S REPORT:

1. Exit Conference.

Mayor Wilbert gave a brief presentation and answered questions on the exit conference held by the state auditors. She gave credit for the success of the conference to Tom Enlow, Finance Director.

2. Letter from Mayor Vialle re: Airport.

Mayor Wilbert talked about the letter she received from Karen Vialle responding to her letter of October 8th. The Mayor was unclear why the letter indicated a lack of city participation, and hopes to clarify that issue.

APPROVAL OF BILLS:

MOTION: To approve payments of warrants #9604 through #9641, with an exception of # 9606, used as a leader, in the amount of \$350,680.67.
Platt/Stevens-Taylor - unanimously approved.

EXECUTIVE SESSION:

MOTION: To go into executive session at 7:40 p.m. to discuss personnel issues.
Markovich/Platt - unanimously approved.

MOTION: To return to regular session.
English/Stevens-Taylor - unanimously approved.



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: Tom Enlow
DATE: November 6, 1992
SUBJECT: Ordinances Increasing Utility Rates

This is the first reading of three ordinances to increase water service rates by 20% and sewer and storm drainage rates by 10%.

These rate increases are necessary to balance the 1993 budgets for the utility operating funds.

The proposed 1993 water fund expenditures are the minimum required for operations and maintenance except for a transfer of \$63,588 to the Water Capital Assets Fund to help fund \$150,000 of water capital expenditures and projects. These projects are components of our comprehensive plan which were postponed from 1992 due to a lack of funds and which staff feels are necessary to complete next year.

The proposed budgets for sewer and storm drainage operating funds are also the minimum required for operations and maintenance and do not include any amounts for capital expenditures. Sewer's revenue, with the rate increase, will cover these costs. Storm drainage charges pay for approximately 60% of its expenses with a \$42,387 transfer from General Fund budgeted to cover the shortfall.

These rate increases are needed immediately to provide adequate funds for operation and maintenance of the utilities in 1993.

Utility rates should also provide for the systematic repair and replacement of equipment and infrastructure as well as fund a reserve for unexpected repairs. A rate study, planned for 1993 in coordination with our comprehensive plans, should provide us with a suggested rate structure and a plan for regular incremental increases as needed to maintain viable systems.

CITY OF GIG HARBOR
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE MUNICIPAL WATER SYSTEM: PROVIDING CHANGES TO THE WATER RATES AND SETTING AN EFFECTIVE DATE.

WHEREAS, it is necessary to increase the water service rates to reflect the increased costs of providing those services and to maintain a viable water system;

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

Section 1. Section 13.04.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

"13.04.010 Water Rates. The monthly water service rates shall be set at the following amounts:

<u>Customer Class</u>	<u>Customer Base Charge</u>	<u>Commodity Charge</u>
Residential	\$5.756.90/meter/mo	All ccf - \$0.861.03/ccf
Multi-residential		All ccf -
5/8" & 3/4" meter	\$9.8011.76/meter/mo	\$0.861.03/ccf
1"	16.6519.98	0.861.03/ccf
1-1/2"	32.5539.06	0.861.03/ccf
2"	52.1062.52	0.861.03/ccf
3"	97.75117.50	0.861.03/ccf
4"	162.85195.42	0.861.03/ccf
Commercial/Schools		All ccf -
5/8" & 3/4" meter	\$6.908.28/meter/mo	\$0.750.90/ccf
1"	11.5013.80	0.750.90/ccf
1-1/2"	23.0027.60	0.750.90/ccf
2"	36.0043.20	0.750.90/ccf
3"	69.0082.80	0.750.90/ccf
4"	115.00138.00	0.750.90/ccf

Section 2. Section 13.04.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

13.04.020 Nonmetered residential uses. Until a water meter has been installed to measure water consumed by a residential unit or a multiple residential building, the water service charge applicable to such unmetered unit shall be ~~sixteen dollars and ninety-three cents (\$16.93)~~ twenty dollars and thirty-two cents (\$20.32) per month per unit.

Section 3. This ordinance shall take effect and be in full force with the utility billings issued after January 1, 1993.

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 _____, 1992.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with city clerk: 11/4/92
Passed by city council:
Date published:
Date effective:

CITY OF GIG HARBOR
 ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON RELATING TO THE MUNICIPAL SEWER SYSTEM: PROVIDING CHANGES TO THE SEWER RATES AND SETTING AN EFFECTIVE DATE.

WHEREAS, it is necessary to increase the sewer service rates and charges to reflect the increased costs of providing those services and to maintain a viable sewer system;

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

Section 1. Section 13.32.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

"13.32.010 Sewer Rates. The monthly sewer service rates shall be set at the following amounts:

<u>Customer Class</u>	<u>Customer Base Charge</u>	<u>Commodity Charge</u> All ccf	<u>Minimum Charge</u>
Residential	\$4.004.40/mo	1.75\$1.93/ccf	\$12.7514.03/mo
Multi-residential	2.352.59/mo/ liv. unit	1.751.93/ccf	9.3510.29/mo
Commercials/School	7.508.25/mo/ bill. unit	1.751.93/ccf	19.7512.75 14.03/mo

Section 2. This ordinance shall take effect and be in full force with the utility billings issued after January 1, 1993.

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 _____, 1992.

 Gretchen A. Wilbert, Mayor

Ordinance #
Page 2

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with city clerk: 11/4/92
Passed by city council:
Date published:
Date effective:

CITY OF GIG HARBOR

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON RELATING TO THE MUNICIPAL STORM DRAINAGE UTILITY: PROVIDING CHANGES TO THE STORM DRAINAGE RATES AND CHARGES AND SETTING AN EFFECTIVE DATE.

WHEREAS, it is necessary to increase the storm drainage service rates and charges to reflect the increased costs of providing those services and to maintain a viable storm drainage system;

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

Section 1. Section 14.10.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

14.10.050 Service charge rates. In accordance with the basis for a rate structure set forth in Sections 14.10.0920 and 14.10.030 of this chapter, there is levied upon all developed real property within the boundaries of the utility the following service charges which shall be collected from the owners of such properties:

- A. For all detached single-family residences and mobile homes (one equivalent billing unit), the monthly service charge shall be ~~three dollars and twelve cents effective January 1, 1987~~ three dollars and forty-three cents (\$3.43).
- B. Those developed properties that are riparian to the harbor or Puget Sound from which storm and surface waters flow directly into the harbor or Puget Sound, without the aid of any watercourse or natural or artificial drainage facilities, and all developed properties with city-approved detention facilities will be billed at one equivalent billing unit.
- C. Duplexes shall be charged at 1.5 equivalent billing units for the two units.
- D. For all other developed property within the boundaries of the utility, except as set forth in Section 14.10.060 of this chapter, the monthly service charge shall be ~~three dollars and twelve cents effective January 1, 1987,~~ three dollars and forty-three cents (\$3.43).

Section 3. This ordinance shall take effect and be in full force with the utility billings issued after January 1, 1993.

Storm drainage rates ordinance
Page 2

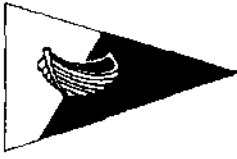
PASSED by the City Council of the City of Gig Harbor, Washington,
and approved by its Mayor at a regular meeting of the council
held on this _____ day of _____, 1992.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with city clerk: 11/4/92
Passed by city council:
Date published:
Date effective:



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: Mark Hoppen *MH*
Subject: Resolution adopting the amended Tacoma-Pierce County
Solid Waste Management Plan
Date: November 5, 1992

Attached is a summary and resolution for the agreement between Pierce County Solid Waste management and the City of Gig Harbor, which also includes participation by the City of Tacoma.

Because so many actions have been taken by the County to implement the 1989 Plan and because a complete plan revision is to begin in 1994, the County, with DOE's help, has prepared an amendment document. This lengthy and weighty document has been abbreviated to the summary before you.

One important point is that the plan is reviewed every five years, and most items are negotiable, except rates. The Plan includes residential collection, yard waste composting, education programs, public information and outreach programs, and some special collection programs (Christmas Trees, waste oil, household hazardous waste).

The resolution attached is recommended for approval with the approval of the City Attorney.

CITY OF GIG HARBOR

RESOLUTION NO. _____

A RESOLUTION OF THE GIG HARBOR CITY COUNCIL ADOPTING THE AMENDED TACOMA-PIERCE COUNTY SOLID WASTE MANAGEMENT PLAN, AND AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH PIERCE COUNTY COMMITTING THE CITY TO THE GOALS, POLICIES, AND DISPOSAL METHOD SET FORTH IN THE AMENDED PLAN.

WHEREAS, RCW Chapter 70.95 established a state-wide comprehensive program for solid waste handling, waste recovery and recycling, in an effort to prevent land, air, and water pollution and to conserve the natural resources of the State of Washington; and

WHEREAS, the Pierce County Council adopted the Tacoma-Pierce County Solid Waste Management Plan by Ordinance no. 87-196 on August 2, 1989 as required by RCW Chapter 70.95; and

WHEREAS, pursuant to RCW Chapter 70.95, the City of Gig Harbor adopted the Tacoma-Pierce County Solid Waste Management Plan as its comprehensive solid waste management plan by Resolution #300 and entered into an interlocal agreement with Pierce County to comply with the recommendations and policies set forth in the plan; and

WHEREAS, RCW Section 70.95.080 mandates periodic review of all comprehensive solid waste management plan; and

WHEREAS, the city desires to adopt the amended Tacoma-Pierce County Solid Waste Management Plan dated August 31, 1992 as its comprehensive solid waste management plan; and

WHEREAS, the city also desires to enter into a new interlocal agreement with Pierce County committing itself to a partnership with the county to implement the goals and policies set forth in the amended Tacoma-Pierce County Solid Waste Management Plan and to adopt the disposal method set forth therein;

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, do hereby RESOLVE as follows:

Section 1. The Amended Tacoma-Pierce County Solid Waste Management Plan is hereby adopted in its entirety as the comprehensive solid waste management plan for the City of Gig Harbor.

Section 2. The Mayor is hereby authorized to execute a "Solid Waste Interlocal Agreement between the City of Gig Harbor and Pierce County" to commit the city to a partnership with the county to implement the goals and policies set forth in the amended Tacoma-Pierce County Solid Waste Management Plan and to

adopt the disposal method set forth therein.

PASSED this _____ day of _____, 1992.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with city clerk: 11/6/92
Passed by city council:

SOLID WASTE INTERLOCAL AGREEMENT

THIS AGREEMENT is entered into between Pierce County, a political subdivision of the State of Washington, hereinafter referred to as "County", and _____, a municipal corporation of the State of Washington, hereinafter referred to as "City"/"Town". This agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action as designated below:

Pierce County Ordinance No. 92-130.

City/Town Resolution No. _____.

WHEREAS, pursuant to RCW Chapter 39.34, the parties hereto desire to enter into an Interlocal Agreement for the purpose of implementing the amended Tacoma-Pierce County Solid Waste Management Plan; to cooperatively work to carry out the waste reduction and recycling policy recommendations contained in the amended Plan; to implement the policy recommendations as to disposal; and to commit to a twenty (20) year system for the management and disposal of solid waste in Pierce County; and

WHEREAS, the parties hereto intend to meet or surpass applicable environmental standards with regard to the solid waste management system facilities by the cooperative management of an integrated solid waste system that will serve both the County and the City/Town;

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL BENEFITS AND COVENANTS DESCRIBED HEREIN, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. **STATUTORY AUTHORITY**

1.1 Pursuant to RCW Chapter 70.95, the "Waste Management Recovery and Recycling Act", that each county and city within the State of Washington is required to create a comprehensive solid waste management plan addressing all issues related to the collection, processing and disposal of solid waste, including waste reduction and recycling.

1.2 RCW Chapters 36.58 and 70.95 directs the counties to establish solid waste handling systems and permits the counties to designate solid waste disposal sites to collect revenues to fund compliance with comprehensive solid waste management plans.

1.3 The Washington State Department of Ecology has adopted Washington Administrative Code (WAC) Chapter 173-304, "Minimum Functional Standards for Solid Waste Handling", which imposes siting, design, and operational requirements for solid waste

handling facilities and disposal sites. Landfills are included in the regulatory scope of the Minimum Functional Standards and WAC Chapter 173-304 imposes financial assurance standards for the closure of landfills that have reached capacity.

Section 2. **THE 1989 TACOMA-PIERCE COUNTY SOLID WASTE
MANAGEMENT PLAN**

2.1 Pursuant to County Ordinance No. 87-196 and comparable legislation of the cities and towns, the Tacoma-Pierce County Solid Waste Management Plan was adopted in 1989 as the comprehensive solid waste management plan for Pierce County and eighteen (18) cities and towns within Pierce County. The Plan received approval from the Washington Department of Ecology in 1990 with the provision that amendments be made to the waste reduction and recycling elements pursuant to state legislation.

2.2 The Plan contains descriptions and policy recommendations relating to the three (3) solid waste management, collection and disposal systems in use within the County. The County provides for solid waste management for the unincorporated areas and for sixteen (16) of the cities and towns. Both the City of Tacoma, Town of Ruston, and Fort Lewis/McChord Air Force Base maintain their own separate management, collection, and disposal systems and their own separate waste reduction and recycling programs which were described in the Plan.

2.3 All solid waste from the unincorporated areas and sixteen (16) cities and towns is disposed of pursuant to public contract with Land Recovery, Inc. (L.R.I.), a private solid waste contractor. Collection services for the unincorporated areas of the County are provided by four (4) collection companies under franchises governed by the Washington Utilities and Transportation Commission (WUTC). The sixteen (16) cities and towns are provided solid waste collection services either by contract with or under the franchise of one of the four certificated collection companies.

2.4 The City of Tacoma has adopted the Tacoma Waste Reduction and Recycling Plan which is contained in a separate volume but is recognized as a part of the Tacoma-Pierce County Solid Waste Management Plan. The City of Tacoma and the Town of Ruston have their own solid waste utility to collect and dispose of waste. The Town of Ruston has an inter-local agreement with the City of Tacoma to dispose of its solid waste and maintains its own solid waste and recyclables collection program, modeled after the County's programs. Fort Lewis/McChord Air Force Base contract for collection with certificated collection companies which dispose of waste. Fort Lewis also operates a materials

recovery facility for the separation of recyclables from its waste stream.

2.5 Pursuant to RCW 70.95.010 and the Tacoma-Pierce County Solid Waste Management Plan, Pierce County, its cities and towns, and the two military bases are committed to a waste reduction and recycling goal of 50% by the year 1995. They are also committed to implement the following priorities of RCW 70.95.010 for the collection, handling, and management of solid waste, in descending order as applicable:

- A. Waste reduction,
- B. Recycling, with source separation of recyclable materials as the preferred method,
- C. Energy recovery, incineration, or landfilling of separated wastes, and
- D. Energy recovery, incineration or landfilling of mixed wastes.

Section 3. **County Legislative Action Taken in
Furtherance of the Tacoma-Pierce County Solid
Waste Management Plan.**

3.1 In accordance with the Tacoma-Pierce County Solid Waste Management Plan and pursuant to County Ordinance No. 90-4, Pierce County has adopted rules for the flow control of solid waste. The County did thereby provide for the designation of solid waste handling facilities, including disposal sites, and did make it unlawful to handle solid waste at facilities other than at those facilities designated by the County.

3.2 In accordance with the Tacoma-Pierce County Solid Waste Management Plan, pursuant to County Ordinance No. 90-14, Pierce County adopted Minimum Levels of Service for single family residential recycling for the unincorporated areas; elected to direct the franchise collection companies to provide a curbside residential recycling program; requested the Washington Utilities and Transportation Commission (WUTC) to implement the program through approval of the collection companies rates; and requested that the Pierce County Executive coordinate with the cities and towns of the County in the development of their source separation programs.

3.3 In accordance with the Tacoma-Pierce County Solid Waste Management Plan and pursuant to County Ordinance No. 91-86, Pierce County adopted Minimum Levels of Service for multi-family source separation recycling collection; elected to direct the franchise collection companies to provide curbside residential programs to multi-family residences; requested the Washington Utilities and Transportation Commission (WUTC) to implement the

program through approval of the collection companies rates; and requested that the County Executive coordinate with the cities and towns of the County in the development of their multi-family source separation programs.

3.4 In accordance with the Tacoma-Pierce County Solid Waste Management Plan and pursuant to County Ordinance No. 92-22, Pierce County established Minimum Levels of Service for the collection of residential yard waste from single-family residences in urban unincorporated areas of the County. The County thereby requested approval of rates in conformity therewith from the Washington Utilities and Transportation Commission (WUTC), and requested that the County Executive coordinate with the cities and towns of the County in the development of their yard waste recycling programs.

3.5 In accordance with the Tacoma-Pierce County Solid Waste Management Plan the County evaluated the cost of long-term alternative disposal systems including mixed municipal composting, landfilling within the County, export of waste to an out-of-county landfill for both the short and long term, landfilling with yard waste composting, waste-to-energy, and combinations of all disposal alternatives. Pursuant to County Ordinance No. 91-126 Pierce County reaffirmed Waste Reduction and Recycling as a County priority and selected a local landfill option as part of the integrated system for the disposal of Pierce County solid waste.

3.6 In accordance with the Tacoma-Pierce County Solid Waste Management Plan, the County amended the contract with Land Recovery Inc. and contracted for the siting and operation of a county-owned yard waste composting facility at the Purdy Transfer Station to compost yard waste collected from County residents.

3.7 In accordance with the directives issued by the Washington State Department of Ecology the Pierce County Council adopted by Ordinance No. 92-130 the amended Tacoma-Pierce County Solid Waste Management Plan which was developed pursuant to RCW 70.95.094. The amended Plan contains a annotated summary of actions taken since the adoption of the 1989 Plan, revisions to the waste reduction and recycling elements of the 1989 Plan, and a cost assessment prepared in accordance with the Washington Utilities and Transportation Commission (WUTC) Cost Assessment Guidelines.

Section 4. **DEFINITIONS**

For purposes of this agreement the following definitions shall apply:

- A. "Basic Services" means services provided by the Pierce County Utilities Department, Solid Waste Division, including the management of solid waste.
- B. "Cities" means municipal corporations of the State of Washington, as defined in RCW 35.01.010-.040, consisting of cities of the first class, second class, third class and fourth class. A "town" is a fourth class city. In this agreement, "city" shall refer to both cities and towns of the County.
- C. "Comprehensive Solid Waste Management Plan" means the comprehensive plan for solid waste management as required by RCW 70.95.080.
- D. "Disposal" means the final treatment, utilization, processing, deposition, or incineration of solid waste but shall not include waste reduction or waste recycling as defined herein.
- E. "Diversion" means the directing or permitting the directing of solid waste to disposal sites other than the disposal sites designated by Pierce County, or means the removal of recyclable materials from the waste stream.
- F. "Energy/Resource Recovery" means "the recovery of energy in a usable form from mass burning or refuse derived fuel incineration, pyrolysis, or any other means of using the heat of combustion of solid waste that involves high temperature (above 1,200 degrees F) processing." (WAC 173-304-100).
- G. "Landfill" means "a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility." (RCW 70.95.030).
- H. "Solid Waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities but shall not include dangerous, hazardous or extremely hazardous waste.
- I. "System" means Pierce County's system of solid waste handling which includes, but is not limited to:
 - (1) Waste reduction;

- (2) Recycling;
- (3) Solid Waste Collection;
- (4) Solid Waste processing technology including where appropriate waste-to-energy and composting facilities located in County;
- (5) Transfer and long haul;
- (6) County designated Landfills;
- (7) Enforcement and administration of the system;
- (8) Special waste stream management for handling special waste; and
- (9) Other facilities, strategies, and programs consistent with Pierce County Code Chapter 8.30 as it exists or is hereafter amended and the amended Tacoma-Pierce County Solid Waste Management Plan.
(P.C.C. 8.30.020)

Components of the "system" may include both private property owned by solid waste contractors, and public property owned by public entities.

- J. "Waste Recycling" means "reusing waste materials and extracting valuable materials from the waste stream."
(RCW 70.95.030)
- K. "Waste Reduction" means reducing the amount or toxicity of waste generated or reusing materials, but shall not include reduction through energy recovery or incineration. (RCW 70.95.030)

Section 5. **PURPOSE**

The purpose of this agreement is to establish the respective responsibility of the parties in implementing the solid waste management system for Pierce County which includes, but is not limited to: planning, waste reduction, recycling, disposal of mixed municipal and industrial solid waste and demolition debris, and all other waste defined as solid waste under RCW 70.95.030, which must be addressed in a comprehensive plan.

Section 6. **GENERAL OBLIGATIONS OF PARTIES**

6.1 INTERLOCAL MATTERS. The respective powers and duties of the contracting parties shall be exercised individually by the applicable county, city or town. No joint county-city agency is formed pursuant to this Agreement.

6.2 PIERCE COUNTY OBLIGATIONS.

A. Planning. Pierce County shall serve as the planning agency for the parties to this agreement for solid waste management within the County but shall not be responsible for planning for solid waste management for the City of Tacoma, the Town of Ruston, or for Fort Lewis/McChord Air Force Base nor for hazardous or dangerous waste or any other planning responsibility that is specifically designated by State or Federal statute. The Pierce County Utilities Department will update, revise, and prepare amendments to the Tacoma-Pierce County Solid Waste Management Plan according to the mandatory review schedule outlined in RCW 70.95.094 or as otherwise necessary and in coordination with the City of Tacoma's, Town of Ruston's, and the Fort Lewis/McChord Air Force Base's solid waste management system.

(1) Contents of the Plan. The Solid Waste Management Plan will be prepared in accordance with Washington State solid waste management priorities pursuant to RCW Chapter 70.95 and Solid Waste Planning Guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Description of the waste stream and facilities and management practices for handling all waste types;
- b. Identification of needed disposal capacity for twenty (20) years based on projected growth in the waste stream due to population growth, or other factors in the County, and projected recycling rates.
- c. Policies concerning waste reduction, recycling, collection systems, composting facilities, transfer facilities, any import or export of waste, disposal systems and facilities such as landfills or energy recovery and incineration facilities, enforcement, and administration.
- d. Responsibilities and schedules for implementing the policies;
- e. Appropriate SEPA documents and any necessary Appendixes.

The cost of preparation by Pierce County of the Solid Waste Management Plan will be considered a cost of the system and will be financed out of the solid waste rate base and/or available grants.

(2) Revisions and Amendments. As lead agency, Pierce County shall from time to time propose plan revisions or amendments to the amended Tacoma-Pierce Solid Waste Management Plan as adopted by County Ordinance No. 92-130 and in comparable resolutions of the cities and towns. The Plan shall be reviewed and revisions proposed at least once every five (5) years as required by RCW 70.95.110 or as required by significant changes in the solid waste stream quantities or characteristics or if changes are needed to meet new legal requirements. The County shall provide the City/Town with drafts of the proposed revisions or amendments prior to the scheduled County Council public hearing dates.

(3) Adoption and Approval of the Plan. For any future revisions or amendments, the Solid Waste Management Plan shall be adopted according to RCW 70.95.110 and procedures outlined in the DOE Planning Guidelines. In summary form, these include.

- a. Development of a Preliminary Draft Plan and SEPA documents;
- b. A public review of the Preliminary Draft Plan with a minimum 30-day comment period and at least one public hearing by the County Council.
- c. Revisions to the Preliminary Draft Plan and submittal to the Department of Ecology for a Preliminary Review.
- d. Revisions, where appropriate, to the draft Plan to address the comments received from the Department of Ecology's Preliminary Review.
- e. Adoption of the revised Draft Plan by the County Council followed by adoption of the Plan by the cities and towns.
- f. Submittal of the adopted revised Plan to the Department of Ecology for a Final Plan Review and Approval at which time the Plan shall be considered adopted.

(4) Time frame for adoption by the City. The City shall adopt the revised draft Plan within 90 days of the County Council's adoption of the Plan. The County shall consider that any City which does not adopt the Plan within 90 days of the Council's adoption as no longer a participant in the Plan. In this case, the City shall adopt its own solid waste management plan as required by RCW 70.95.080 and

70.95.110 and provide for its own disposal system within the City or outside the County.

B. Management. Pierce County agrees to provide county-wide solid waste management services for waste generated and collected within the jurisdiction that is party to this agreement. The City of Tacoma, the Town of Ruston, and Fort Lewis/McChord Air Force Base will provide their own management services for waste disposed in their waste disposal facilities. The County is responsible for implementing an integrated solid waste management system, which includes programs for waste reduction and recycling as well as planning for the twenty (20) year disposal of solid waste. The County agrees to designate disposal sites for all solid waste generated and/or collected within the corporate limits of a City which will then be delivered to the Pierce County disposal system in accordance with all applicable federal, state, and local environmental health laws, rules, or regulations.

C. Operation. Pierce County shall be or shall designate or authorize the operating authority for transfer, processing or disposal facilities, waste reduction or recycling facilities, as well as closure and post-closure responsibilities for landfills.

D. Waste Reduction and Recycling. Pierce County will provide support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County's waste reduction and recycling programs. Pierce County will continue county-wide public information, outreach, and educational programs about waste reduction and recycling activities within the County.

E. Data Collection and Monitoring. The County will maintain a Data Collection system to monitor recycling activity to determine the effects of recycling and waste reduction programs; and to evaluate the county-wide recycling rate. The quarterly County-wide data collection reports will be made available to the City.

F. Educational Materials. The County shall develop educational materials related to waste reduction and recycling and strategies for maximizing the usefulness of the materials and will make these available to the City for its use. Although the County will not be required to provide a particular level of support or fund any City activities related to waste reduction and recycling, Pierce County intends to continue to move forward aggressively to establish waste reduction and recycling programs and to assist the cities and towns with their programs. The County will be responsible for designing model waste reduction

and recycling programs, and for providing information about the programs to the cities and towns.

G. Forecasting. The County shall develop waste stream forecasts as part of the comprehensive planning process.

H. Facilities and Services. County facilities and services including waste reduction and recycling shall be provided pursuant to the Tacoma-Pierce County Solid Waste Management Plan. All personal and real property acquired by Pierce County for solid waste management system purposes shall be the property of Pierce County.

I. Disposal Rates and Operating Rules. In establishing or amending disposal rates for system users, the County may recommend the adoption and amendment by ordinance necessary to recover all costs of operation including the costs of handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements and the closure of landfills which are or were part of the Pierce County solid waste disposal system. Pierce County shall recommend the establishment of classes of service for basic solid waste management services and by ordinance shall establish rates for users of each class.

J. Financing and Enforcement. Enforcement of the provisions of this Agreement is the responsibility of Pierce County and the cities and towns that participate in this Agreement.

(1) County enforcement of this Agreement, the Tacoma-Pierce County Solid Waste Management Plan, as amended, and the County's solid waste ordinances, as now and hereinafter adopted, shall be funded from charges against the tipping fees of designated solid waste handling facilities of the County, in accordance with applicable law and public contracts for solid waste services, as necessary.

(2) The City shall retain powers of enforcement of its respective obligations under the Tacoma-Pierce County Solid Waste Management Plan, as amended, of their respective municipal solid waste ordinances, including waste reduction and recycling programs. Enforcement by the City of solid waste planning and of municipal ordinances concerning solid waste planning shall be funded by the City, in accordance with law.

6.3 CITY OBLIGATIONS

A. Collection. The City, an entity designated by the City or such other entity as is authorized by state law shall serve as operating authority for solid waste collection services provided within the City's corporate limits.

B. Disposal. The City shall by ordinance adopt the County disposal system for the disposal of all solid waste collected within the corporate limits of the City and shall authorize the County to designate disposal sites for the disposal of all solid waste collected within the corporate limits of the City. No solid waste collected within the City may be diverted from the designated disposal sites, or from other elements of the County solid waste system, without prior County approval.

C. Waste Reduction And Recycling. The City shall implement and continue to operate programs for waste reduction and recycling in accordance with the Tacoma-Pierce County Solid Waste Management Plan, including, at a minimum, (1) single family recycling collection programs, (2) multi-family recycling collection programs, and (3) yard waste collection programs.

D. Data Collection and Monitoring. The City shall work with the County to monitor and to report to the County's Data Collection System about recycling tonnages removed from the waste stream which are not otherwise reported through the County's established information gathering system.

Section 7. WASTE REDUCTION AND RECYCLING PROGRAMS

7.1 Priorities. The contracting parties agree to cooperate to the maximum extent possible to carry out the priorities for solid waste collection, handling and enforcement which are set forth in descending order pursuant to RCW 70.95.010: (a) Waste reduction, (b) recycling, with source separation of recyclable materials as the preferred method, (c) disposal of separated waste; and (d) disposal of mixed waste.

7.2 Flow Control. The contracting parties agree to fully cooperate and act to carry out the provisions of the County's solid waste flow control ordinances, as set forth in County Ordinance No. 90-4 and any succeeding ordinance, so as to carry out the provisions of the Tacoma-Pierce County Solid Waste Management Plan.

7.3 Minimum Levels of Service. The contracting parties agree to adopt and enforce minimum levels of service for residential source separation and collection of recyclables. For unincorporated areas of the County, curbside programs are to be

enforced pursuant to County Ordinance No. 90-14, as to single family residences, and succeeding ordinances and pursuant to Ordinance No. 91-86 as to multi-family residences, and succeeding ordinances. The County shall cooperate with the City and the City shall cooperate with the County, in the provision of similar waste reduction and recycling programs. The City shall develop source separation programs for single-family and multi-family solid waste recycling in cooperation with the County. It is acknowledged that the City of Tacoma and the Town of Ruston have their own recycling program which has been incorporated into Tacoma-Pierce County Solid Waste Management Plan.

7.4 Yard Waste. The contracting parties shall implement waste reduction and recycling programs consisting of minimum levels of service for the collection of residential yard waste. For the unincorporated County, Pierce County has adopted and shall enforce the provisions of County Ordinance No. 92-22 and any succeeding ordinance. The City shall develop yard waste programs in accordance with the Tacoma-Pierce County Solid Waste Management Plan, or shall participate with Pierce County in its yard waste composting program. It is acknowledged and agreed that the City of Tacoma and the Town of Ruston have their own yard waste composting program that complies with the Tacoma-Pierce County Solid Waste Management Plan.

7.5 Other Waste Reduction and Recycling Programs. The contracting parties agree to cooperate to the maximum extent possible to implement additional waste reduction and recycling programs in accordance with the Solid Waste Management Plan and RCW Chapter 70.95.

Section 8. **DISPUTES**

The parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement. Review and/or renegotiations shall not include the issues of system rates and charges, waste stream control or diversion unless agreed to by both parties. Should there be any impasse between the parties concerning Plan implementation, or consistency or inconsistency as to whether any permits or programs adopted or proposed are consistent with the Tacoma-Pierce County Solid Waste Management Plan, then the Department of Ecology shall resolve said disputes.

Section 9. **DURATION**

9.1 Effective Date. This agreement shall become effective on _____, 1992 and remain in effect for a period of twenty (20) years. This agreement shall be periodically amended as revisions are made to the amended Tacoma-

Pierce County Solid Waste Management Plan according to the mandatory revision schedule of RCW 70.95.110, which states that the Plan should be revised every five (5) years after the final approval of the Plan by the Department of Ecology.

9.2 Revisions and amendments. This Agreement shall be amended at the same time revisions are made to the Plan according to the mandatory revision schedule in RCW 70.95.110 or when new legislation requires revisions.

9.3 Long Range Planning. The County shall use the twenty (20) year time frame set forth in the amended Tacoma-Pierce County Solid Waste Management Plan to cost-effectively plan for, design, and/or site disposal facilities. Disposal capacity shall be based upon the Plan's projected needs to meet the twenty (20) year population base of the County and all parties to this Agreement. If, at the time of the five year revision, the City should elect to withdraw from the County's solid waste management system and to develop its own Plan and dispose of its own solid waste, the City shall adopt its own comprehensive solid waste plan pursuant to state law.

Section 10. **TERMINATION**

In the event the City desires to terminate or revise this agreement, the City shall notify the County of its intent in writing within 90 days of the County Council's adoption of the latest revisions to the Tacoma-Pierce County Solid Waste Management Plan.

Section 11. **APPROVAL**

This Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, and with the Clerk of the Pierce County Council and with the Secretary of State of the State of Washington.

Section 12. **LIABILITY**

12.1 All waste generated or collected from within the corporate limits of the City which is delivered to the system for disposal shall be in compliance with the Resource Conservation and Recovery Act, as amended (42 U.S.C. § 9601 et seq.), RCW Chapter 70.95, and all other applicable federal, state, and local environmental health statutes, ordinances, resolutions, rules, or regulations. The City shall be deemed to have complied with the requirements of this section if it has adopted an ordinance requiring solid waste delivered to the system for disposal to

meet such laws, rules, or regulations, and by written agreement has authorized Pierce County to enforce the same within the corporate limits of the City.

12.2 The County shall provide the City with written notice of any violation of this provision. Upon such notice, the City shall take immediate steps to remedy the violation and prevent similar future violations to the reasonable satisfaction of Pierce County which may include but not be limited to removing the waste and disposing of it to an approved facility. If, in good faith, the City disagrees with the County regarding the violation, such dispute shall be resolved between the parties in Superior Court. Each party shall be responsible for its own attorney's fees and costs. Failure of the City to take the steps requested by the County pending Superior Court resolution shall not be deemed a violation of this agreement; provided, however, that this shall not release the City from damages or loss to the County arising out of the failure to take such steps if the Court finds that the City violated the requirements to comply with applicable laws set forth in this section.

12.3 The City is not held harmless or indemnified with regard to any liability arising under 42 U.S.C. § 9601-9675 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) (42 U.S.C. § 9601 et seq.) or as hereafter amended or pursuant to any state legislation imposing liability for cleanup of contaminated property, pollutants or hazardous or dangerous substances.

Section 13. **FORCE MAJEURE**

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform is caused by "force majeure". As used herein, the term "force majeure" means war, mobilization, revolution, civil commotion, riots, strikes, lockouts, floods, hurricanes, similar storms or other actions of the elements, acts of God or the public enemy, restrictions or restraints imposed by law or by rule, regulation or order of superior government authority, and other cause which is beyond the reasonable control of the party affected in which, by the exercise of reasonable diligence, such party is unable to prevent.

Section 14. **MERGER**

This Agreement merges and supersedes all prior negotiations, representations and/or agreements between the parties relating to

the subject matter of this Agreement and constitutes the entire contract between the parties.

This Agreement shall specifically vacate and supersede that certain agreement between Pierce County and the City, that was entered into pursuant to the adoption of the Tacoma-Pierce County Solid Waste Management Plan, as set forth in County Ordinance No. 87-196, and comparable resolution of the City.

Section 16. **WAIVER**

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach, whether of the same or a different provision of this Agreement.

Section 17. **THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

Section 18. **SEVERABILITY**

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

Section 19. **NOTICE**

All notices pertaining to this Agreement shall in writing, and delivered in person or sent certified mail to the parties at the following address:

For the City/Town:

For the County:

Donald T. Perry, Director
Pierce County Utilities Department
9116 Gravelly Lake Drive SW
Tacoma, WA 98466

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

CITY

PIERCE COUNTY

Mayor

Pierce County Executive

Date: _____

Date: _____

Pursuant to Resolution
No. _____

Pursuant to Ordinance
No. _____

ATTEST:

ATTEST:

APPROVED AS TO FORM:

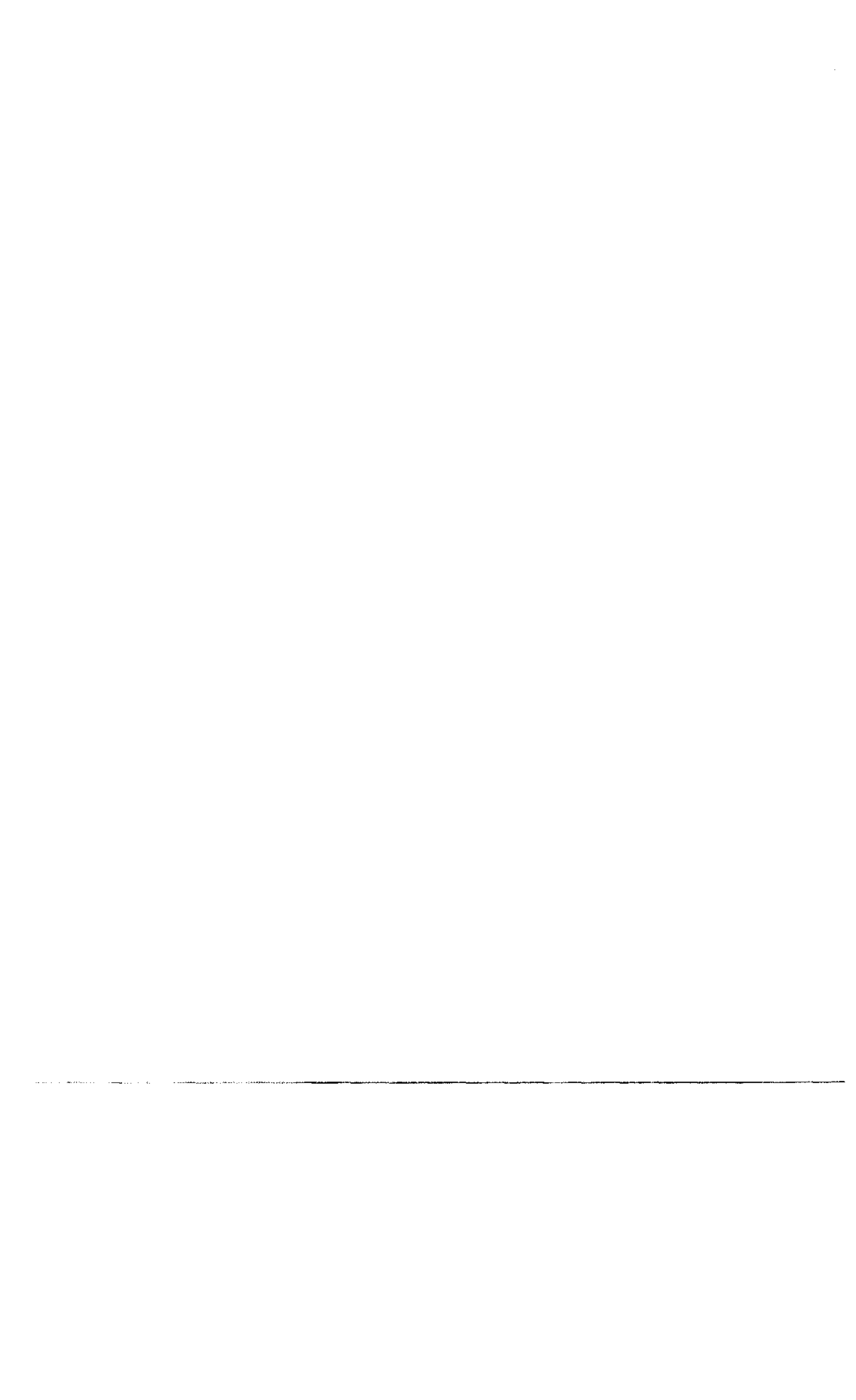
APPROVED AS TO FORM:

City Attorney

Pierce County Deputy
Prosecuting Attorney

Date: _____

Date: _____





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: Tom Enlow

DATE: November 6, 1992

SUBJECT: Contract to amend excise tax returns

Keith Oratz of Benson and McLaughlin, CPAs, made his preliminary review of our excise tax data last Thursday. As indicated in the attached contract, he estimates that we are eligible for refunds in the range of \$25,000 to \$35,000 for the years 1988 through 1991.

His estimate of charges for the project is between \$4,500 and \$7,000. This includes amending returns for 1988 through 1992 and leaving us with a system to minimize our tax liability in the future. We have already made changes in our 1993 budget to take advantage of deductions which would not otherwise be available.

I recommend that you approve the attached contract so that they may proceed with this project at once.

JAMES ENLOW
MICHAEL ENLOW
CHRISTOPHER ENLOW
DANIEL ENLOW
JAMES ENLOW
MICHAEL ENLOW
CHRISTOPHER ENLOW
DANIEL ENLOW
JAMES ENLOW
MICHAEL ENLOW
CHRISTOPHER ENLOW
DANIEL ENLOW

Benson & McLaughlin Certified Public Accountants, P.S.

1400 Blanchard Plaza, 2201 6th Avenue, Seattle, WA 98121
Tel: 206 441-3500 Fax: 441-1551

November 6, 1992

VIA FAX AND U.S. MAIL

Mr. Tom Enlow, Finance Director
City of Gig Harbor
3105 Judson Street
P.O. Box 145
Gig Harbor, Washington 98335

Dear Mr. Enlow:

Thank you for the opportunity to visit the City this week. We were very pleased by what was found in Phase 1 of the amended excise task project and look forward to your authorization to continue. As outlined in our original proposal letter, we have undertaken a preliminary review of the data and now have a fairly good understanding of the transfers, deductions, and exemptions that may or may not be recorded on your monthly excise tax returns. Our initial visit also included a discussion with staff regarding the data that will be required to accurately divide your sewer revenue into two different tax classifications (i.e. Treatment or Collection).

Based upon these initial findings, we estimate that the City should be eligible for a refund in the range of \$25,000 to \$35,000. The range is due to the uncertainty of how the split described above will turn out. Sewer revenue deemed to be of a "Treatment" nature is taxed a lower rate than that deemed to be of a "Collection" nature.

Our estimate of charges for the entire project, which will include time and expenses incurred thus far in Phase 1, is between \$4,500 and \$7,000. Although we are quoting a range, our charges will be clearly defined on each billing. For projects of this type we include a base \$2,000 charge plus hourly rates ranging from \$50 to \$164. Expenses are added at cost (or standard IRS mileage rates). We will perform all services described in our initial letter, including leaving your staff with a

methodology for taking monthly deductions and thus reducing the City's tax payments to the State.

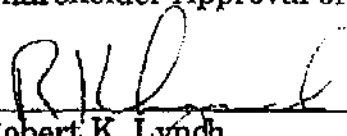
Our goal is to complete the 1988-1991 amended returns by the end of this year, and then return after the first of the year to help you amend your 1992 returns. This is due to the Department of Revenue's preference to evaluate a complete years worth of amended returns at each time.

Once again, thank you for this opportunity to serve the City. We look forward to continuing this project and are pleased to be of service. To expedite matters, simply sign a copy of this letter (included in the mailed copy) and return it to us at your convenience. If any other questions arise please contact us at (206) 441-3500.

Yours truly,


Keith Oratz

Shareholder Approval of Proposal


Robert K. Lynch

CLIENT RESPONSE:

I understand and acknowledge the services described above and accept the terms of this engagement, including the aforementioned limitations.

This letter correctly sets forth the understanding of the City of Gig Harbor.

Officer signature: _____

Title: _____

Date: _____

KSO\clj

\wp\misc\pro\1106pros.doc



City of Gig Harbor. The "Maritime City."

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

MEMORANDUM

TO: City Council
FROM: Planning Staff *Shirley G. Thompson*
DATE: November 9, 1992
RE: Proposed height & setback ordinance

=====

With increased development activity in Gig Harbor, there have been growing concerns over the effect development has on views of the harbor area. The Staff receives regular phone calls from concerned property owners who claim that their view has been impacted or destroyed by houses built within their view corridor and wonder how such structures could have been approved. The Staff can do little more than explain that the structure conforms to current height standards.

This issue was briefly discussed with the Council several weeks ago when reviewing a proposal by the Planning Commission and Staff to revise current regulations on building heights with reduced front yard setbacks and on redefining maximum impervious coverage in the waterfront districts. The Council expressed concern over the multiplicity of issues and remanded the proposal back to the Planning Commission for further review.

In response, the Staff performed an extensive field analysis to determine the effectiveness of current development standards in retaining views and in meeting other objectives stated in the City's Comprehensive Plan. In general, the Staff determined that while current standards do indeed preserve views for some individual property owners, their overall impact seems to be counter-productive in meeting the following goals and objectives as stated in the City's Comprehensive Plan:

CREATE IDENTITY

Define a pattern of urban development which is recognizable, provides an identity, and reflects local values and opportunities. (pg. 27)

Urban form

Create a recognizable urban pattern between urban and rural, and which establishes a harmonious relationship with the natural and manmade environment. (pg. 27)

Natural setting

. . . Utilize natural materials and designs where improvements are considered to blend new constructions with the natural setting and with older structures. (pg. 36)

Balance and scale

. . . Maintain a human, pleasing scale so that new structures do not dominate the shoreline in terms of size, location or appearance. (pg. 37)

Access and visibility

Create an accessible and visible waterfront and shoreline . . . Require private development to provide visibility to the tenants and users of new private development and to the public at large. (pg. 37)

View corridors

. . . Enforce exacting performance standards that will establish and maintain overlooks or view points to shoreline and harbor vistas and/or views. (pg. 40)

(emphasis added)

The Staff and Planning Commission generally agree that current standards fall short of meeting these objectives, particularly in regards to preserving an identity for Gig Harbor by maintaining a recognizable pattern of development, and in preserving views for the public at large. Accordingly, the Staff and the Planning Commission have developed a proposed amendment to the City's zoning Code which defines building envelopes and setbacks which are more characteristic of historic development patterns in the harbor area and which establishes an Harbor Overlay District wherein the proposed standards would apply.

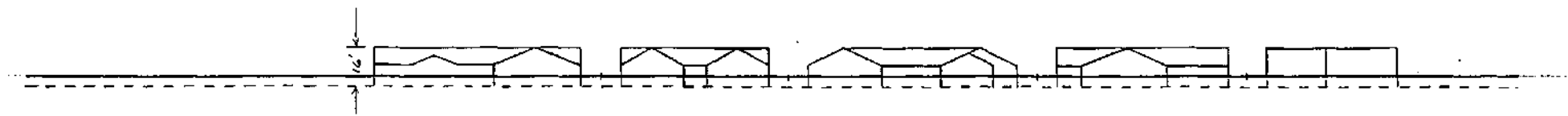
Briefly, the proposed ordinance would allow a limited increase in the height of structures in conjunction with increased side yard setbacks and a decreased front yard setback. Additionally, the proposal specifies building forms more in line with Gig Harbor's historic structures and which preserves wider view corridors between structures. The Staff and Planning

Commission believe that the standards would provide better viewing opportunities to a larger segment of the population and would enhance the character of the built environment - an important component of the harbor setting.

A public hearing was held with the Planning Commission on October 6, 1992 which attracted approximately 20 people. After reviewing a slide presentation the Staff and Planning Commission responded to questions and comments from the public. Comments were somewhat mixed reflecting both positive and concerned reactions. Valid concerns were expressed regarding (a) the appropriateness of the standards in areas outside of the basin, (b) the effect the orientation of structures would have on views, and (c) the likelihood of owners of existing structures to want to modify their house under the new standards. In response to the first two concerns, the Staff and Planning Commission revised the proposed standards to specify the area of applicability and also to allow some limited flexibility in positioning the structure to assure the best view potential. Regarding the latter issue, the Staff explained to the public that an existing structure could not be expanded under the proposed standards unless it conforms to both the height and setback requirements of the adopted standards. Otherwise, a person would have to go through the standard variance process which requires notification to nearby property owners.

The Planning Commission has recommended that the City Council adopt the proposed standards as defined in Resolution #3. The resolution, along with the initial and final staff report to the Planning Commission (included as supplementary), is attached for the Council's consideration. Additionally, the proposed ordinance is also attached which reflects the same language as Resolution #3. For ease of reading, I've included in the supplementary information is a "clean" version of the proposed ordinance void of strike outs and underlining.

The Staff has prepared a slide presentation for the November 9th public hearing which more clearly illustrates the thought that went into the proposal. The Staff looks forward to further discussion of the proposal with the Council after the slide presentation.

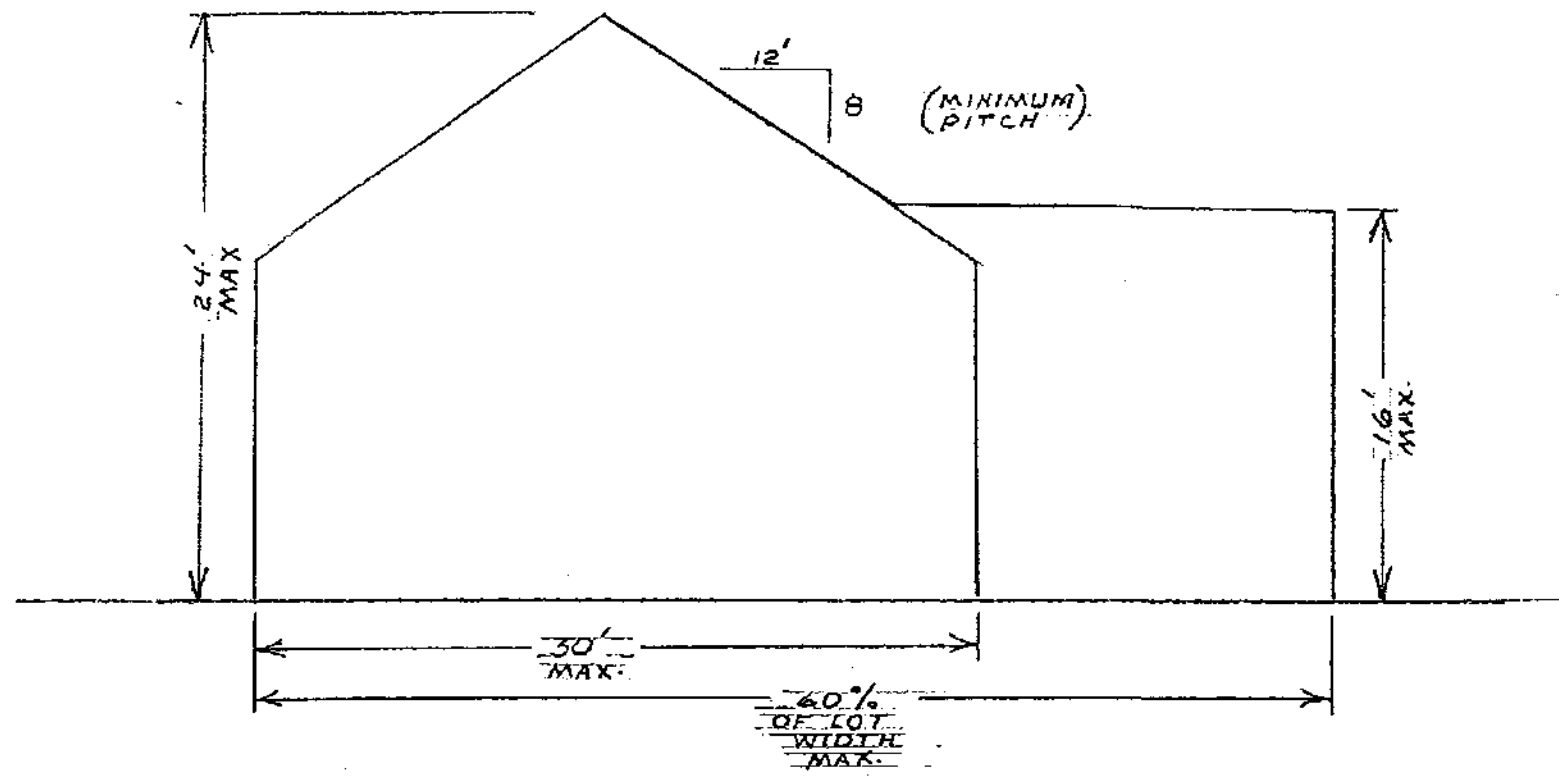


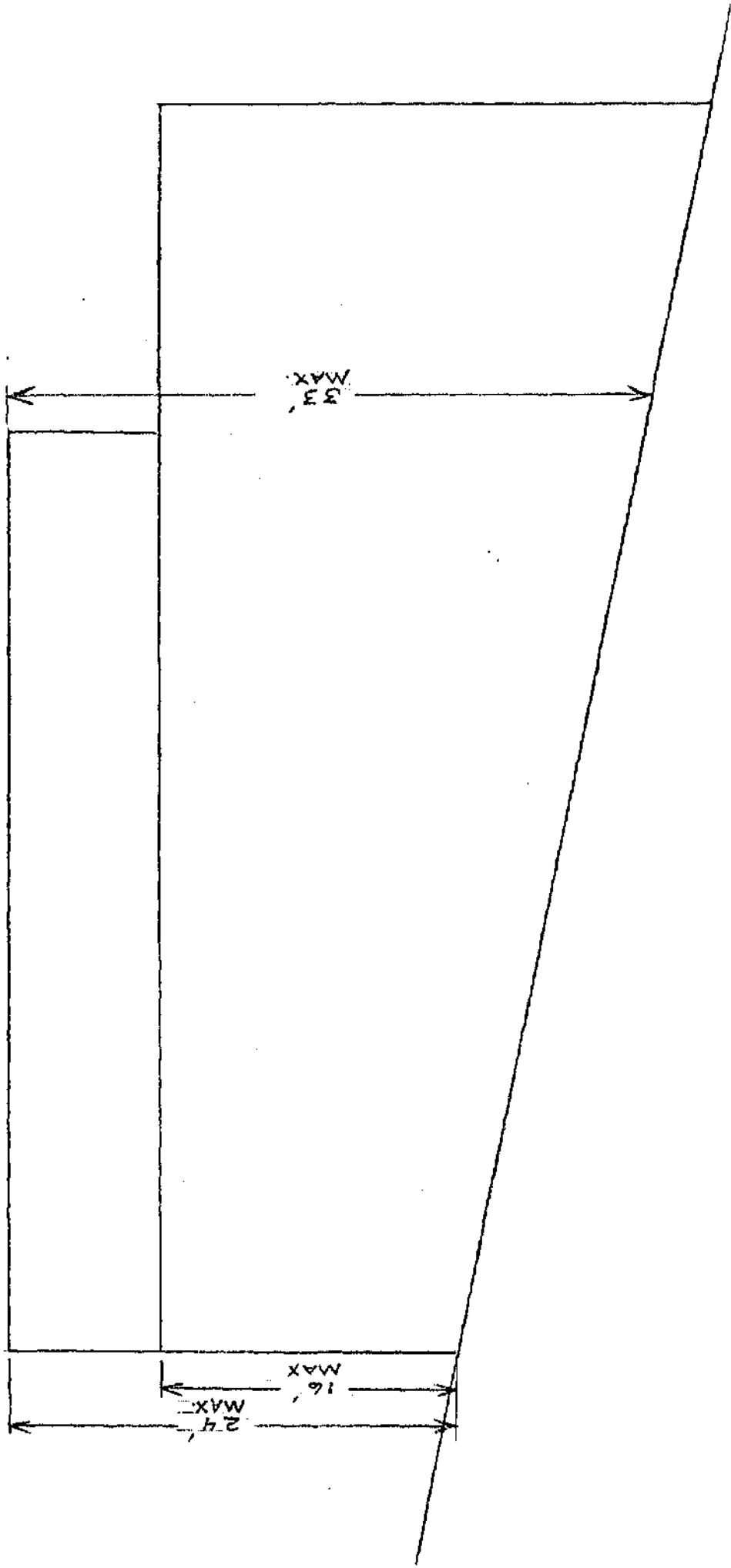
CURRENT DEVELOPMENT STANDARDS



POSSIBLE ALTERNATE STANDARDS

- * 60% WIDTH OF LOT MAXIMUM
- * INCREASED HEIGHT TO 24' FOR 30' OF WIDTH
- * MINIMUM 9/12 PITCH ON ROOF PORTION OVER 16' HIGH
- * FRONT FACING GABLE ON ROOF PORTION OVER 16' HIGH
- * REDUCED FRONT YARD SETBACK FROM 20' TO 15'





October 1, 1992

9005 Franklin Ave.
Gig Harbor, WA 98335

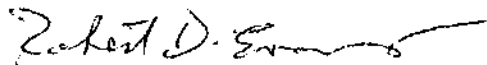
City of Gig Harbor
Planning and Community Development
3105 Judson Street
Gig Harbor, WA 98335

I am responding to information published today in the "Peninsula Gateway" about proposed changes to Gig Harbor's building requirements. Although I find several of the proposed changes well meaning in spirit, I am opposed to easing of the height restrictions to allow structures of 24 feet. Many people, myself included, have invested in view real estate, the value of which would be severely eroded if structures could extend up beyond the present 16 foot limitation. It is disturbing to think that the Planning Department would allow the destruction of views which seemed to be secured by stable, long-term codes. The city would suddenly find itself caught in a remodeling binge, with everyone adding on 24 foot gables, 30 feet wide. I doubt this would improve the architectural landscape.

The discussions which I read in the newspaper remind me of the planning phase of the Murphy's Landing project. There were supposedly going to be "view corridors" in that structure, but when the developer did not get permission to exceed height restrictions, he simply redesigned, creating a solid, flat-topped box. The city accepted this "compromise", which was in reality a win for the developer and a big loss for the citizens of Gig Harbor. Your proposed regulations only open the door for "taller" compromises.

Gig Harbor cannot be turned into the quaint fishing village of yesteryear. Let people build what they want, as long as they don't exceed the height restriction of 16 feet. If we want to improve the visual image of our city, why don't we work on such projects as underground wiring, more sidewalks, bikepaths, and small park areas?

Sincerely,



Robert D. Evans

RECEIVED
OCT 2 1992
CITY OF GIG HARBOR

P R O P O S E D O R D I N A N C E

1

CITY OF GIG HARBOR
ORDINANCE # _____

AN ORDINANCE AMENDING TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE TO ALLOW LIMITED INCREASE IN HEIGHT OF RESIDENTIAL STRUCTURES, REQUIRING INCREASED SIDE YARD SETBACKS, AND DECREASED FRONT YARD SETBACKS IN THE WR, WM, & WC ZONES, AND ALSO CREATING A HARBOR OVERLAY DISTRICT WHICH REGULATES THE HEIGHT AND SETBACKS OF STRUCTURES IN THE GIG HARBOR BASIN AREA.

WHEREAS, the City of Gig Harbor's Comprehensive Plan includes the stated goal on page 37 to provide waterfront and shoreline visibility to the tenants and users of new private development and the public at large; and

Whereas, the Comprehensive Plan also states on page 40 the goal to enforce exacting performance standards governing development that will establish and maintain overlooks or view points to shoreline and harbor vistas and/or views; and

Whereas, the Plan further states on page 36 the goal to preserve the natural shoreline and harbor setting by utilizing natural materials and designs which blend new construction with the natural setting and with older structures; and

Whereas, the City's zoning code currently regulates height in order to preserve views; and

Whereas, current height regulations have been found to result in development which does not provide views to the public at large, and in development which does not blend with the natural setting and with historical buildings; and

Whereas, the City's Planning Staff and Planning Commission have proposed an amendment to Chapter 17 which redefines residential building height in relation to building setbacks in order to preserve wider view corridors; and

Whereas, the Planning Commission and City Council conducted a public hearing on October 6, 1992 and November 9, 1992 to accept public comment on the proposed text amendments

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

Section 1. The Zoning Ordinance of the City of Gig Harbor is hereby amended to read as follows:

Chapter 17.63

Harbor Overlay District

Sections:

- 17.63.010 Intent
- 17.63.020 Map adopted
- 17.63.030 Standards

17.62.010 Intent. The purpose of this district is to establish standards which will assure that views in the basin area are preserved for both the residents of private development and the public at large. The standards are intended to provide wider view corridors between structures and to assure that development itself is a positive contribution to the visual quality of the harbor.

17.63.020 Map adopted. The standards of this section shall be an overlay zone and are supplementary to the regulations prescribed by the underlying zones. However, where building setbacks and heights are concerned, the standards of this section shall take precedent.

17.63.030 Development standards. The minimum development standards in the harbor overlay zone are as follows:

- A. Minimum front yard setback - 20 feet
- B. Minimum side yard setback* - 20% of lot width
- C. Minimum roof pitch - 8/12 (8 units of rise per 12 units of run)
- D. Maximum height of structures - In the Harbor Overlay District all buildings and structures shall have a maximum height of sixteen feet except that a 30 foot portion of the house's width may be increased to 24 feet if the following conditions are met:
 - i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street. The Planning Director may approve a shift in the orientation of the house if it can be demonstrated that the shift results in a more significant view corridor for the public at large.

ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge,

iii. The 30 foot wide portion of the structure, measuring 24 feet above grade at the highest elevation, shall not exceed 33 feet above natural or finished grade at its lowest elevation.

* Minimum side yard setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on one side shall be reduced to no less than the setbacks in the underlying zone.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the structure.

Chapter 17.46

Waterfront Residential

. . .

17.46.040 Development standards. In a waterfront residential district, the ~~minimum lot requirements~~ development standards are as follows:

. . .

	Single-Family Dwelling	7,000 to 12,000	Less Than 7,000	Duplex Dwelling	Non-Residential
C. Minimum front yard setback	30'	30'	15'	20'	20'
C. Minimum street frontage	20'	20'	20'	20'	20'
D. Minimum rear and/or side yard setback					

abutting tidelands	0	0	0	0	0
D. <u>Minimum front yard setback</u>	<u>20'</u>	<u>20'</u>	<u>15'</u>	<u>20'</u>	<u>20'</u>
E. Minimum interior side yard setback	8'	5'	5'	8'	10'
E. Minimum rear and/or side yard setback abutting tidelands	0'	0'	0'	0'	0'
F. Minimum street side yard setback	10'	10'	8'	10'	10'
F. <u>Minimum side yard setback*</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>
G. Maximum impervious coverage	40%	45%	50%	45%	50%
H. Minimum street frontage	20'	20'	20'	20'	20'
H. <u>Minimum roof pitch</u>	<u>8/12</u>	<u>8/12</u>	<u>8/12</u>	<u>8/12</u>	<u>8/12</u>

* Minimum side yard setbacks shall be 20% of lot width except as provided for under Chapter 17.62. Setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on one side shall be reduced to no less than 8 feet.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the house.

. . .

17.46.060 Maximum height of structures. In a waterfront residential district, the maximum building height is sixteen feet, ~~except as provided for under Chapter 17.62. (Ord. 573 S2(part), 1990).~~ except that a 30 foot portion of the house's width may be increased to 24 feet if the following conditions are met:

- i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street. The Planning Director may approve a shift in the orientation of the house if it can be demonstrated that the shift results in a more significant view corridor for the public at large.
- ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge.
- iii. The 30 foot wide portion of the structure measuring 24 feet above grade at the highest elevation shall not exceed 33 feet above natural or finished grade at its lowest elevation.

Exceptions to the 16 foot height limit are also provided for under Chapter 17.62, height overlay district. (Ord 573 S2 (part), 1990).

. . .

Chapter 17.48

WATERFRONT MILLVILLE (WM)

. . .

17.48.040 Development standards. In the Waterfront Millville district, the minimum development standards in the WM district are as follows:

	Single-Family	Multi-family	Non-residential
5. Min. int. side setback	8'	8'	10'
5. Minimum side yard setback*	20%	20%	20%
6. Min. street side setback	10'	10'	10'
6. Maximum impervious coverage	50%	55%	70%
7. Maximum impervious coverage	50%	55%	70%
7. Minimum roof pitch	8/12	8/12	8/12

. . .

* Minimum side yard setbacks shall be 20% of lot width except as provided for under Chapter 17.62. Setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on shall be reduced to no less than 8 feet.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the house.

. . .

. . . .
17.48.060 Height. A. In the Waterfront Millville District, the
~~The maximum building height is 16 feet, except as provided under~~
~~Section 17.62. Additional height of up to twenty-four feet may be~~
~~permitted if two additional waterview/access opportunities are provided~~
~~and the following criteria are met:~~

~~1. The structure shall not exceed two stories or floors in~~
~~height.~~

~~2. Each story or floor shall be less than or equal to ten feet~~
~~in height as measured from the top of the first floor to the top of the~~
~~second floor.~~

~~3. There shall be no occupancy of the attic space.~~

~~4. The pitch of the roof shall have a minimum slope of 2:1 (6:12~~
~~pitch) and a maximum slope of 1:1 (12:12 pitch).~~

~~5. The proposal is reviewed in accordance with the site plan~~
~~review criteria and procedure as established in Section 17.96.~~

~~B. The two waterview/access opportunities are in addition to the~~
~~waterview/access opportunities provided for increased impervious~~
~~coverage, pursuant to Section 17.48.090(E). (Ord. 598 S2 (part),~~
~~1991).~~

except that a 30 foot portion of the house's width may be increased to
24 feet if the following conditions are met:

i. The gable or hip end of the 30 foot portion shall face
the street so that the ridge is perpendicular to the street.
The Planning Director may approve a shift in the orientation
of the house if it can be demonstrated that the shift
results in a more significant view corridor for the public
at large.

ii. No structures other than chimneys shall extend beyond
the area defined by the gable or hip, i.e., no structure
shall extend above the common rafter extending from the top
wall plate to the ridge.

iii. The 30 foot wide portion of the structure measuring 24
feet above grade at the highest elevation shall not exceed
33 feet above natural or finished grade at its lowest
elevation.

Exceptions to the 16 foot height limit are also provided for under
Chapter 17.62, height overlay district. (Ord 573 S2 (part), 1990).

. . . .

Chapter 17.50

WATERFRONT COMMERCIAL

. . .

17.50.040 Development standards. In a waterfront commercial district, the minimum ~~lot standards~~ development standards are as follows:

	Single-Family	Multifamily (Duplex--Fourplex)	Non-residential
P. Minimum interior side setback	0'	0'	10'
<u>F. Minimum side yard setback</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>
C. Minimum street side setback	10'	10'	10'
G. Maximum impervious coverage	50%	55%	60%
H. Maximum impervious coverage	50%	55%	60%
H. Minimum roof pitch	8/12	8/12	8/12 if above 16 feet high

* Minimum side yard setbacks shall be 20% of lot width except as provided for under Chapter 17.62. Setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on one side shall be reduced to no less than 8 feet.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both sideyard setbacks equals 40 percent of the lot width as measured at the structure's location.
1. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the house.

. . .

17.50.060 Height. In a Waterfront Commercial District, the maximum building height is sixteen feet, ~~except as provided for under Chapter 17.62. (ord. 573-82 (part), 1990).~~ except that a 30 foot portion of the structure's width may be increased to 24 feet if the following conditions are met:

- i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street. The Planning Director may approve a shift in the orientation of the house if it can be demonstrated that the shift results in a more significant view corridor for the public at large.

ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge.

iii. The roof, whether for commercial or residential structures, shall have a minimum 8/12 pitch.

iv. The 30 foot wide portion of the structure measuring 24 feet above grade at the highest elevation shall not exceed 33 feet above natural or finished grade at its lowest elevation.

Exceptions to the 16 foot height limit are also provided for under Chapter 17.62, height overlay district. (Ord 573 S2 (part), 1990).

Section 2. Validity. 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.

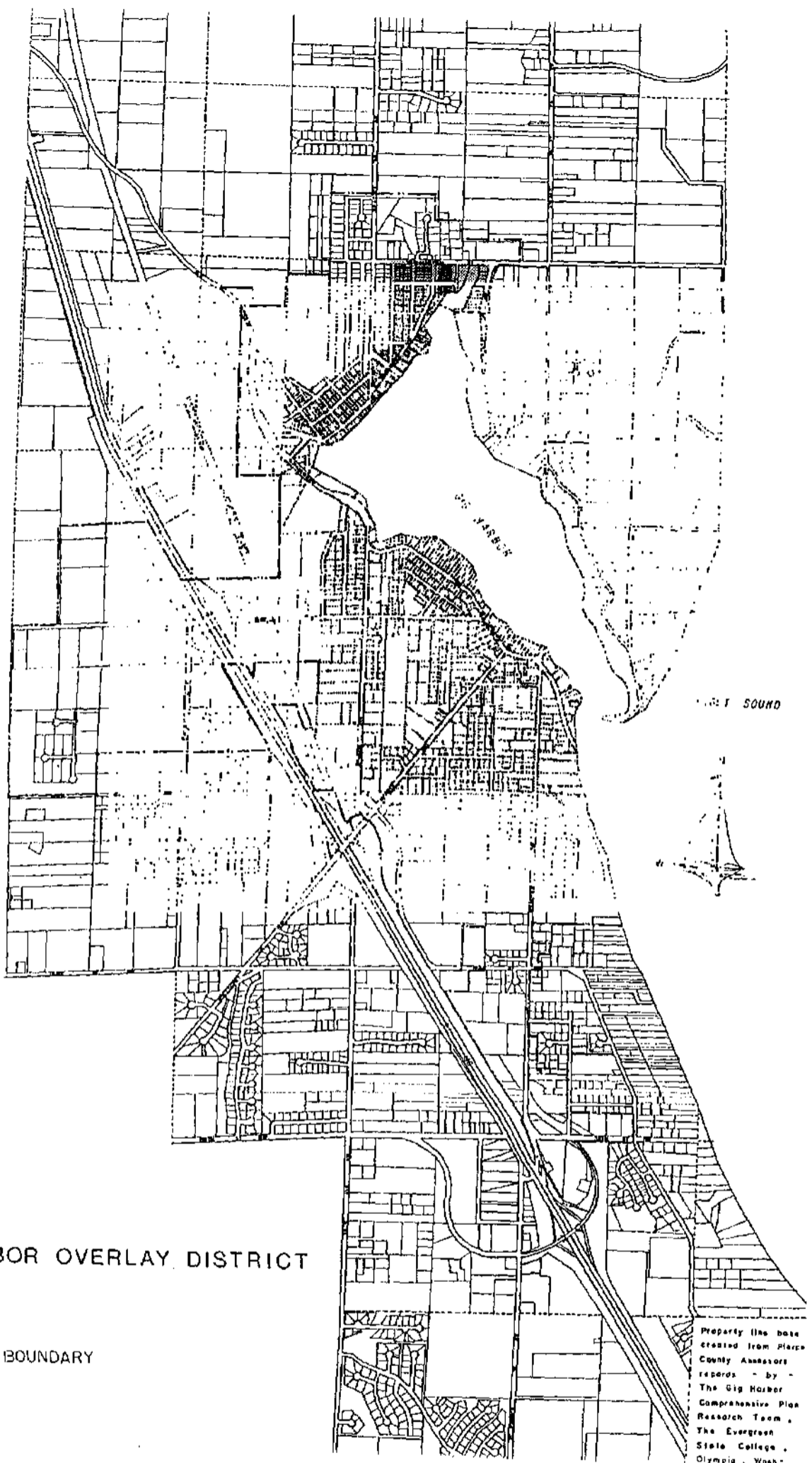
PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the Council held on this 23rd day of November, 1992.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Passed by City Council:
Date published:
Date effective:



HARBOR OVERLAY DISTRICT

----- CITY BOUNDARY

Property line base
created from Pierce
County Assessor
reports - by -
The Gig Harbor
Comprehensive Plan
Research Team,
The Evergreen
State College,
Olympia, Wash.

R E S O L U T I O N # 3

CITY OF GIG HARBOR
RESOLUTION NO. 3

A RESOLUTION TO RECOMMEND TO THE CITY COUNCIL AN AMENDMENT TO TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE ALLOWING INCREASED HEIGHT OF RESIDENTIAL STRUCTURES, INCREASED SIDE YARD SETBACKS, AND DECREASED FRONT YARD SETBACKS IN THE WR, WM, & WC ZONES, AND ALSO CREATING A HARBOR OVERLAY DISTRICT WHICH REGULATES THE HEIGHT AND SETBACKS OF STRUCTURES IN THE GIG HARBOR BASIN AREA.

WHEREAS, the City of Gig Harbor's Comprehensive Plan includes the stated goal on page 37 to provide waterfront and shoreline visibility to the tenants and users of new private development and the public at large; and

Whereas, the Comprehensive Plan also states on page 40 the goal to enforce exacting performance standards governing development that will establish and maintain overlooks or view points to shoreline and harbor vistas and/or views; and

Whereas, the Plan further states on page 36 the goal to preserve the natural shoreline and harbor setting by utilizing natural materials and designs which blend new construction with the natural setting and with older structures; and

Whereas, the City's zoning code currently regulates height in order to preserve views; and

Whereas, current height regulations have been found to result in development which does not provide views to the public at large, and in development which does not blend with the natural setting and with historical buildings; and

Whereas, the City's Planning Staff and Planning Commission have proposed an amendment to Chapter 17 which redefines residential building height in relation to building setbacks in order to preserve wider view corridors; and

Whereas, the Planning Commission conducted a public hearing on October 6, 1992 to accept public comment on the proposed text amendments

NOW, THEREFORE, the Planning Commission of the City of Gig Harbor, Washington, recommends to the City Council to adopt the following ordinance revision:

Section 1. The Zoning Ordinance of the City of Gig Harbor is hereby amended to read as follows:

Chapter 17.63

Harbor Overlay District

Sections:

- 17.63.010 Intent
- 17.63.020 Map adopted
- 17.63.030 Standards

17.62.010 Intent. The purpose of this district is to establish standards which will assure that views in the basin area are preserved for both the residents of private development and the public at large. The standards are intended to provide wider view corridors between structures and to assure that development itself is a positive contribution to the visual quality of the harbor.

17.63.020 Map adopted. The standards of this section shall be an overlay zone and are supplementary to the regulations prescribed by the underlying zones. However, where building setbacks and heights are concerned, the standards of this section shall take precedent.

17.63.030 Development standards. The minimum development standards in the harbor overlay zone are as follows:

- A. Minimum front yard setback - 20 feet
- B. Minimum side yard setback* - 20% of lot width
- C. Minimum roof pitch - 8/12 (8 units of rise per 12 units of run)
- D. Maximum height of structures - In the Harbor Overlay District all buildings and structures shall have a maximum height of sixteen feet except that a 30 foot portion of the house's width may be increased to 24 feet if the following conditions are met:
 - i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street. The Planning Director may approve a shift in the orientation of the house if it can be

demonstrated that the shift results in a more significant view corridor for the public at large.

ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge.

iii. The 30 foot wide portion of the structure, measuring 24 feet above grade at the highest elevation, shall not exceed 33 feet above natural or finished grade at its lowest elevation.

* Minimum side yard setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on one side shall be reduced to no less than the setbacks in the underlying zone.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the structure.

Chapter 17.46

Waterfront Residential

. . .

17.46.040 Development standards. In a waterfront residential district, the ~~minimum lot requirements~~ development standards are as follows:

Single-Family Dwelling	7,000 to 12,000	Less Than 7,000	Duplex Dwelling	Non-Residential
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. . .

C. Minimum front yard setback	20'	20'	15'	20'	20'
C. Minimum street frontage	20'	20'	20'	20'	20'
D. Minimum rear and/or side yard setback abutting tidelands	0	0	0	0	0
D. Minimum front yard setback	20'	20'	15'	20'	20'
E. Minimum interior side yard setback	8'	5'	5'	8'	10'
E. Minimum rear and/or side yard setback abutting tidelands	0'	0'	0'	0'	0'
F. Minimum street side yard setback	10'	10'	8'	10'	10'
F. Minimum side yard setback*	20%	20%	20%	20%	20%
G. Maximum impervious coverage	40%	45%	50%	45%	50%
H. Minimum street frontage	20'			20'	20'
H. Minimum roof pitch	8/12	8/12	8/12	8/12	8/12

* Minimum side yard setbacks shall be 20% of lot width except as provided for under Chapter 17.62. Setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on one side shall be reduced to no less than 8 feet.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the house.

17.46.060 Maximum height of structures. In a waterfront residential district, the maximum building height is sixteen feet, ~~except as provided for under Chapter 17.62. (Ord. 573 62(part), 1990)~~, except that a 30 foot portion of the house's width may be increased to 24 feet if the following conditions are met:

i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street. The Planning Director may approve a shift in the orientation of the house if it can be demonstrated that the shift results in a more significant view corridor for the public at large.

ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge.

iii. The 30 foot wide portion of the structure measuring 24 feet above grade at the highest elevation shall not exceed 33 feet above natural or finished grade at its lowest elevation.

Exceptions to the 16 foot height limit are also provided for under Chapter 17.62, height overlay district. (Ord 573 S2 (part), 1990).

. . .

Chapter 17.48

WATERFRONT MILLVILLE (WM)

. . .

17.48.040 Development standards. In the Waterfront Millville district, the minimum development standards in the WM district are as follows:

	Single- Family	Multi- family	Non- residential
5. Min. int. side setback	8'	8'	10'
5. Minimum side yard setback*	20%	20%	20%
6. Min. street side setback	10'	10'	10'
6. Maximum impervious coverage	50%	55%	70%
7. Maximum impervious coverage	50%	55%	70%
7. Minimum roof pitch	8/12	8/12	8/12

. . .

* Minimum side yard setbacks shall be 20% of lot width except as provided for under Chapter 17.62. Setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on shall be reduced to no less than 8 feet.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the house.

. . .

. . . .

17.48.060 Height. A. In the Waterfront Millville District, the
~~The maximum building height is 16 feet, except as provided under~~
~~Section 17.62. Additional height of up to twenty-four feet may be~~
~~permitted if two additional waterview/access opportunities are provided~~
~~and the following criteria are met:~~

~~1. The structure shall not exceed two stories or floors in~~
~~height.~~

~~2. Each story or floor shall be less than or equal to ten feet~~
~~in height as measured from the top of the first floor to the top of the~~
~~second floor.~~

~~3. There shall be no occupancy of the attic space.~~

~~4. The pitch of the roof shall have a minimum slope of 2:1 (6:12~~
~~pitch) and a maximum slope of 1:1 (12:12 pitch).~~

~~5. The proposal is reviewed in accordance with the site plan~~
~~review criteria and procedure as established in Section 17.96.~~

~~B. The two waterview/access opportunities are in addition to the~~
~~waterview/access opportunities provided for increased impervious~~
~~coverage, pursuant to Section 17.48.090(E). (Ord. 598 S2 (part),~~
~~1991).~~

except that a 30 foot portion of the house's width may be increased to
24 feet if the following conditions are met:

i. The gable or hip end of the 30 foot portion shall face
the street so that the ridge is perpendicular to the street.
The Planning Director may approve a shift in the orientation
of the house if it can be demonstrated that the shift
results in a more significant view corridor for the public
at large.

ii. No structures other than chimneys shall extend beyond
the area defined by the gable or hip, i.e., no structure
shall extend above the common rafter extending from the top
wall plate to the ridge.

iii. The 30 foot wide portion of the structure measuring 24
feet above grade at the highest elevation shall not exceed
33 feet above natural or finished grade at its lowest
elevation.

Exceptions to the 16 foot height limit are also provided for under
Chapter 17.62, height overlay district. (Ord 573 S2 (part), 1990).

. . . .

Chapter 17.50

WATERFRONT COMMERCIAL

17.50.040 Development standards. In a waterfront commercial district, the minimum ~~lot standards~~ development standards are as follows:

	Single-Family	Multifamily (Duplex--Fourplex)	Non-residential
F. Minimum interior side setback	8'	8'	10'
F. Minimum side yard setback*	20%	20%	20%
C. Minimum street-side setback	10'	10'	10'
G. Maximum impervious coverage	50%	55%	60%
H. Maximum impervious coverage	50%	55%	60%
H. Minimum roof pitch	8/12	8/12	8/12 if above 16 feet high

* Minimum side yard setbacks shall be 20% of lot width except as provided for under Chapter 17.62. Setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on one side shall be reduced to no less than 8 feet.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both sideyard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the house.

17.50.060 Height. In a Waterfront Commercial District, the maximum building height is sixteen feet, ~~except as provided for under Chapter 17.62. (ord. 573 S2 (part), 1990).~~ except that a 30 foot portion of the structure's width may be increased to 24 feet if the following conditions are met:

- i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street.

The Planning Director may approve a shift in the orientation of the house if it can be demonstrated that the shift results in a more significant view corridor for the public at large.

ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge.

iii. The roof, whether for commercial or residential structures, shall have a minimum 8/12 pitch.

iv. The 30 foot wide portion of the structure measuring 24 feet above grade at the highest elevation shall not exceed 33 feet above natural or finished grade at its lowest elevation.

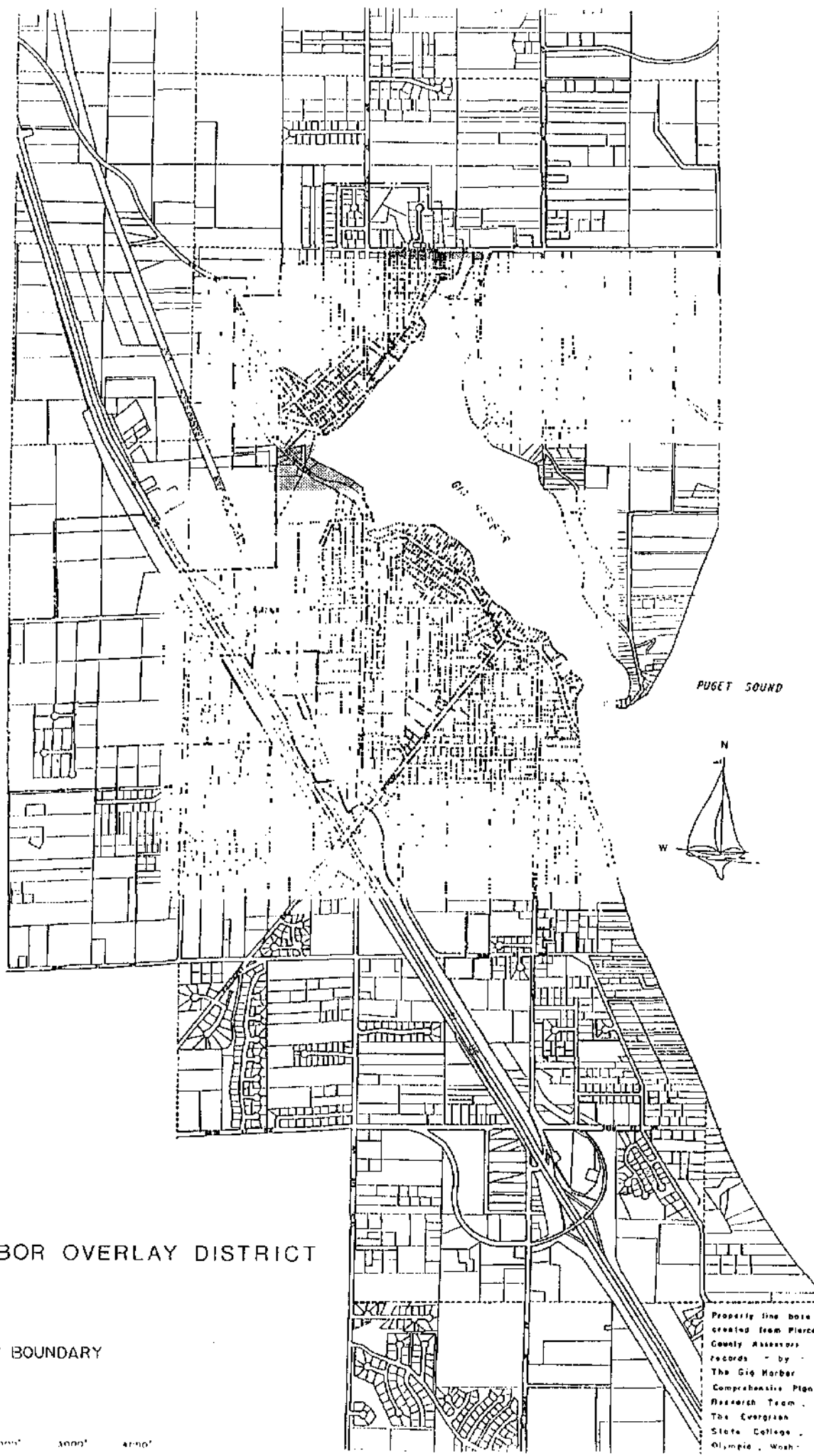
Exceptions to the 16 foot height limit are also provided for under Chapter 17.62, height overlay district. (Ord 573 S2 (part), 1990).

. . .

Resolved by the Planning Commission of the City of Gig Harbor, Washington at regular meeting of the Planning Commission held on this 20th day of October, 1992.

Kae Paterson

Kae Paterson, Planning Commission Chairperson



HARBOR OVERLAY DISTRICT

--- CITY BOUNDARY

0 1000' 2000' 3000' 4000'

Property line data created from Pierce County Assessor's records - by - The Gig Harbor Comprehensive Plan Research Team - The Evergreen State College - Olympia, Wash.

S U P P L E M E N T A R Y I N F O R M A T I O N



City of Gig Harbor, The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145

GIG HARBOR, WASHINGTON 98335

(206) 851-8136

**GIG HARBOR COMMUNITY DEVELOPMENT
STAFF REPORT**

TO: Planning Commission
FROM: Planning Staff
DATE: September 10, 1992
RE: Proposed height/setback revisions to Zoning Code

=====
I. OVERVIEW

Recent construction projects in Gig Harbor have raised concerns over the effectiveness of current development standards in retaining the City's scale and character. One of the most problematic issues has been the regulation of building height for the purpose of retaining view corridors. The City's height regulations have inadvertently altered the character of development to the point that the structures most characteristic of Gig Harbor's historic development can no longer be built under current standards. The Planning Staff has prepared a draft revision to current zoning regulations which addresses the issue of building heights and view corridors in residential zones.

II. BACKGROUND INFORMATION

The City Council recently reviewed a proposal by the Planning Commission and staff to revise current regulations on building heights with reduced front yard setbacks and on redefining maximum impervious coverage in the waterfront districts. The proposal was prompted both by the Staff's concern over the scale of recent development and by a review of earlier Council work session notes which seemed to indicate that the Council did not intend to have tidelands included in the calculation of maximum impervious coverage. There was considerable discussion of these items during the public hearing by citizens and developers who felt that the Staff's proposal merited further opportunity for public input and discussion. The Council was concerned over the multiplicity of issues associated with height and lot coverage and remanded the proposal back to the Planning Commission for further review.

III. Issues for Discussion

The Comprehensive Plan outlines a number of goals to enhance and protect the waterfront amenities of Gig Harbor for both the residents of private development and the public at large. Current height restrictions protect the view of residents adjacent to or behind new construction, but they do little to maintain or protect the public's view from the street and sidewalk level. This has the effect of isolating the harbor - the City's name sake - to a select segment of the city's population.

The City's zoning code includes provisions for preserving public viewing opportunities including (a) restricting maximum impervious coverage to 40 percent of the lot, (b) allowing increased impervious coverage in the WC zone if additional view and/or access opportunities are provided, and (c) allowing an increased height in the WM zone of up to 24 feet in exchange for access or viewing opportunities. These provisions are primarily incentive driven, but they have not been effective due to other disincentives built into the code. It is possible, for example, to get 100% impervious coverage of the upland (buildable) portion of the parcel without providing any view corridors by including tidelands into the impervious coverage calculation. It is also possible to get more floor area in a low sprawling structure than a tall narrow structures where use of the attic for living space is prohibited. The Staff is not aware of any situations where a developer has opted for either of these options.

1. Real -vs- Perceived effect of height restrictions.

The protection of views is a sensitive issue in Gig Harbor. The Planning Department receives regular calls from concerned property owners claiming that their view has been destroyed by new development. This suggests the current development regulations may not be as effective in preserving views as property owners expect.

The staff performed an extensive field survey to determine what net benefit there may be to our current height standards. It appears that the number of people benefited by current standards is limited. In many instances, the staff noted that the loss of a view occurs within the first half of the structures height and the loss only becomes greater as the width of the structure increases. Current standards are most effective where the average slope between the front of one lot and the back of a facing lot exceeds ten percent. However, areas having a more gentle slope (e.g., Harborview Drive in the Millville area) may be better served by restrictions on building width rather than building height. In any event, existing development shows

that views unobstructed by structures are often obscured by natural elements such as trees and landscaping which do not seem to be first priority view items.

2. Elements of a view.

While view protection has proven to be a sensitive issue, there has been surprisingly little discussion on what elements of a view should be protected. If a view of the water is all that matters to Gig Harbor residents, it may be possible to assure a view to a large portion of the basin's population. If, however, the desired view constitutes the harbor's overall setting, then the only way that everyone will have a view is to destroy the view that everyone wants to get. The staff has approached this issue under the assumption that the water is an important element of a desired view in Gig Harbor, but that there are other components which enhance the harbor's visual quality including the following:

- (a) Natural Components. The natural setting is composed of a number of features including water, trees, mountains and terrain. The most distinct feature of Gig Harbor's setting is the water, but the tree-covered hills and a view of Mount Rainier through the harbor entrance create a harbor setting that is truly unique. The picture is quickly changing, however. Historic and even recent photos indicate a significant loss of trees and undisturbed hillsides around the harbor. The greatest loss has been on the City side of the harbor, but the unincorporated area to the east is showing similar signs of development. Hillsides on both sides of the harbor are being stripped of their natural vegetation in an effort to create view lots for new construction, or provide views for existing development. In essence, the harbor's natural appeal is being incrementally replaced with urban-type development.
- (b) The built environment. It is a common belief that beauty can be retained only if development is unseen, but attempts to hide development are usually prompted by the expectation that development is inherently ugly. The built environment can be equally attractive provided it embraces its natural surroundings and develops a similar display of pattern and rhythm - i.e., there is consistency in its design. Some of the most memorable places are those characterized by a defined style of architecture.

Paradoxically, attempts to hide development often results in designs which are neither totally hidden or particularly attractive. In many cases all we see

from the street is a simple formed roof peering up from behind the hillside which tends more to annoy us than to delight us.

The Staff is concerned that our efforts to "cloak" development for the purpose of preserving views may be diminishing the character of the City's built environment. This, compounded with the loss of natural amenities in the harbor, has had obvious impacts on the character and visual quality of Gig Harbor.

After considering various alternatives, the Staff has determined that it is possible to strike a more acceptable balance between protecting views and enhancement of the city's built environment. It appears that height restrictions can be effective in preserving views if other design controls are implemented.

IV. PROJECT DESCRIPTION/PROPOSAL

The Staff has prepared various illustrations comparing the effect of current development standards with a proposed alternative which would combine height restrictions with limitations on building widths. In addition, the illustrations show how controls over roof forms and orientation will be necessary to achieve the desired results of the proposed changes.

The proposal assumes a "typical" waterfront lot with a slope of up to 20% and a width ranging from 68 to 100 feet (similar to North Harborview Drive). The proposal is more specifically outlined as follows:

1. 60% structure width. In order to provide as much view corridor as possible between structures and to assure a proper balance between lot and building size, the Staff recommends that a structure's width be limited to no more than 60% of the parcel's frontage. On a 75 foot parcel, this would leave a side yard setback of 15 feet which could mean a possible 30 foot view corridor if the adjacent lot were developed similarly. The width of the view corridor would be proportionately larger for larger parcels.
2. Eliminate impervious coverage requirements. The purpose of impervious coverage requirements is not clearly defined. The assumed intent is to control storm water run-off, to maintain a proper scale of development, and to provide greater view opportunities. However, not all of these objectives may be met if the long side of the house is oriented toward the street or if tideland ownership allows 100% pervious coverage of the upland portion of the lot. These objectives would be better met by eliminating the

impervious coverage requirements altogether and by implementing maximum structure widths (e.g. 60% of lot width).

3. Increased height - Decreased setback. The staff recognizes that limiting the width of a structure reduces its potential floor area. To compensate for this, the Staff recommends that the following allowances and restrictions be adopted:

- (a) Limited Height increase. Allow each structure to have a 30 foot wide penetration of the 16 foot height limitation, provided that the ridge height within this 30 foot window does not exceed 24 feet as defined by the City's height definition and that the ridge does not extend more than 33 feet above finished grade on the downhill side of the lot. The 33 foot limit will avoid a towering or looming appearance on the downhill side and respect the scale of existing development.
- (b) Gable oriented toward street. Within the 30 foot height window, require that the gable (or end hip) be oriented toward the street with the ridge perpendicular to the street. This would facilitate wider view corridors on the higher portion of the building. Except for chimneys, no other projections should be allowed beyond the area defined by the gable.
- (c) Minimum roof pitch. Require that roofs have a minimum 8/12 pitch (8 inches of rise to every 12 inches of run). This would preserve a wider view corridor near the upper portion of the roof. (With an 8/12 pitch combined with a 24 foot height, the effective width of the structure exceeding the standard 16 foot height limit is actually 24 feet rather than the nominal 30 feet described above). In addition, increased roof pitches would better reflect the traditional style of Gig Harbor's architecture without discouraging modern designs.
- (d) Reduced front yard setback. In conjunction with increased side yard requirements, reduce the code required front yard setback to from 25 feet to 20 feet in all waterfront zones and possibly in the Millville area. This would compensate for the loss of floor area due to width restrictions and would be more consistent with historical development patterns. It would also be more consistent with natural site conditions. Garage access on steeper lots can be difficult and has been the cause of many variance requests.

The 24 foot height allowance in conjunction with a minimum

8/12 roof pitch would allow an additional floor level of approximately 1500 square feet (depending on specific site conditions). This would require that we allow use of the attic area for living space. Currently, the 24 foot height option in the WM zone does not allow living space in the gables, but the staff sees no reason to prevent this. It is typical of Gig Harbor's historical designs and needn't have any impact on the structure's outer form. Additionally, it would provide better view opportunities from inside the house.

Increased height allowances would also help to develop a more "friendly" streetscape by bringing a portion of the facade of the structure up to the sidewalk level. This would enhance the street "experience" by playing up architecture as opposed to ineffective efforts to hide it.

CONCLUSION

The above proposal may sound complex, but the standards can be easily illustrated with simple graphics. The staff will illustrate the proposal with a graphic presentation during the September 15th Planning Commission work session. The presentation is intended to show that the proposed changes to the zoning code do not mean an increase in building mass or scale as may be assumed.

Project Planner: Steve Osguthorpe, Associate Planner



Date: _____

c: Ray Gilmore, Planning Director





City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145

GIG HARBOR, WASHINGTON 98335

(206) 851-8136

MEMORANDUM

TO: Planning Commission
FROM: Planning Staff
DATE: October 20, 1992
RE: Recommendation on Height/setback revision

=====
A number of issues were raised during the October 6th public hearing regarding the proposed height/setback amendments which were further discussed by the Staff and Planning Commission during the October 13th worksession. The Planning Commission requested further direction from the Staff on specific items and postponed taking action until the following meeting.

The Planning Commission's primary concern with the proposed height/setback standards seems to be the area of applicability, i.e., what parts of the city should the standards apply. As discussed previously, there are a number of options which the Planning Commission may consider in this regard. The Staff believes that the initial impulse to apply the standards city-wide is not without merit. It would assure that future development within City limits would reflect Gig Harbor's historical character and would preserve an image for the City as a whole. Moreover, the Staff believes that the standards would result in a more interesting form of architecture - one which enforces the concept of "community" and emphasizes human activity over vehicular enclosure.

The Staff recognizes that most areas outside of the basin area are characterized by low slung structures and that any new structures built under the proposed standards would be atypical of existing development. Normally, this would be at odds with efforts to maintain compatibility, but most houses built under current standards are of a "low key" design, therefore making no significant contribution to Gig Harbor's streetscapes. Infill projects built under the proposed standards may provide a pleasing degree of visual interest which is currently lacking on many of Gig Harbors streets.

Other potential advantages to a city wide standard includes the effect of the standards on multi-family housing development. Multi-family housing typically carries the look of a "project" which brings to mind boxy structures with unbroken roof lines

and a monotonous repetition of windows and doors. These have no visual or functional relationship with the surrounding community and are often the first housing areas to become blighted.

The proposed standards would avoid the "project" look by encouraging facade variation, fostering designs which emphasize the individuality of each unit and breaking the mass of structures down into smaller components which more appropriately reflect the scale of Gig Harbor's residential development.

RECOMMENDATION

Ideally, the Staff would prefer to see the standards apply city wide. Recognizing, however, that the standards may be met with resistance in established neighborhoods, the Staff recommends that the standards be mandatory only in those areas seen from the harbor and optional in all other R-1 zones. A city-wide standard may be more fully considered during the visioning process with Tom Beckwith.

Applying the standards to the basin only will require the establishment of an Harbor Overlay District. This would be in addition to the City's existing height overlay district and would be incorporated into the zoning code in a similar fashion. The overlay district would essentially apply to all zones within the basin, but the waterfront districts could each be revised to directly incorporate the new standards. The Staff has drafted language reflecting the above changes and is attached for the Planning Commission's consideration. A map is also attached which indicates the recommended area to be included in a Harbor Overlay District.

The Staff formally recommends that the Planning Commission recommend Council approval of the proposed text amendments and overlay map.

**CITY OF GIG HARBOR
RESOLUTION NO. 3**

A RESOLUTION TO RECOMMEND TO THE CITY COUNCIL AN AMENDMENT TO TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE ALLOWING INCREASED HEIGHT OF RESIDENTIAL STRUCTURES, INCREASED SIDE YARD SETBACKS, AND DECREASED FRONT YARD SETBACKS IN THE WR, WM, & WC ZONES, AND ALSO CREATING A HARBOR OVERLAY DISTRICT WHICH REGULATES THE HEIGHT AND SETBACKS OF STRUCTURES IN THE GIG HARBOR BASIN AREA.

WHEREAS, the City of Gig Harbor's Comprehensive Plan includes the stated goal on page 37 to provide waterfront and shoreline visibility to the tenants and users of new private development and the public at large; and

Whereas, the Comprehensive Plan also states on page 40 the goal to enforce exacting performance standards governing development that will establish and maintain overlooks or view points to shoreline and harbor vistas and/or views; and

Whereas, the Plan further states on page 36 the goal to preserve the natural shoreline and harbor setting by utilizing natural materials and designs which blend new construction with the natural setting and with older structures; and

Whereas, the City's zoning code currently regulates height in order to preserve views; and

Whereas, current height regulations have been found to result in development which does not provide views to the public at large, and in development which does not blend with the natural setting and with historical buildings; and

Whereas, the City's Planning Staff and Planning Commission have proposed an amendment to Chapter 17 which redefines residential building height in relation to building setbacks in order to preserve wider view corridors; and

Whereas, the Planning Commission conducted a public hearing on October 6, 1992 to accept public comment on the proposed text amendments

NOW, THEREFORE, the Planning Commission of the City of Gig Harbor, Washington, recommends to the City Council to adopt the following ordinance revision:

Section 1. The Zoning Ordinance of the City of Gig Harbor is hereby amended to read as follows:

. . .

Chapter 17.63

Harbor Overlay District

Sections:

- 17.63.010 Intent
- 17.63.020 Map adopted
- 17.63.030 Standards

17.62.010 Intent. The purpose of this district is to establish standards which will assure that views in the basin area are preserved for both the residents of private development and the public at large. The standards are intended to provide wider view corridors between structures and to assure that development itself is a positive contribution to the visual quality of the harbor.

17.63.020 Map adopted. The standards of this section shall be an overlay zone and are supplementary to the regulations prescribed by the underlying zones. However, where building setbacks and heights are concerned, the standards of this section shall take precedent.

17.63.030 Development standards. The minimum development standards in the harbor overlay zone are as follows:

- A. Minimum front yard setback - 20 feet
- B. Minimum side yard setback* - 20% of lot width
- C. Minimum roof pitch - 8/12 (8 units of rise per 12 units of run)
- D. Maximum height of structures - In the Harbor Overlay District all buildings and structures shall have a maximum height of sixteen feet except that a 30 foot portion of the house's width may be increased to 24 feet if the following conditions are met:
 - i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street. The Planning Director may approve a shift in the orientation of the house if it can be demonstrated that the shift results in a more significant view corridor for the public at large.

ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge,

iii. The 30 foot wide portion of the structure, measuring 24 feet above grade at the highest elevation, shall not exceed 33 feet above natural or finished grade at its lowest elevation.

* Minimum side yard setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on one side shall be reduced to no less than the setbacks in the underlying zone.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the structure.

. . .

Chapter 17.46

Waterfront Residential

. . .

17.46.040 Development standards. In a waterfront residential district, the minimum development standards are as follows:

	Single-Family Dwelling	7,000 to 12,000	Less Than 7,000	Duplex Dwelling	Non-Residential
C. Minimum street frontage	20'	20'	20'	20'	20'
D. Minimum front yard setback	20'	20'	15'	20'	20'
E. Minimum rear and/or side yard setback abutting tidelands	0'	0'	0'	0'	0'

. . .

F. Minimum side yard setback*	20%	20%	20%	20%	20%
G. Maximum impervious coverage	40%	45%	50%	45%	50%
H. Minimum roof pitch	8/12	8/12	8/12	8/12	8/12

* Minimum side yard setbacks shall be 20% of lot width except as provided for under Chapter 17.62. Setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on one side shall be reduced to no less than 8 feet.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the house.

17.46.060 Maximum height of structures. In a waterfront residential district, the maximum building height is sixteen feet, except that a 30 foot portion of the house's width may be increased to 24 feet if the following conditions are met:

i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street. The Planning Director may approve a shift in the orientation of the house if it can be demonstrated that the shift results in a more significant view corridor for the public at large.

ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge.

iii. The 30 foot wide portion of the structure measuring 24 feet above grade at the highest elevation shall not exceed 33 feet above natural or finished grade at its lowest elevation.

Exceptions to the 16 foot height limit are also provided for under Chapter 17.62, height overlay district. (Ord. 573 S2 (part), 1990).

Chapter 17.48

WATERFRONT MILLVILLE (WM)

17.48.040 Development standards. In the Waterfront Millville district, the minimum development standards are as follows:

	Single- Family	Multi- family	Non- residential
5. Minimum side yard setback*	20%	20%	20%
6. Maximum impervious coverage	50%	55%	70%
7. Minimum roof pitch	8/12	8/12	8/12

* Minimum side yard setbacks shall be 20% of lot width except as provided for under Chapter 17.62. Setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on shall be reduced to no less than 8 feet.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the house.

17.48.060 Height. In the Waterfront Millville District, the maximum building height is 16 feet, except that a 30 foot portion of the house's width may be increased to 24 feet if the following conditions are met:

i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street. The Planning Director may approve a shift in the orientation of the house if it can be demonstrated that the shift results in a more significant view corridor for the public at large.

ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge.

iii. The 30 foot wide portion of the structure measuring 24 feet above grade at the highest elevation shall not exceed 33 feet above natural or finished grade at its lowest elevation.

Exceptions to the 16 foot height limit are also provided for under Chapter 17.62, height overlay district. (Ord 573 S2 (part), 1990).

. . .

Chapter 17.50

WATERFRONT COMMERCIAL

. . .

17.50.040 Development standards. In a waterfront commercial district, the minimum development standards are as follows:

	Single- Family	Multifamily (Duplex-- Fourplex)	Non- residential
F. Minimum side yard setback*	20%	20%	20%
G. Maximum impervious coverage	50%	55%	60%
H. Minimum roof pitch	8/12	8/12	8/12 if above 16 feet high

. . .

* Minimum side yard setbacks shall be 20% of lot width except as provided for under Chapter 17.62. Setbacks on one side of the house may be reduced, subject to the Planning Director's approval if the following conditions are met:

1. The setback on one side shall be reduced to no less than 8 feet.
2. There must be a corresponding increase on the opposite side of the house so that the sum of both side yard setbacks equals 40 percent of the lot width as measured at the structure's location.
3. The Planning Director shall determine that a more significant view corridor could be retained for the public at large by enlarging the setback on one side of the house as opposed to a 20 percent setback on both sides of the house.

. . .

17.50.060 Height. In a Waterfront Commercial District, the maximum building height is sixteen feet, except that a 30 foot portion of the structure's width may be increased to 24 feet if the following conditions are met:

- i. The gable or hip end of the 30 foot portion shall face the street so that the ridge is perpendicular to the street. The Planning Director may approve a shift in the orientation of the house if it can be demonstrated that the shift results in a more significant view corridor for the public at large.

ii. No structures other than chimneys shall extend beyond the area defined by the gable or hip, i.e., no structure shall extend above the common rafter extending from the top wall plate to the ridge.

iii. The roof, whether for commercial or residential structures, shall have a minimum 8/12 pitch.

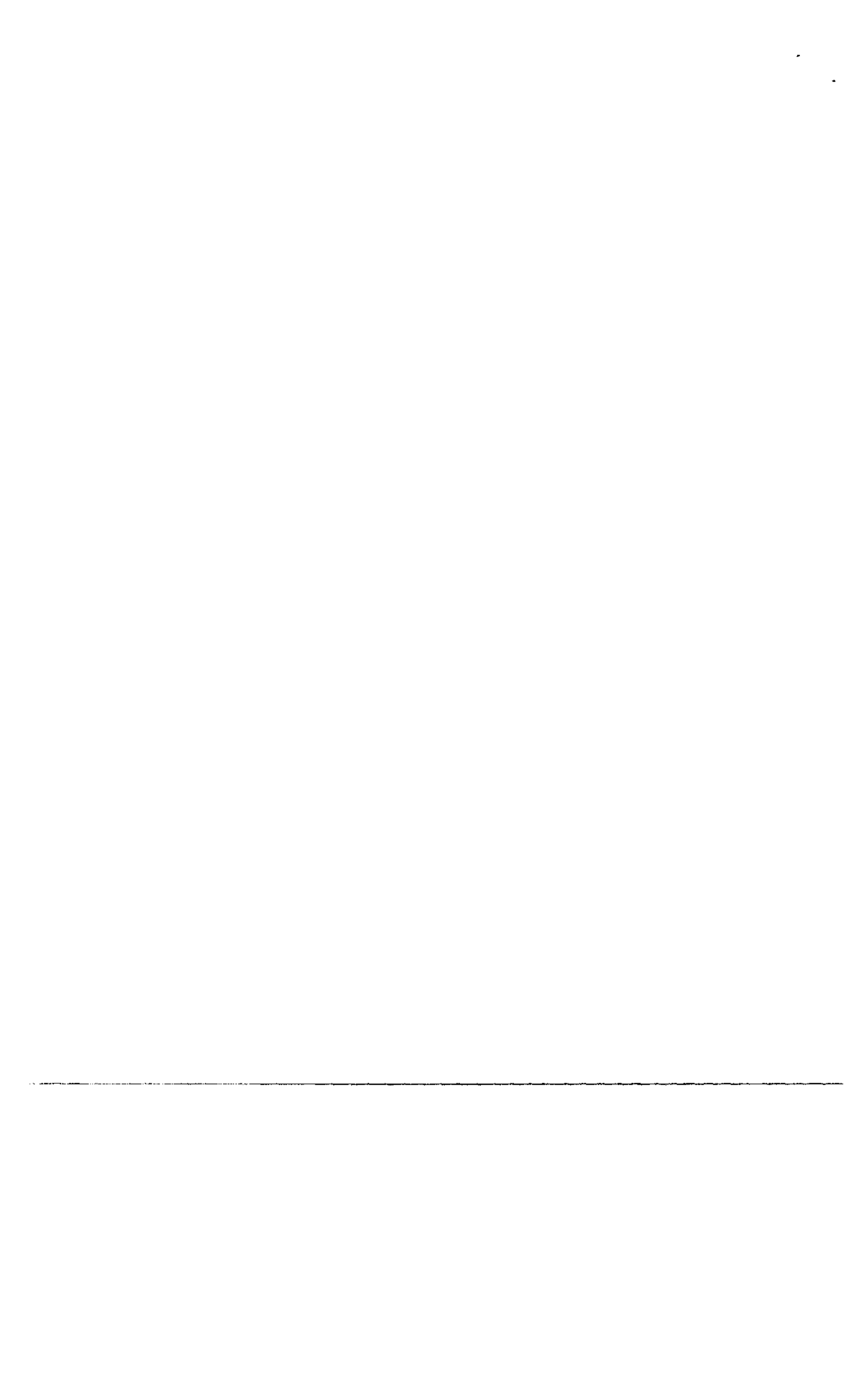
iv. The 30 foot wide portion of the structure measuring 24 feet above grade at the highest elevation shall not exceed 33 feet above natural or finished grade at its lowest elevation.

Exceptions to the 16 foot height limit are also provided for under Chapter 17.62, height overlay district. (Ord 573 S2 (part), 1990).

. . .

Resolved by the Planning Commission of the City of Gig Harbor, Washington at regular meeting of the Planning Commission held on this 20th day of October, 1992.

Kae Paterson, Planning Commission Chairperson



Return Original to: WASHINGTON STATE LIQUOR CONTROL BOARD
 License Division - 1025 E. Union, P.O. Box 43075
 Olympia, WA 98504-3075

TO: MAYOR OF GIG HARBOR

DATE: 11-03-1992

RE: SPECIAL OCCASION # 090615

PENINSULA NEIGHBORHOOD ASSOCIATION (PNA)
 P.O. BOX 507
 GIG HARBOR, WA 98335

CLASS: J

DATE: NOVEMBER 14, 1992 TIME: 7:00 PM TO 10:00 PM
 PLACE: ST NICHOLAS HALL, 3510 ROSEDALE, GIG HARBOR

CONTACT: KAREN BISKEY 851-6269

RETAIL LICENSES

- A - Restaurant or dining place - Beer on premises.
- B - Tavern - Beer on premises.
- C - Wine on Premises
- D - Beer by open bottle only - on premises
- E - Beer by bottle or package - off premises
- F - Wine by bottle or package - off premises
- H - Spirituous liquor by individual glass and/or beer and wine on premises
- L - Spirituous liquor by individual glass and/or beer and wine on premises for non profit arts organization during performances.
- P - Gift delivery service or florist with wine.

SPECIAL OCCASION LICENSES

- G - License to sell beer on a specified date for consumption at specific place
- I - Annual added locations for special events (Class H only).
- J License to sell wine on a specific date for consumption at a specific place.
- Wine in unopened bottle or package in limited quantity for off premises consumption.
- K - Spirituous liquor by the individual glass for consumption at a specific place

NON-RETAIL LICENSES

- N1 - Manufacturers, except Distiller, Breweries and Wineries
 - N2 - Distiller's License
 - N3 - Distiller's License (Commercial Chemist)
 - N4 - Distiller's License (Fruit and/or Wine)
 - N5 - Liquor Importer
 - NS - Ship Chandler - Duty Free Exporter
 - B1 - Domestic Brewers
 - B2 - Beer Wholesaler
 - B3 - Beer Certificate of Approval in state
 - B4 - Beer Importer
 - W1 - Domestic Winery
 - W2 - Wine Wholesaler
 - W3 - Wine Importer
 - W4 - Wine certificate of approval in state
 - W5 - Bonded Wine Warehouse
 - W6 - Growers License - to sell wine in bulk
- PERMITS
 Class 4 - Annual Permit
 Class 11 - Bed & Breakfast
 CCI
 CCI 1 - Interstate Common Carrier

Notice is given that application has been made to the Washington State Liquor Control Board for a license to conduct business. If return of this notice is not received in this office within 20 DAYS (10 DAYS notice given for Class I) from the date listed above, it will be assumed that you have no objection to the issuance of the license. If additional time is required please advise.

- | | | |
|--|--------------------------|--------------------------|
| 1. Do you approve of applicant? | YES | NO |
| | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you approve of location? | YES | NO |
| | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | YES | NO |
| | <input type="checkbox"/> | <input type="checkbox"/> |

OPTIONAL CHECK LIST:	EXPLANATION	YES	NO
LAW ENFORCEMENT		<input type="checkbox"/>	<input type="checkbox"/>
HEALTH & SANITATION		<input type="checkbox"/>	<input type="checkbox"/>
FIRE, BUILDING, ZONING		<input type="checkbox"/>	<input type="checkbox"/>
OTHER:		<input type="checkbox"/>	<input type="checkbox"/>

If you have indicated disapproval of the application, location or both, please submit a statement of all facts upon which such objections are based.

 Signature of Mayor, City Manager, County Commissioners or Designee

 Date





DENNIS RICHARDS
Chief of Police

City of Gig Harbor Police Dept.
3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-2236

MONTHLY POLICE ACTIVITY REPORT

OCTOBER

DATE: 11-01-92

	<u>OCT</u> <u>1992</u>	<u>YTD</u> <u>1992</u>	<u>YTD</u> <u>1991</u>	<u>%CHG TO</u> <u>1991</u>
CALLS FOR SERVICE	<u>243</u>	<u>2504</u>	<u>2124</u>	<u>+ 18</u>
CRIMINAL TRAFFIC	<u>36</u>	<u>331</u>	<u>197</u>	<u>+ 68</u>
TRAFFIC INFRACTIONS	<u>86</u>	<u>784</u>	<u>864</u>	<u>- 9</u>
DWI ARRESTS	<u>8</u>	<u>51</u>	<u>58</u>	<u>- 12</u>
FELONY ARRESTS	<u>17</u>	<u>64</u>	<u>56</u>	<u>+ 14</u>
MISDEMEANOR ARRESTS	<u>13</u>	<u>174</u>	<u>117</u>	<u>+ 48</u>
WARRANT ARRESTS	<u>6</u>	<u>90</u>	<u>67</u>	<u>+ 34</u>


CASE REPORTS FOR OCTOBER 1992

7375 - THEFT 3	7416 - THEFT 2
7376 - THEFT 2	7417 - MIP
7377 - WARRANTS	7418 - THEFT 2
7378 - DWI	7419 - THEFT 3
7379 - FELONY ELUDE/AUTO THEFT	7420 - THEFT 2
7380 - MIP/UPCS	7421 - WARRANT/DWLS
7381 - DWI	7422 - DWI/OBSTRUCTING
7382 - ASSIST LEA	7423 - THEFT 2
7383 - HIT & RUN	7424 - THEFT 3
7384 - THEFT 2	7425 - DWI
7385 - WARRANTS/DWLS/PARA	7426 - UPCS
7386 - ALTERED PLATES	7427 - NARCOTICS
7387 - ACCIDENT	7428 - BURGLARY 2
7388 - VEH PROWL/THEFT 3	7429 - ASSAULT 4 DV
7389 - SWITCHED PLATES	7430 - FORGED PRESCRIPTION
7390 - WARRANTS/NVOL	7431 - MAL MISCHIEF/VEH PROWL
7391 - THEFT 2	7432 - THEFT 3
7392 - WELFARE CHECK	7433 - DWI/ACCIDENT
7393 - ACCIDENT	7434 - MISSING PERSON
7394 - THEFT 2	7435 - ANIMAL CRUELTY
7395 - NVOL/JUV	7436 - NARCOTICS
7396 - ACCIDENT	7437 - RUNAWAY
7397 - MIP	7438 - DWI
7398 - STOLEN PLATE	7439 - VIO RESTRAINING ORDER
7399 - THEFT 3	7440 - FORGERY
7400 - THEFT 3	7441 - FORGERY
7401 - DWI	7442 - FORGERY
7402 - MVTR	7443 - FOUND PROPERTY
7403 - ACCIDENT	7444 - ACCIDENT
7404 - FOUND PROPERTY	7445 - WARRANTS
7405 - FOUND PROPERTY	7446 - FELONY ELUDE/RECKLESS
7406 - NARCOTICS	7447 - HIT & RUN
7407 - NARCOTICS	7448 - NARCOTICS
7408 - WARRANTS/FTA	7449 - BURGLARY
7409 - FOUND PROPERTY	7450 - PSP
7410 - THEFT 3	7451 - FOUND PROPERTY
7411 - FORGERY	7452 - PSP
7412 - ASSAULT 4 DV	7453 - MVT/R
7413 - THEFT 2	7454 - ACCIDENT
7414 - FORGERY/PSP	
7415 - DWI	



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: MAYOR'S REPORT
DATE: NOVEMBER 5, 1992

These 24 points give a brief insight to the issues that will be the main topics of discussion and concern to Washington cities and towns during the forthcoming legislative session concluding in January.

We will need to be pro-active in order to give guidance to the legislators in these lean years of funding programs.

The legislature will be looking to eliminate those programs that don't work and will need to hear from us about the priority programs for us.

Please review the topics and share with me those of importance to you.

Staff's input will be a part of our correlation of purpose.

I have a copy of the state budget options for 1993-95 if you are interested.

Resolutions at a Glance

1992-93

	Resolution Number Regarding:	Summary Statement
--	--	--------------------------

1	Mandates	Is directed at the problem of legislatively imposed new operational or service responsibilities without concurrent provision of funding.
2	Procurement of Architectural and Engineering Services	Calls for exempting or simplifying procurement of architectural and engineering service contracts having a cost estimate for \$25,000 or less.
3	Electrical Work	Seeks legislation which would exempt all municipal electric utilities from current bid limits.
4	Open Public Records and Open Public Meetings	Encourages the Legislature not to impose burdensome requirements and costs upon advisory committees and other similar committees which may impede their ability to provide the best information possible to city and town councils. It further requests the Legislature not to impose needless regulation which may impede the ability of cities and towns to use executive sessions for appropriate matters. This resolution also supports the study by the Joint Select Legislative Committee on Open Government.
5	Sale of Fireworks in the State of Washington	Calls for legislation that authorizes cities and towns to ban the sale and use, other than licensed public displays, of fireworks without being subject to the current provision of state law that requires that such action not take effect until one year from the date of passage. Upon the finding of urgent conditions, the governor is encouraged to impose a state-wide ban on the sale and use of fireworks.
6	Health Care Reform	Supports the overall goal to contain the rising costs of health care through practical approaches, including tort law changes, administrative efficiencies and insurance practice reforms. Supports increased funding for public health and preventative health services, especially services to those with inadequate insurance coverage, and for continuation of the Basic Health Plan. Suggests for AWC to convene a group of city officials to examine the recommendations of the Health Care Commission.
7	Criminal Justice Funding	Requests the continuance of the criminal justice assistance funding, including the authority for seven counties to impose a .01 percent increased sales tax for criminal justice purposes and encourages legislation that gives cities and towns additional local option funding sources for local criminal justice programs. Urges the Legislature to remove the non-supplanting language from current law.
8	Budget Issues for Washington Cities & Towns	This resolution requests the creation, continuation and/or addition of funding for multiple issues. They are parks and recreation facilities, water quality, safe drinking water, circuit rider, tourism, State Fire Training Academy, DWI Task Force, Family Policy Initiative, public health services and family support services.
9	Transportation	Supports a local option sales tax on gas or a local option gas tax as a major revenue source for a high-capacity transportation system in the Central Puget Sound region. This measure would reduce current reliance on the sales tax.
10	Public Works Trust Fund	Urges the Legislature to approve an annual list of projects from those recommended by the Public Works Board within the first days of each legislative session, or create an approval process which is completed by the end of January.
11	Publication of Bond Ordinances	Seek legislation requiring that cities and towns only need to publish the title of bond ordinances and a description on how one may obtain a complete copy of the ordinance.
12	Growth Management	Reiterates the Association's support for the Growth Management Act as an essential and responsible series of planning and inter-local coordination measures. Addresses the issues of time extensions, funding of grants and technical assistance programs, annexation facilitation, property "takings" and siting of industrial or commercial facilities.
13	Water Resources and Water Quality	Supports changes to the current law that clarify the existing water policy and create a balanced policy for water use. Supports reasonable protection plans for watersheds, aquifers, wellhead areas, and surface waters that will ensure the quality of the water supply. Requests financial assistance for water conservation programs and for the construction of new water supply systems. Opposes efforts to divert water to another state.

**Resolution
Number Regarding:**

Summary Statement

14	Solid Waste, Recycling and Waste Reduction	Supports legislation that reduces the use of non-recyclable materials, reduces the total volume of waste or encourages recycling. Encourages the development of markets for recycled material and supports solid waste recycling legislation. Requests that the law restricting cities' and towns' authority to ban the use of specific materials within their boundaries be allowed to sunset.
15	Local Government Regulation of Pesticides and Herbicides	Supports the right of cities, towns, counties, and health districts to continue to regulate pesticides and herbicides within their jurisdictions and the right of the state to continue its regulatory activities. Encourages resolving the disagreement and confusion surrounding the proper regulatory roles of the state and local governments prior to the 1993 session.
16	Environmental Regulatory Management	Requests that the Department of Ecology institute a review of its existing and proposed environmental regulations and that the Legislature institute an ongoing review of state agency environmental regulations.
17	Binding Arbitration	Opposes the extension of compulsory interest arbitration as a means of resolving impasse in collective bargaining negotiations with police in cities of less than 15,000 population and employee groups other than police and fire in all cities and towns. Supports changes in the interest arbitration statute that requires the arbiter to consider relevant financial factors when making an award.
18	LEOFF Plan I Medical Costs	Requests the Joint Select Committee on Pensions and the Legislature to authorize an actuarial study of the long term costs to local governments for providing payment of medical services for LEOFF Plan I retirees and that the study be funded from a surcharge on the employer's administrative fee paid on the LEOFF pension system.
19	Housing	Recognizes the need to preserve, enhance and increase affordable housing stock. Supports a permanent statewide funding source for the Housing Trust Fund; financing of affordable and low-income housing through public-private partnerships; local government solutions to the siting of accessory housing units; creation of a committee for affordable farmworker housing; and legislation authorizing cities and towns to raise and expend funds for affordable and low-income housing through local real estate excise taxes, bonds, or impact fees. Opposes legislation preempting all local ordinances which prescribe different duties than those imposed by the Landlord Tenant Act.
20	Common School Education	Calls upon the Legislature to take a more pro-active role in ensuring our children are provided a quality education and continue to evaluate how common school education is funded in Washington. Endorses Governor Gardner's Council on Education Reform and Funding in their efforts to create a long-term plan to improve the means by which the state funds education.
21	Juvenile Issues	Requests that the Legislature establish laws that provide for punishment commensurate with the age, crime, and criminal history of the juvenile offender; establish a system whereby the necessary treatment, supervision, and custody is provided for juvenile offenders; encourage parental and community involvement; develop effective standards for the operation, funding, and evaluation of all components of the juvenile justice system; provide for a clear policy to determine what types of offenders shall receive punishment, treatment or both; and to determine the jurisdictional limitation of the courts, institutions, and community service.
22	Municipal Courts	Supports the local option to maintain independent municipal courts and recommends that the state provide financial and technical assistance to cities for the administration of municipal courts. The resolution strongly opposes the elimination of independent municipal courts, the imposition of penalties for maintaining those courts, and the transfer or diversion of municipal court revenues to finance state programs.
23	Hate Crimes	Supports legislation that broadens the malicious harassment statutes by including crimes motivated by the sexual orientation of a victim, and inclusion of specific language describing the words and conduct connoting hatred or threats. This resolution calls for the Washington Association of Sheriff and Police Chiefs to establish and maintain a central repository for the collection and classification of information regarding crimes motivated by bigotry and bias.
24	Firearms	Supports legislation that would allow cities and towns the local option to destroy forfeited or unclaimed firearms; limit those persons convicted of crimes who can legally possess or carry firearms; and allow municipalities the local option to prohibit the possession of firearms in council chambers.

