

**ORDINANCE NO. 1347**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO STORMWATER, DEVELOPMENT REGULATIONS AND ZONING; ADOPTING A NEW TECHNICAL STORMWATER MANUAL; AMENDING CHAPTERS 17.31, 17.32, 17.36 AND 17.40 RELATING TO MAXIMUM COVERAGE PERCENTAGES; AMENDING THE LANDSCAPING AND SCREENING CHAPTER TO PROVIDE GREATER FLEXIBILITY AND OPTIONS FOR THE LOCATION OF, PREFERRED PLANTINGS FOR, IRRIGATION OF, AND ENCROACHMENT INTO REQUIRED PERIMETER LANDSCAPING AREAS; AMENDING THE DEFINITION OF SIGNIFICANT VEGETATION TO REMOVE SHORT-LIVED, WEED-LIKE TREE SPECIES; INCREASING THE RETENTION PERCENTAGE OF SIGNIFICANT TREES FROM 20 PERCENT TO 25 PERCENT FOR NON-RESIDENTIAL, MULTIFAMILY AND RESIDENTIAL SUBDIVISIONS; INCREASING THE RATIO OF TREE REPLACEMENT DUE TO ILLEGAL TREE REMOVAL; INCREASING THE AREA WITHIN A DRIP LINE TO INCLUDE MORE CRITICAL ROOT ZONE; RENUMBERING SECTIONS 17.04.407, 17.04.408, 17.04.544, AND 17.04.657; RENAMING TITLE 17.78; REPEALING SECTION 17.78.050 AND THE CERTIFIED ARBORIST DEFINITION IN 17.99.590; ADDING SECTIONS 17.04.065, 17.04.105, 17.04.408, 17.04.543, 17.04.544, 17.04.659, 17.04.675, 17.04.727, 17.78.050, AND 17.78.092; AMENDING SECTIONS 14.20.030, 14.20.130, 14.30.020, 16.05.001, 16.10.050, 16.10.060, 16.11.003, 16.11.004, 17.04.230, 17.04.269, 17.04.420, 17.04.675, 17.16.060, 17.17.040, 17.20.040, 17.21.040, 17.24.050, 17.28.050, 17.30.010, 17.30.060, 17.31.070, 17.32.033, 17.36.070, 17.40.090, 17.46.040, 17.48.040, 17.48.090, 17.50.040, 17.72.020, 17.78.010, 17.78.020, 17.78.030, 17.78.045, 17.78.060, 17.78.070, 17.78.080, 17.78.090, 17.78.120, 17.89.040, 17.89.060, 17.90.040, 17.90.060, 17.91.040, 17.94.050, 17.96.030, 17.96.050, 17.98.040, 17.99.020, 17.99.160, 17.99.220, 17.99.240, 17.99.280, 17.99.300, 17.99.390, 17.99.590, AND 18.08.206 OF THE GIG HARBOR MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

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WHEREAS, the City of Gig Harbor (the “City”) is regulated under the Washington State Department of Ecology’s Western Washington Phase II Municipal Stormwater Permit (the “Permit”); and

WHEREAS, in accordance with schedules mandating periodic approval Phase II Municipal Separate Storm Sewer System (MS4) General Permits, a new NPDES Permit for City was issued on August 1, 2012, with an effective date of August 1, 2013, and subsequently modified on January 16, 2014, by Ecology; and

WHEREAS, a requirement of the Permit is that the City adopt a technical manual which has been determined by Ecology to be equivalent to the Ecology “2012 Stormwater Management Manual for Western Washington” for controlling the quantity and quality of stormwater runoff; and

WHEREAS, the City recognizes that stormwater is an important part of the hydrologic cycle and directly impacts streams, wetlands, ponds, creeks, groundwater and Puget Sound; and

WHEREAS, the City will adopt code policies and procedures as needed to integrate Stormwater Low Impact Development (LID) techniques into the City’s municipal code, development regulations and standards to be in accord with the new Stormwater Management and Site Development Manual as mandated by the Permit requirements, to become effective December 31, 2016; and

WHEREAS, the Permit broadly applies to City activities that include permitting of development, maintenance and operations of City facilities, inspections and enforcement of regulations, and other activities conducted in the City’s MS4; and

WHEREAS, the intent of the code revisions and new stormwater manual is to make LID the preferred and commonly used approach to site development with emphasis to minimize impervious surfaces, native vegetation loss, and stormwater runoff in a way that harmonizes with the City’s Comprehensive Plan and vision for the City; and

WHEREAS, amendments to the landscaping and zoning code will allow for greater flexibility in site design with the intent of supporting LID best management practices; and

WHEREAS, landscaping and buffering is intended to separate and/or screen structures and uses in land use design; and

WHEREAS, in a suburban or urban environment vegetative buffering and screening is rarely dense enough or effective at screening structures in the short term due to disease, windfall and/or property owners’ actions; and

WHEREAS, builders, developers, site designers and civil engineers require greater flexibility and options in site design and allocation of retained vegetation in order to respect natural topography, maintain soil balance, and minimize large or extensive retaining walls; and

WHEREAS, the City Council desires to avoid the creation of long straight and/or thin bands of trees and understory which are either unnatural looking or unhealthy; and

WHEREAS, the amendments allow certain aspects of site development to weave into the vegetative setting and encourage the preservation and clustering of mature stands of existing trees and vegetation, and allow LID techniques in landscape areas where feasible; and

WHEREAS, amending regulations to Gig Harbor Municipal Code 17.78 for trees, vegetation and landscaping requirements is desired to protect the health, safety, and welfare of citizens of the City; and

WHEREAS, the amendments provide additional aesthetic values allowing greater flexibility and options in site design and allocation of retained vegetation in order to respect the natural topography, existing natural environment and natural stormwater filtration; and

WHEREAS, these amendments provide environmental benefits, creating natural meanders and vegetation islands allowing for greater water infiltration points, improving noise reduction and clean air, as well as increased habitat and biodiversity; and

WHEREAS, preservation of native coniferous trees while allowing removal of faster growing deciduous species will yield to the greater retention of tree species valued by the Gig Harbor community; and

WHEREAS, increasing the replacement requirements for trees identified to be retained will create greater enhancement of areas meant for retention that were disturbed during or after construction; and

WHEREAS, the Planning Commission considered the draft amendments relating to the trees, landscaping and screening amendments from November 2013 through June 2014; and

WHEREAS, the Planning Commission held a public hearing on March 6, 2014 regarding the proposed amendments relating to the trees, landscaping and screening amendments; and

WHEREAS, in April and May of 2014 the Planning Commission made amendments to the proposed language in response to feedback from the public hearing relating to the trees, landscaping and screening amendments; and

WHEREAS, on June 26, 2014 the Chair of the Planning Commission signed the Notice of Recommendation to City Council; and

WHEREAS, the Gig Harbor City Council held a public hearing on September 22, 2014, to take public testimony relating to this ordinance; and

WHEREAS, on October 6, 2014 a joint work-study session between the City Council and Planning Commission was held. Staff was directed to conduct further review; and

WHEREAS, in the 2015-2016 Gig Harbor Budget provided funding for Low Impact Development (LID) Code GAP Analysis in accordance with the National Pollutant

Discharge Elimination System (NPDES) permit requirements to meet conduct a “GAP” analysis and code revisions of GHMC and stormwater technical manual; and

WHEREAS; on August 11, 2015 the City of Gig Harbor entered into in agreement with AHBL Inc. to provide LID integration into City code analysis and recommendations that include revisions to the stormwater technical manual; and

WHEREAS, in 2016 the Planning Department consulted with an ISA certified arborist on staff about the Planning Commission’s recommendation. The City’s arborist general felt that the proposal was appropriate but further amendments were needed to meet current industry standards, including amending the definitions of drip line and arborist; and

WHEREAS, on March 14, 2016 the Public Works Committee was briefed on the schedule and proposed amendments; and

WHEREAS, on March 15, 2016 the Planning and Building Committee was briefed on the schedule and proposed amendments; and

WHEREAS, on September 1, 2016 the City issued a Determination of Non-significance under the Washington State Environmental Protection Act relating to the full breadth of amendments included herein; and

WHEREAS, on September 12, 2016 the Public Works Committee was presented with and discussed the full package of amendments; and

WHEREAS, on October 10, 2016 a public open house was conducted; and

WHEREAS, on October 10, 2016 the City Council held a work study session on the amendments; and

WHEREAS, on October 24, 2016 the City Council held a public hearing on the amendments; and

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

Section 1. Section 14.20.030 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**14.20.030 Definitions.**

\* \* \*

“Best management practice” or “BMP” shall mean the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or

~~managerial management practices approved by Ecology~~ that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington. BMPs are listed and described in the Gig Harbor Stormwater Management and Site Development Manual, most recent version.

\* \* \*

“Land disturbing activity” shall mean any activity that results in a movement of earth or a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include but are not limited to clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices are not considered land disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

\* \* \*

“Redevelopment” shall mean, where a site that is already substantially developed (i.e., has 35 percent or more of existing ~~impervious~~impermeable surface coverage), the creation or addition of ~~impervious~~impermeable surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of ~~impervious~~impermeable surface that is not part of a routine maintenance activity; and land disturbing activities.

\* \* \*

Section 2. Subsection 14.20.130(E) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**14.20.130 Agreements, easements, tracts, and covenants.**

\* \* \*

E. All runoff from ~~impervious~~impermeable surfaces, roof drains, and yard drains shall be directed so as not to adversely affect adjacent properties. Wording to this effect shall appear on the face of all binding site plans, short plats, boundary line adjustments, and final plats/PRDs, and shall be contained in any covenants required for a development.

Section 3. Section 14.30.020 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**14.30.020 Definitions.**

“Best management practices” or “BMPs” means the schedule of activities, prohibition of practices, maintenance procedures, and physical, structural, and/or ~~managerial management practices approved by Ecology~~ that, when used singly

or in combination, prevent ~~and/or~~ reduce the release of pollutants ~~pollution and other adverse impacts to waters of Washington state of water~~. BMPs are listed and described in the ~~Stormwater Management Manual for Western Washington and the Gig Harbor Stormwater Management and Site Development Manual~~, most recent version.

\* \* \*

Section 4. Section 16.05.001 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**16.05.001 Requirements for a complete application.**

In addition to the requirements for a complete application as set forth in GHMC 19.02.002, an applicant for a preliminary plat shall submit the following:

- A. A map or sketch using a scale of 100 feet to one inch or larger, showing:
  1. Topographical and other data depicting:
    - a. Boundary lines including bearing and distance;
    - b. Easements, including location, width and purpose;
    - c. Streets on and adjacent to the tract, including name and right-of-way width and location; type, width and elevation of surfacing, walks, curbs, gutters, culverts, etc.;
    - d. Ground elevations on the tract, based on a datum plane approved by the city engineer; for land that slopes less than approximately two percent, show spot elevations at all breaks in grade, along all drainage channels or swales, and all selected points not more than 100 feet apart in all directions; for land that slopes more than approximately two percent, either show contours with an interval of not more than five feet if ground slope is regular and such information is sufficient for planning purposes, or show contours with an interval of not more than two feet if necessary because of irregular land or need for more detailed data for preparing plans and construction drawings;
    - e. Other conditions on adjacent land, including approximate direction and gradient of ground slope, including any embankments or retaining walls; character and location of buildings, railroads, power lines, towers, and other nonresidential land uses or platted land within 300 feet of the subject property. Refer to subdivision plat by name, recording date, volume and page number, and show lot size, and dwelling units;
  2. Utilities on and adjacent to the tract, including location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles, and street lights. If water mains and sewers are not on or adjacent to the tract, indicate the direction and

distance to, and size of nearest ones, showing invert elevation of sewers;

3. Location of soil borings or test pits, as required;

43. Other conditions on the tract including critical areas and/or their buffers, watercourses, marshes, rock outcrop;

54. Zoning district designations, on and adjacent to the tract;

65. Proposed public improvements, including highways or other major improvements planned by public authorities for future construction on or near the tract;

76. Vicinity showing location of the tract;

87. Sites, if any, to be reserved or dedicated for parks, playgrounds, or other public uses;

98. Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single-family dwellings;

109. Minimum building setback lines;

110. Site data, including number of residential lots, typical lot size, and acres in parks, etc.;

124. Plat name, scale, north arrow and date;

132. Typical cross-sections of the proposed grading, roadway and sidewalk;

143. Proposed sanitary, storm water and water systems plan with points of connection, grades and sizes indicated;

B. Title and certificates, including a legal description according to official records in the office of the county auditor; pertinent survey data compiled as a result of a survey made by or under the supervision of a land surveyor registered in the state and engaged in land surveying which contains notation stating acreage, scale, north arrow, datum, bench marks, certification of registered civil engineer or surveyor, date of survey;

C. Draft of proposed covenants, if any; and

D. Public Works Checklist. All applicable items listed on the public works land use application intake checklist.

Section 5. Subsection 16.10.050(B)(9) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**16.10.050 Siting criteria.**

\* \* \*

B. Mobile/manufactured home subdivision:

\* \* \*

9. Maximum ~~impervious-hard~~/impermeable surface coverage: dependent upon zoning district standard;

\* \* \*

Section 6. Subsection 16.10.060(H) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**16.10.060 Development standards.**

\* \* \*

H. Accessory Buildings. Accessory buildings within a mobile/manufactured home park or subdivision are permitted; provided, that the maximum site hard/impermeable surface coverage does not exceed 30 percent of the site's open space.

\* \* \*

Section 7. Subsection 16.11.003(B)(6) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**16.11.003 Complete binding site plan application.**

\* \* \*

B. All of the site plan elements as listed in GHMC 17.96.050, as long as the following elements are also included:

\* \* \*

- 6. The following zoning code data: zoning district; total lot area (square feet); total building area (square feet); percent of site hard/impermeable surface coverage; number of units proposed; total number of parking stalls (including handicapped); total parking and maneuvering area (square feet); required landscaping (square feet); percent of lot in open space; type of construction; sprinklered-nonsprinklered; occupancy classification;

\* \* \*

Section 8. Subsection 16.11.004(B)(8) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**16.11.004 Criteria for approval of binding site plan.**

\* \* \*



B. Approval of Binding Site Plans in Residential Single-Family (R-1) Zones. In addition to all other criteria for approval, a binding site plan may only be approved in an R-1 zone if all of the following additional criteria are satisfied:

\* \* \*

8. The maximum ~~impervious~~ hard surface lot coverage is 40 percent;

\* \* \*

Section 9. A new section 17.04.065 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.04.065. Arborist, qualified.**

“Qualified arborist” means an International Society of Arboriculture Certified Arborist with a current Tree Risk Assessment Qualification, or similar equivalent certification and qualification.

Section 10. A new section 17.04.105 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.04.105 Best management practices (BMPs).**

“Best management practices” or “BMPs” means the schedule of activities, prohibition of practices, maintenance procedures, and structural, and/or management practices approved by Ecology that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington state. BMPs are listed and described in the Gig Harbor Stormwater Management and Site Development Manual, most recent version.

Section 11. Section 17.04.230 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.04.230 Coverage.**

“Coverage” is that percentage of the area of a lot or site that is built on or occupied by buildings, parking areas and other hard/impermeable surfaces.

Section 12. Section 17.04.269 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.04.269 Dense vegetative screen.**

A “dense vegetative screen” consists of a physical buffer which is opaque to a height of six feet and broken to a height of 20 feet. Screening may be achieved through any one or a combination of the following methods:

- A. A solid row of evergreen trees or shrubs.
- B. A solid row of evergreen trees or shrubs planted on an earthen berm.

C. A combination of trees and shrubs and fencing where the amount of fencing does not exceed 50 percent of the lineal distance of the side to be buffered. Ground cover plants which are capable of providing complete ground coverage within three years of planting shall also be provided.

D. LID BMPs may be utilized within dense vegetative screens. Where LID BMPs are proposed to meet dense vegetative screen requirements, these plantings may deviate from the requirements in this subsection, provided that the overall screen area meets the intent of providing screening and physical separation.

Section 13. Section 17.04.407 in the definitions chapter of the Gig Harbor Municipal Code is hereby renumbered to 17.04.406.

Section 14. Section 17.04.408 in the definitions chapter of the Gig Harbor Municipal Code is hereby renumbered to 17.04.407.

Section 15. A new section 17.04.408 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.04.408 Hard surface.**

“Hard surface” means an impermeable surface, a permeable pavement, or a vegetated roof.

Section 16. Section 17.04.420 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.04.420 ~~Impervious-Impermeable surface.~~**

“~~Impervious-Impermeable surface~~” means a ~~hard-non-vegetated~~ surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a ~~hard surface area~~ which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common ~~impervious-impermeable~~ surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads with compacted sub-grade, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater. Open, uncovered retention/detention facilities and tidelands shall not be considered as ~~impervious-impermeable~~ surfaces for the purposes of determining whether the thresholds for application of stormwater minimum requirements are exceeded but shall be considered impermeable surfaces for purposes of runoff modeling.

Section 17. A new section 17.04.543 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.04.543 Low impact development (LID).**

“Low impact development” or “LID” means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

Section 18. Section 17.04.544 in the definitions chapter of the Gig Harbor Municipal Code is hereby renumbered to 17.04.545.

Section 19. A new section 17.04.544 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.04.544 Low impact development BMPs.**

“Low impact development BMPs” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

Section 20. Section 17.04.675 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.04.675 ~~657~~ Porous-Permeable paving.**

“~~Porous-Permeable paving~~” or “Permeable surface” means paving surfaces which accommodate pedestrian, bicycle and auto traffic while allowing infiltration and storage of stormwater. ~~Porous-Permeable paving~~ includes porous asphalt pavement; ~~porous-pervious~~ concrete; grid or lattice rigid plastic or paving blocks where the holes are filled with soil, sand, or gravel; and cast-in-place paver systems.

Section 21. Section 17.04.657 in the definitions chapter of the Gig Harbor Municipal Code is hereby renumbered to 17.04.658.

Section 22. A new section 17.04.659 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.04.659 Pervious concrete.**

“Pervious concrete” means paving surfaces similar to conventional concrete except that the mixture omits the fines to create stable air pockets within the final product to allow water to drain to the base below, reducing stormwater runoff and allowing for groundwater recharge. Pervious concrete typically may have a rougher surface than conventional concrete.

Section 23. A new section 17.04.675 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.04.675 Porous asphalt.**

“Porous asphalt” means paving surfaces similar to conventional asphalt but with reduced fines and stable air pockets within the final product that allow water to drain to the base below, reducing stormwater runoff and allowing for groundwater recharge. Aggregate binders and additives can be added to increase durability.

Section 24. A new section 17.04.727 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.04.727 Site coverage.**

“Site coverage” is that percentage of the area of a lot or site that may be built on or occupied by buildings, parking areas and other hard/impermeable surfaces excluding tidelands or lands waterward of the ordinary high water mark.

Section 25. Section 17.16.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.16.060 Development standards.**

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

- A. Minimum lot area per building site for short plats<sup>1</sup> 7,200 sq. ft.
- B. Minimum lot width<sup>1</sup> 70'
- C. Minimum front yard setback<sup>2,4, 5</sup> House: 20'  
Porch: 12'  
Garage: 26'
- D. Minimum rear yard setback<sup>2, 3</sup> 30'
- E. Minimum side yard setback<sup>2, 3</sup> 8'
- F. Maximum ~~impervious~~ hardhard surface lot-coverage 40%

\* \* \*

Section 26. Subsection 17.17.040(B)(8) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.17.040 Performance standards.**

\* \* \*

B. General.

\* \* \*

8. Maximum lot area coverage: 45 percent, excluding residential driveways, private walkways and similar ~~impervious~~hard surfaces.

\* \* \*

Section 27. Section 17.20.040 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.20.040 Development standards.**

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

	<b>Single- Family and Duplex Dwellings</b>	<b>Other Residential and Nonresidential</b>
A. Minimum lot area for short plats <sup>1</sup>	7,000 sq. ft./dwelling unit	
B. Minimum lot width <sup>1</sup>	50'	50'
C. Minimum front yard <sup>3, 4</sup>	House: 20' Porch: 12' Garage: 26'	25'
D. Minimum side yard <sup>2, 3</sup>	8'	7'
E. Minimum rear yard <sup>2, 3</sup>	30'	25'
F. Maximum <del>impervious</del> <u>hard</u> <del>surface lot</del> <u>surface lot</u> coverage	60% of the total lot area	

\* \* \*

Section 28. Section 17.21.040(B)(4) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.21.040 Performance standards.**

\* \* \*

B. General.

\* \* \*

- 4. Maximum Lot Area Coverage. Sixty-five percent, excluding driveways, private walkways and similar ~~impervious-hard~~ surfaces. ~~Impervious-Hard~~ surface coverage of individual parcels may exceed the 65 percent maximum when included within a subdivision; provided, that the overall ~~impervious-hard~~ surface coverage of the subdivision does not exceed 65 percent.

\* \* \*

Section 29. Section 17.24.050 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.24.050 Development standards.**

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

	<b>Single- Family and Duplex Dwellings</b>	<b>Other Residential and Nonresidential</b>
A. Minimum lot area for short plats <sup>1</sup>	5,400 sq. ft./dwelling unit	
B. Minimum lot width <sup>1</sup>	50'	50'
C. Minimum front yard <sup>3</sup>	House: 20' Porch: 12' Garage: 26'	20'
D. Minimum side yard <sup>2</sup>	8'	7'
E. Minimum rear yard <sup>2</sup>	30'	25'
F. Maximum site <u>hard surface</u> coverage	60% of the total lot area	

\* \* \*

Section 30. Section 17.28.050 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.28.050 Minimum development standards.**

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

	<b>Single-Family Dwellings</b>	<b>Other Residential</b>	<b>Nonresidential</b>
A. Minimum lot area (sq. ft.)	7,200	7,200	15,000
B. Minimum lot width	70'	70'	70'
C. Minimum front yard setback <sup>1, 3</sup>	House: 20' Porch: 12' Garage: 26'	20'	20'
D. Minimum rear yard setback <sup>1, 2</sup>	30'	25'	15'
E. Minimum side yard setback <sup>1, 2</sup>	8'	7'	10'
F. Maximum <del>impervious</del> <u>hard surface</u> lot coverage	50%	50%	60%

\* \* \*

Section 31. Section 17.30.010 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.30.010 Intent.**

The RB-2 district is intended to provide a mix of medium density residential uses with certain specified business, personal and professional services. It is intended to serve as a transitional buffer between high intensity commercial areas and lower intensity residential areas. The RB-2 zone is similar in construction to the RB-1 zone while allowing a higher percentage of ~~impervious~~ hard surface coverage and multifamily residential development. Furthermore, the RB-2 zone would serve to minimize impacts to adjacent residential uses by limiting general operational impacts of a use to that portion of the site between the structure(s) and the fronting road.

Section 32. Section 17.30.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.30.060 ~~Site~~ Hard surface coverage.**

~~Impervious~~ Hard surface ~~site~~ coverage in an RB-2 district shall be limited as follows:

- A. Fifty-five percent site hard surface coverage is permitted outright.
- B. Seventy percent site hard surface coverage is conditionally allowed, subject to the following:
  - 1. For every one percent increase in site hard surface coverage, an additional 0.5 feet of buffer shall be provided between the use and adjacent single-family residential use or zone;

\* \* \*

Section 33. Section 17.31.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.31.070 Maximum ~~impervious~~ impermeable and site hard surface coverage by all buildings.**

In the DB district, the maximum ~~impervious~~ impermeable surface coverage is 70 percent. The maximum hard surface coverage by all buildings, driveways, walkways and other similar hard surfaces shall be coverage is 80 percent. On properties that do not have suitable soils, as identified in the Preliminary Soils Report, the maximum impermeable coverage may be 80 percent.

\* \* \*

Section 34. Section 17.32.033 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.32.033 General standards.**

The following general standards shall apply:

- A. Minimum lot area: 5,000 sq. ft.
- B. Minimum lot width: 50 feet
- C. Minimum front yard:<sup>1</sup> 20 feet
- D. Minimum side yard:<sup>1</sup> 10 feet
- E. Minimum rear yard:<sup>1</sup> 25 feet
- F. Maximum site ~~impervious-impermeable~~ surface coverage:<sup>2</sup> 80%
- G. Maximum residential density: 4 dwelling units per acre

<sup>1</sup>If the B-1 district is located in the historic district defined in Chapter 17.99 GHMC, the setbacks defined in GHMC 17.99.310 and 17.99.320 shall apply.

<sup>2</sup> On properties that do not have suitable soils, as identified in the Preliminary Soils Report, the maximum impermeable coverage may be 80 percent.

\* \* \*

Section 35. Section 17.36.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.36.070 Maximum ~~impervious~~ impermeable and hard surface coverage.**



In a B-2 district, the maximum ~~impervious~~impermeable surface coverage is ~~70~~60 percent. The maximum hard surface coverage by all buildings, driveways, walkways and other similar hard surfaces shall be 70 percent. On properties that do not have suitable soils, as identified in the Preliminary Soils Report, the maximum impermeable coverage may be 70 percent.

\* \* \*

Section 36. Section 17.40.090 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.40.090 Maximum impermeable and hard surface coverage by all buildings.**

In a C-1 district, the maximum impermeable surface coverage is 70 percent. The maximum hard surface coverage by all buildings, driveways, walkways and other similar hard surfaces shall be is-80 percent. On properties that do not have suitable soils, as identified in the Preliminary Soils Report, the maximum impermeable coverage may be 80 percent.

\* \* \*

Section 37. Subsection 17.46.040(G) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

\* \* \*

**17.46.040 Development standards.**

A minimum lot area for new subdivisions is not specified. The minimum development standards are as follows:

	<b>Single-Family Dwelling</b>	<b>Duplex Dwelling</b>	<b>Non-residential Dwelling</b>
A. Minimum lot area (sq. ft.) <sup>1</sup>	7,000	14,000	12,000
B. Minimum lot width	70'	50'	50'
C. Minimum front yard <sup>2</sup>			
D. Minimum side yard <sup>2</sup>			
E. Minimum rear yard <sup>2</sup>			
F. Minimum yard abutting tidelands	0'	0'	0'

G. Maximum site impervious <u>hard surface</u> coverage	40%	45%	50%
---	-----	-----	-----

\* \* \*

Section 38. Section 17.48.040 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

\* \* \*

**17.48.040 Development standards.**

A minimum lot area for new subdivisions is not specified. The minimum development standards are as follows:

	<b>Single-Family Dwelling</b>	<b>Attached Up to 4 Units</b>	<b>Nonresidential</b>
A. Minimum lot area (sq. ft.) <sup>1</sup>	6,000	6,000/unit	15,000
B. Minimum lot width	50'	100'	100'
C. Minimum front yard <sup>2</sup>			
D. Minimum side yard <sup>2</sup>			
E. Minimum rear yard <sup>2</sup>			
F. Minimum yard abutting tidelands	0'	0'	0'
G. Maximum site impervious <u>hard surface</u>	50%	55%	70%

site  
coverage

\* \* \*

Section 39. Section 17.48.090 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.48.090 Performance standards.**

\* \* \*

E. Waterview Opportunity and Waterfront Access.

1. Maximum ~~impervious-hard surface lot~~ coverage may be increased up to a maximum of 80 percent upon execution of a written agreement with the city and the property owner; and provided further, that the agreement is filed with the county auditor as a covenant with the land, when the development provides for waterview opportunities and/or waterfront access opportunities in conjunction with nonresidential uses or for increased height, as follows:

<b><u>Maximum Imp-Hard Surface Coverage</u></b>	<b>Number of Waterview/ Access Opportunities</b>
a. 50/55/70	0
b. +10%	1
c. +10%	2
d. +10%	3

\* \* \*

Section 40. Subsections 17.50.040(G) and (K) of the Gig Harbor Municipal Code are hereby amended, to read as follows:

**17.50.040 Development standards.**

In a waterfront commercial district, the minimum development requirements are as follows:

\* \* \*

G. Maximum <u>site</u> impervious	50%	55%	70%
---	-----	-----	-----

hard surface  
site coverage

\* \* \*

K. 1. Maximum ~~impervious~~ hard surface ~~lot~~ coverage may be increased up to a maximum of 80 percent upon execution of a written agreement with the city and the property owner; and provided further, that the agreement is filed with the county auditor as a covenant with the land, when the development provides for waterview opportunities and/or waterfront access opportunities in conjunction with nonresidential uses, as follows:

<b>Maximum <u>Imp-Hard Surface Coverage</u></b>	<b>Number of Waterview/ Access Opportunities</b>
a. 50/55/70	0
b. +10%	1
c. +10%	2
d. +10%	3

\* \* \*

Section 41. Subsections 17.72.020(E) and (F) of the Gig Harbor Municipal Code are hereby amended, to read as follows:

**17.72.020 Off-street parking design standards.**

\* \* \*

E. All off-street parking spaces and access areas shall be surfaced with portland cement concrete, asphaltic concrete paving, or ~~porous~~ permeable paving to the standards established by the city including but not limited to the city's Stormwater Management and Site Development Manual (Chapter 14.20 GHMC).

F. All open parking area with four or more parking spaces shall be effectively screened by a wall, a fence or landscaping from any institutional or public building and from any property in a residential district, pursuant to the requirements in GHMC 17.78.080.

\* \* \*

Section 42. Chapter 17.78 is hereby renamed, to read as follows:

Chapter 17.78 TREES, LANDSCAPING AND SCREENING

Section 43. Section 17.78.010 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.010 Intent.**

The intent of this chapter is to encourage the preservation and enhancement of the City of Gig Harbor's natural environment. It is also the intent of this chapter to establish standards for landscaping and to allow modulated landscape buffers and internal landscape islands and screening, in order to maintain or replace existing vegetation, provide physical and visual buffers between differing land uses, and lessen environmental and improve aesthetic impacts of development and to enhance the overall appearance of the city. It is also the intent to avoid untimely and haphazard removal or destruction of significant trees and vegetation while preserving important landscape characteristics. Notwithstanding any other provision of this chapter, trees and shrubs planted pursuant to the provisions of this chapter shall be types and ultimate sizes at maturity that will not impair scenic vistas.

Section 44. Section 17.78.020 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.020 Applicability.**

The standards as required by this chapter shall apply to all uses of land which are subject to site plan review, a land clearing permit, and to any ~~new~~ subdivision plat. GHMC 17.78.095 applies to all development in the area described by that section. Additionally, the requirements of Shoreline Master Program subsection 6.2.4, Regulations – Vegetation Conservation Strip, shall apply to all property within the jurisdiction of the city's shoreline master program.

Section 45. Section 17.78.030 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.030 Tree, Landscape and Screening Plans.**

A. A plan of the proposed landscaping and screening shall be incorporated into plans submitted for site plan review or projects which require hearing examiner review. The plans shall be drawn to scale and contain the following, in addition to the significant ~~vegetation plan~~ tree survey and tree retention ~~plan~~ survey required by GHMC 17.98.040:

- 1A. Parking and vehicle use areas, driveways and walkways;
- 2B. Buildings or structures, existing and proposed;
- 3C. All proposed new landscaping. Landscape plan shall include the location, species, diameter or size of ~~materials~~ plants using both botanical and common names. Drawings shall reflect the ultimate size of plant materials. Alternatively, a schematic landscape plan can be submitted showing planting zones. Each planting zone shall include typical shrub and groundcover species and typical size and spacing at planting. All landscape plans shall include the location, species, and diameter or size of all proposed trees;

4D. Schematic irrigation plan showing irrigation zones and proposed irrigation techniques within each zone ~~or a xeriscape plan~~ as set forth in GHMC 17.78.045(B)(C);

5E. Identification of tree protection techniques.

B. Final landscape construction plans consistent with the landscape plans approved through the land use permit process shall be submitted with civil or building permits application. Final landscape construction plans shall include tree protection measures described in GHMC 17.78.092.

Section 46. Section 17.78.045 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.045 General provisions.**

A. Removal of a dead, substantially diseased or damaged, or hazard tree is allowed upon submittal of written verification by a qualified arborist who states that removal of the tree is essential for the protection of life, limb, or property. Removal of significant trees as defined in GHMC 17.99.590 may require replacement per GHMC 17.99.240(E).

A.B. Plant Compatibility. All new plantings must be of a type which will thrive amid existing vegetation without killing or overtaking it. Incompatible plants which require different planting environments or microclimates shall not be mixed. Haphazard mixture of textures, colors and plant types should be avoided. Invasive, nuisance plants on the noxious weed list (state and Pierce County) are prohibited.

C.B. Irrigation. Planting areas with nursery stock or transplanted vegetation shall include an automatic mechanical irrigation system designed for full coverage of the planting area. Exceptions may be granted for ~~xeriscape native planting plans which require little or no supplemental irrigation that provide temporary irrigation for at least three growing seasons.~~ Xeriscape plans shall be prepared by a licensed landscape architect and shall be approved by the planning director.

D.G. Wall Coverage. Blank walls shall include a narrow planting area, where feasible, with shrubs or vines (espaliers) giving coverage to the wall.

E.D. Preservation of Significant Views. Views and vistas from public rights-of-way shall be considered when determining placement of vegetation. While it is not the intent to avoid all trees in the foreground of a view, consideration should be given to the expected height of tree and how they might be located to “frame” the view.

Section 47. Section 17.78.050 of the Gig Harbor Municipal Code is hereby repealed.

Section 48. A new section 17.78.050 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.78.050 Preferred Species for Planting.**

The Director shall maintain a preferred species list of native plants for perimeter landscaping areas required by GHMC 17.78.060 and GHMC 17.78.070. The Director may update the list based upon the applicability, sustainability, and availability of plant species.

Section 49. Section 17.78.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.060 R-Perimeter landscaping requirements for residential landscaping development.**

**A. Perimeter Areas.**

4. Notwithstanding other regulations found in this chapter, perimeter areas shall be landscaped with trees, shrubs, and groundcover. The required width area of the perimeter areas to be landscaped landscaping on residential site plans shall be at least the depth of the required yard or setback area. The required width for perimeter landscape areas in residential plats is 25 feet. The width of the perimeter landscape areas may be modified as provided for in this section in order to group, shape, or cluster existing or planted vegetation in modulated edges along the perimeter of a site or to create internal vegetation islands. In addition, internal vegetation island(s) and significant trees may be included in the calculation of perimeter areas in order to separate and or juxtapose elements of the site plan and layout. The total square footage of these modified perimeter landscape areas shall be equivalent to the area of the standard required perimeter width identified above.

A. Reductions to the standard perimeter landscape area width are limited as follows:

1. Perimeter landscape area widths may not be reduced to less than 1/3 of the required yard or setback area of the zone or 10 feet, whichever is greater;

2. Perimeter landscape areas which have been reduced in width shall not run the length of the existing exterior property line for more than 2/3 of the length of said property line;

3. Parking and driveways may not encroach into the remaining perimeter landscape areas. However, site access driveways and pedestrian walkways may cut through the remaining perimeter landscape area substantially perpendicular to the property line.

B. All areas used in the calculation of the perimeter landscape area shall be developed as follows:

1. All significant trees as defined in GHMC 17.99.590 shall be retained. These trees can be applied towards all or some of the trees required to be retained by GHMC 17.99.240(D). Retention of other existing vegetation for landscaping is strongly encouraged; however, it must be equal to or better than available nursery stock.

2. If the area does not contain substantial existing canopy, understory, and groundcover vegetation, it shall be enhanced or planted as follows:

a. At least 80 percent of all trees, shrubs, and groundcover shall be from the preferred species list referenced in GHMC 17.78.050.

b. Perimeter landscaping may include existing landscaping, planted or a combination of both.

c. Areas to be landscaped shall be covered with live groundcover vegetation which will ultimately cover at least 75 percent of the ground area, within three years.

d. One deciduous tree a minimum of two-inch caliper or one six-foot evergreen tree shall be planted for every 200 square feet of area to be enhanced or planted. ~~or t. Three shrubs which should will~~ attain a height of three and one-half feet within three years shall be provided for every ~~500~~ 200 square feet of the area to be landscaped-enhanced. The plantings shall be evenly distributed throughout in a natural planting pattern.

2. e. A minimum of 40 percent of the required trees plantings shall be evergreen trees a minimum of six feet in height at planting.

f. For properties located within the boundaries of the height overlay district referenced in Chapter 17.62 GHMC, trees shall be of a species that will ultimately grow to the height of the planned building with a mature height no taller than the approved building. ~~In the selection of trees and shrubs, consideration should be given to overall aesthetic impacts at maturity.~~

3. LID BMPs may be utilized within the perimeter landscape areas, and shall count towards the requirements for enhancement or planting. Where LID BMPs are proposed to meet perimeter landscape requirements, these plantings may deviate from the requirements in this subsection, provided that the overall landscape area is not reduced.

C. Zone transition buffers required by GHMC 17.99.180 and Enhancement Corridor landscaping required by GHMC 17.99.160 shall not be reduced or modified through this Chapter.

D. The perimeter landscape area in residential plats shall be located in recorded easements or recorded tracts.

E. The perimeter landscape area shall be appropriately documented on the approved land use plans, such as site plan, binding site plan or final plat.

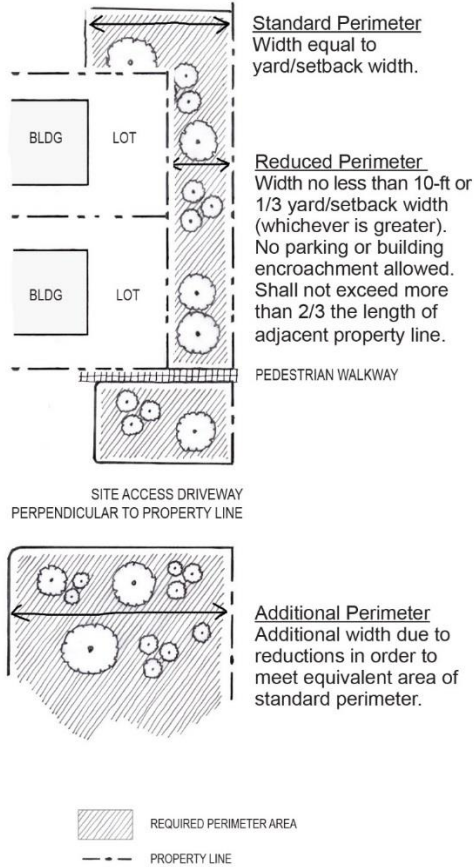
B. Buffer Areas. All residential plats shall have a minimum 25-foot buffer consisting of a dense vegetated screen, shall be required along the perimeters of the plat, and the buffer shall be established as a covenant on the final plat. The screening may be achieved through any one or a combination of the following methods:

1. A solid row of evergreen trees or shrubs;
2. A solid row of evergreen trees and shrubs planted on an earthen berm;
3. A combination of trees or shrubs and fencing where the amount of fence does not exceed 50 percent of the lineal distance of the side to be buffered as well as other plant materials, planted so that the ground will be covered within three years;
4. Use of existing native vegetation which meets the definition of dense vegetative screen.

C. Parking Areas. Parking areas shall be landscaped subject to the standards for parking lots found in GHMC 17.78.080.



**RESIDENTIAL**



Section 50. Section 17.78.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.070 R Perimeter landscaping requirements for nonresidential and mixed uses development.**

A. Perimeter Areas.~~4.~~ Notwithstanding other regulations found in this chapter, perimeter areas shall be landscaped with trees, shrubs, and groundcover. The required ~~width-area~~ of perimeter areas to be landscaped landscaping shall be at least the depth of the required yard or setback area ~~or total area equivalent to the required yards.~~ Areas to be landscaped shall be covered with live plant materials which will ultimately cover 75 percent of the ground area within three years. One

deciduous tree of a minimum of two-inch caliper or one six-foot-high evergreen tree or three shrubs which will attain a height of three and one-half feet within three years shall be provided for every 300 square feet of area to be landscaped. The width of the perimeter landscape areas may be modified as provided for in this section in order to group, shape or cluster existing or planted vegetation to create modulating edges along the perimeter of a site or to create internal vegetation islands. In addition, internal vegetation island(s) may be included in the calculation of perimeter areas and shall be located in order to separate and or juxtapose buildings and/or parking areas and prioritize access points and junctions in internal circulation if the standards below are met. The total square footage of these modified perimeter landscape areas shall be equivalent to the area of the standard required perimeter width identified above.

1. Reductions to the standard perimeter landscape area width are limited as follows:

a. Perimeter landscape area widths may not be reduced to less than 1/3 of the required yard or setback area of the zone or 10 feet, whichever is greater;

b. Perimeter landscape areas which have been reduced in width shall not run the length of the existing exterior property lines for more than 2/3 of the said property line;

c. Parking and driveways may not encroach into the remaining perimeter landscape areas. However, site access driveways and pedestrian walkways may cut through the remaining perimeter landscape area substantially perpendicular to the property line.

2. All areas used in the calculation of the perimeter landscape area shall be developed as follows:

a. All significant trees as defined in GHMC 17.99.590 shall be retained. These trees can be applied towards all or some of the trees required to be retained by GHMC 17.99.240(D). Retention of other existing vegetation for landscaping is strongly encouraged; however, it must be equal to or better than available nursery stock.

b. If the area does not contain substantial existing canopy, understory, and groundcover vegetation, it shall be enhanced or planted as follows:

i. At least eighty (80) percent of all trees, shrubs, and groundcover shall be from the preferred species list referenced in GHMC 17.78.050.

ii. Perimeter landscaping may include existing landscaping, planted or a combination of both.

iii. Areas to be landscaped shall be covered with live groundcover vegetation which will ultimately cover at least 75 percent of the ground area within three years.

iv. One deciduous tree a minimum of two-inch caliper or one six-foot evergreen tree shall be planted for every 200 square feet of area to be enhanced or planted. Three shrubs which will attain a height of three and one-half feet within three years shall be provided for every 200 square feet of area to be enhanced. The plantings shall be evenly distributed throughout in a natural planting pattern.

v. A minimum of 40 percent of the required trees shall be evergreen trees a minimum of six feet in height at planting.

vi. For properties located within the boundaries of the height overlay district referenced in Chapter 17.62 GHMC, trees shall be of a species with a mature height no taller than the approved building.

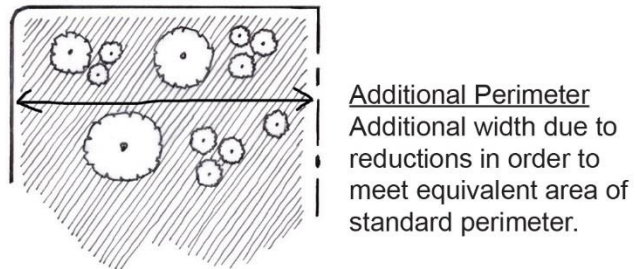
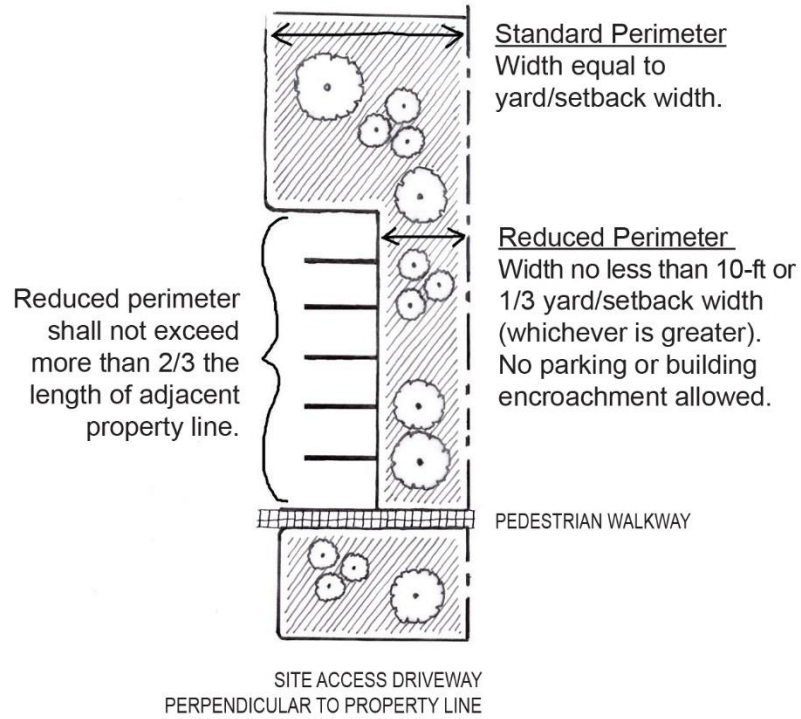
c. LID BMPs may be utilized within the perimeter landscape area, and shall count towards the requirements for enhancement or planting. Where LID BMPs are proposed to meet perimeter landscape requirements, these plantings may deviate from the requirements in this section, provided that the overall landscape area is not reduced.

3. Zone transition buffers required by GHMC 17.99.180 and Enhancement Corridor landscaping required by GHMC 17.99.160 shall not be reduced or modified through this Chapter.

4. All areas used in the calculation of the perimeter landscape area shall be appropriately documented on the approved land use plans, such as site plan or binding site plan.

~~2. A minimum of 40 percent of the required plantings shall be evergreen trees a minimum of six feet in height. For properties located within the boundaries of the height overlay district referenced in Chapter 17.62 GHMC, trees shall be of a species that will ultimately grow to the height of the planned building.~~

## NONRESIDENTIAL / MIXED USE



REQUIRED PERIMETER AREA  
 PROPERTY LINE

~~B. Buffer Areas~~ **Residential Buffering.** Where a development subject to these standards is contiguous to a residential zoning district, the zone transition standards of GHMC 17.99.180 shall be met. Where a nonresidential development abuts a residential development in the same zone, then that required perimeter area shall be landscaped the full width of the setback areas as follows:

1. A solid screen of evergreen trees or shrubs;
2. A solid screen of evergreen trees and shrubs planted on an earthen berm an average of three feet high along its midline;
3. A combination of trees or shrubs and fencing where the amount of fence does not exceed 50 percent of the lineal distance of the side to be buffered as well as other plant materials, planted so that the ground will be covered within three years.

4. LID BMPs may be utilized within residential buffering, and shall count towards the requirements for residential buffering, as long as screening requirements are met.

**C. Areas Without Setbacks.**

1. In those areas where there is no required front yard setback or where buildings are built to the property line, development subject to this chapter shall provide street trees at an interval of one every 20 feet or planter boxes at the same interval or some combination of trees and boxes, or an alternative.

2. Street trees shall be a minimum caliper of two inches and be a species approved by the city and installed to city standards. Planter boxes shall be maintained by the property owners and shall be of a type approved by the city.

~~D. Parking Area. Parking areas shall be landscaped subject to the standards for parking lots found in GHMC 17.78.080.~~

Section 51. Subsection 17.78.080(A) and (B) of the Gig Harbor Municipal Code are hereby amended, to read as follows:

**17.78.080 Parking lot and service area landscaping and screening.**

The standards of this section shall apply to public and private parking lots, paved service areas, residential parking areas providing spaces for more than 10 cars and all nonresidential uses of land and development.

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

\* \* \*

4. LID BMPs may be utilized within the perimeter landscape areas. Where LID BMPs are proposed to meet parking lot perimeter landscape requirements, areas containing LID BMPs may deviate from the requirements in this section, provided that the overall landscape area meets the intent of this section.

B. Interior Parking Lot Landscaping. A continuous canopy of trees shall be planted within the interior of a parking lot as follows:

\* \* \*

4. LID BMPs are encouraged within interior parking lot landscape areas. Where LID BMPs are utilized to manage parking lot stormwater runoff, the required number of trees may be reduced by one third to allow for narrower bioretention areas consistent with the minimum landscape strip required under subsection (B)(1).

\* \* \*

Section 52. Section 17.78.090 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.090 Screening/buffering from SR-16, Tacoma Power Cushman transmission line property and SR-16 interchanges.**

A. All development of properties adjacent to SR-16, the Tacoma Power Cushman transmission line property, and SR-16 interchange ramps shall be required to leave a buffer between the property line and any development. This buffer shall be a minimum of 30 feet in depth and shall only apply when the property is also within the enhancement corridor. The buffer shall conform to all enhancement corridor standards defined in GHMC 17.99.160.

~~B. Adjacent to SR-16 interchange ramps landscape buffering shall be done according to the standards for perimeter landscaping for residential and nonresidential development. The buffer area shall be covered with live plant materials which will ultimately cover 75 percent of the ground cover within three years. One deciduous tree of a minimum of two-inch caliper or one six-foot evergreen or three shrubs which will attain a height of three and one-half feet within three years shall be provided for every 500 square feet of the area to be landscaped. Forty percent of the required planting shall be evergreen trees a minimum of six feet in height and of a species that will grow to the height of the buildings in the development. All significant vegetation as defined in GHMC 17.99.590 shall be retained.~~

B. Parking lots designed for more than 16 cars shall either be completely screened from SR-16 or be partially screened under the provisions of the enhancement corridor standards in GHMC 17.99.160.

Section 53. A new section 17.78.092 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.78.092 Protection of significant trees and existing native vegetation.**

A. Areas of native vegetation which are designated as landscape or buffer areas, or which are otherwise retained under the provisions of Chapter 17.99 GHMC, shall be subject to a 10-foot-wide no-construction zone and shall be protected by a barricade as defined in subsection D of this section. Clearing, grading or contour alteration is not permitted within this no-construction area unless a qualified arborist provides written documentation that proposed

construction activity within the 10-foot setback will not harm existing vegetation within the designated landscape or buffer area.

B. Encroachment into Drip Line. No construction activities shall take place within the drip line of a tree to be retained without extra precautions as recommended by a qualified arborist. The applicant may install impermeable or compactible surface within the area defined by the drip line if it is demonstrated by a qualified arborist that such activities will not endanger the tree or trees. (See the definition of “drip line” in GHMC 17.99.590.)

C. Grading. If the grade level adjoining a tree to be retained is to be altered to a degree that would endanger the viability of a tree or trees, then the applicant shall construct a dry rock wall or rock well around the tree. The diameter of this wall or well must be capable of protecting the tree beyond a no construction zone or as approved by a qualified arborist.

D. Tree Protection Barricade. All significant trees to be retained must be protected during construction by installation of a protective barricade. This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade before major excavation with heavy equipment begins. The barricade must be made of cylindrical steel posts or four-inch by four-inch wood posts with chain link fence attached. Fence posts shall be eight feet on center connected with two-inch by four-inch top rails or equivalent support system. Fence height must be a minimum of four feet high.

Section 54. Section 17.78.120 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.120 Maintenance.**

A. Whenever landscaping is required under the provisions of this chapter, shrubs and trees in the landscaping and planting areas shall be maintained in a healthy growing condition. Planting beds shall not be located over ~~impervious~~impermeable surfaces. Dead or dying trees or shrubs shall be replaced immediately, and the planting area shall be maintained reasonably free of noxious weeds and trash.

B. Similarly, if necessary, the trees or shrubs shall receive pruning or removal to avoid the creation of a safety hazard or nuisance through excessive shading, overhanging adjacent properties or to preserve a view or scenic vista, subject to the provisions of GHMC 17.99.240.

C. Areas of natural vegetation shall be retained over time to maintain the health and fullness of natural vegetation and buffer areas as allowed in GHMC 17.99.240(G).

Section 55. Subsection 17.89.040(A) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.89.040 Contents of complete PRD application.**

A. Preliminary PRD. In addition to the applicable requirements of GHMC 19.02.002, a complete application for preliminary PRD shall consist of the following information:

1. An environmental checklist or impact statement, as may be applicable, pursuant to GHMC Title 18;
2. The title and location of the proposed development, together with the names, addresses and telephone numbers of the recorded owners of the land and the applicant, and if applicable, the name, address and telephone number of any architect, planner, designer or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant;
3. A written description addressing the scope of the project, gross acreage, the nature and size in gross floor area of each use and the total amount of land in square feet to be covered by ~~impervious~~impermeable surfaces;
4. A vicinity map showing site boundaries and existing roads and accesses within and bounding the site, as well as adjacent parcels and uses;
5. A topographic map delineating contours, existing and proposed, at two-foot intervals and which locates and classifies existing streams, wetlands, steep slopes and other natural features and/or critical areas;
6. Plans drawn to a scale no smaller than one inch equals 30 feet showing the proposed location and size of proposed uses, buildings, buffer areas, yards, open spaces and landscaped areas;
7. A circulation plan drawn to a scale acceptable to the public works director illustrating all access points for the site and the proposed size and location of driveways, streets and roads that have immediate impact on public rights-of-way;
8. Utility, drainage and stormwater runoff plans;
9. A plan of all proposed landscaping including buffers and screening to be used as well as identification of areas of significant ~~vegetation~~trees proposed to be retained;
10. A statement explaining how the proposed PRD is consistent with and implements the city of Gig Harbor comprehensive plan, the designation under the comprehensive plan, current zone classification, and desired zone classification;
11. A narrative describing how the proposed PRD provides substantial additional benefit to the citizens of the city of Gig Harbor (the benefit accruing as a result of implementation of the PRD process as opposed to following the development standards of the underlying zone) and how it is proposed the additional amenities and benefits should apply to the percentage of additional density and/or height being requested;
12. A map of the area, with area proposed for rezone outlined in red; and
13. A complete application for design review as required under GHMC 17.98.040.

\* \* \*

Section 56. Section 17.89.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:



**17.89.060 Development and design standards.**

A. The performance standards of the underlying zoning district may be varied in a PRD, subject to the criteria in this chapter, only as follows:

1. Lot Area and Lot Width. Lot area and width requirements may be reduced where the site plan is such that light, air and privacy are provided. Cluster housing is supported.

2. Setbacks. Structures located on the perimeter of the PRD shall be set back in accordance with the front yard setbacks of the underlying zone.

3. ~~Impervious-Hard/Impermeable~~ Surface Coverage. ~~Impervious Hard/impermeable~~ surface coverage of individual parcels may exceed the percentage of ~~impervious-hard/impermeable~~ surface coverage allowed in the underlying zone; provided, that overall ~~impervious-hard/impermeable~~ surface coverage of the PRD does not exceed the percentage permitted by the underlying zone.

4. Height. Building height may exceed the maximum permitted by code; provided, that the design protects the views and privacy of properties inside and outside of the project but in no case shall the maximum height exceed 35 feet in R-1 and R-2 districts. Variances from the height limits as provided in the City Height Restriction Area Map, as adopted by Chapter 17.62 GHMC, shall not be allowed. For perimeter buildings exceeding the maximum height of the underlying zone, the distance between such buildings and the perimeter of the PRD shall not be less than the front yard setback of the underlying zone plus five feet for each foot of excess height.

B. The performance standards which may not be modified or altered in a PRD are:

1. Shoreline regulations when the property is located in an area under the jurisdiction of the Gig Harbor shoreline master program;

2. Standards pertaining to development in environmentally sensitive areas;

3. Regulations pertaining to nonconforming uses;

4. Standards pertaining to screening around outdoor storage areas;

5. Total coverage by ~~imperviousimpermeable-~~ surface coverage; and

6. Height restrictions as identified on the adopted City of Gig Harbor Height Restriction Area Map and shoreline master program.

Section 57. Subsection 17.90.040(A) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.90.040 Contents of complete PUD application.**

A. Preliminary PUD. In addition to the applicable requirements of GHMC 19.02.002, a complete application for preliminary PUD approval shall consist of the following information:

1. An environmental checklist or impact statement, as may be applicable, pursuant to GHMC Title 18;

2. The title and location of the proposed development, together with the names, addresses and telephone numbers of the recorded owners of the land

and the applicant, and if applicable, the name, address and telephone number of any architect, planner, designer or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant;

3. A written description addressing the scope of the project, gross acreage, the nature and size in gross floor area of each use and the total amount of land in square feet to be covered by ~~impervious~~impermeable surfaces;

4. A vicinity map showing site boundaries and existing roads and accesses within and bounding the site, as well as adjacent parcels and uses;

5. A topographic map delineating contours, existing and proposed, at two-foot intervals and which locates and classifies existing streams, wetlands, steep slopes and other natural features and/or critical areas;

6. Plans drawn to a scale no smaller than one inch equals 30 feet showing the proposed general location and size of proposed uses, buildings, buffer areas, yards, open spaces and landscaped areas;

7. A circulation plan drawn to a scale acceptable to the public works director illustrating all access points for the site and the proposed size and location of driveways, streets and roads that have immediate impact on public rights-of-way;

8. Utility, drainage and stormwater runoff plans;

9. A plan of all proposed landscaping including buffers and screening to be used as well as identification of areas of significant ~~vegetation~~trees proposed to be retained;

\* \* \*

Section 58. Section 17.90.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.90.060 Development and design standards.**

A. The following performance standards of the underlying zoning district may be varied, subject to the criteria in this chapter, only as follows:

1. Lot Area and Lot Width. Lot area and lot width requirements may be reduced where the site plan is such that light, air and privacy are provided to the units in the PUD.

2. Setbacks. Structures located on the perimeter of the PUD shall be set back in accordance with the yard setbacks of the underlying zoning district.

3. ~~Impervious~~Hard/Impermeable Surface Coverage. ~~Impervious~~Hard/impermeable surface coverage of individual parcels may exceed the percentage of ~~impervious-hard/impermeable surface coverage allowed in the underlying zone; provided, that overall ~~impervious-hard/impermeable surface coverage of the PUD does not exceed the percentage permitted by the underlying zoning district.~~~~

4. Height. Building height may exceed the maximum permitted by code; provided, that the design protects the views and privacy of properties inside and outside of the project, but in no case shall the maximum height exceed 45 feet, except that in B-2 and C-1 zones the height shall not exceed 60 feet for peaked roof buildings and 45 feet for buildings with flat roofs. Variances from the City

Height Restriction Area Map, as adopted by Chapter 17.62 GHMC, shall not be allowed. For perimeter buildings exceeding the maximum height of the underlying zone, the distance between such buildings and the perimeter of the PUD shall not be less than the front yard setback of the underlying zone plus five feet for each foot of excess height.

5. Gross Floor Area. The gross floor area in the underlying zone may be exceeded as provided in GHMC 17.90.090, as long as all of the criteria set forth in that section are satisfied.

B. The performance standards which may not be modified or altered in a PUD are:

1. Shoreline regulations when the property is located in an area under the jurisdiction of the Gig Harbor shoreline master program;
2. Standards pertaining to development in environmentally sensitive areas;
3. Regulations pertaining to nonconforming uses;
4. Standards pertaining to screening around outdoor storage areas;
5. Total coverage by ~~impervious hard and impermeable~~ surfaces;
6. Height restrictions as identified on the adopted City of Gig Harbor Height Restriction Area Map and shoreline master program.

Section 59. Subsection 17.91.040(F)(3) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.91.040 Site development and performance standards.**

\* \* \*

F. Performance Standards

\* \* \*

3. Maximum Lot Area Coverage. Forty-five percent, excluding driveways, private walkways and similar ~~impervious~~hard surfaces.

\* \* \*

Section 60. Subsection 17.94.050(D) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.94.050 Exemptions.**

\* \* \*

- D. Removal of diseased, dead or dying trees upon written verification by a qualified arborist ~~or landscape architect or landscape contractor~~ which states that removal of the trees is essential for the protection of life, limb, or property and which statement is filed with the code official;

\* \* \*

Section 61. Subsection 17.96.030(A)(1)(b) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.96.030 Site plan review.**

Any use or development that is subject to the requirements for site plan review, unless exempt as provided for in GHMC 17.96.025, shall be classified and processed as provided for in this section.

A. Minor Site Plan Review.

1. Applications for minor site plan review shall be processed in accordance with the procedures established under GHMC Title 19 for a Type I project permit application. A decision on a minor site plan review application shall be rendered prior to or concurrent with the issuance of any other applicable permit. The following are classified as minor site plan reviews:

\* \* \*

- b. Modifications to the number of off-street parking stalls, amount of ~~impervious~~hard/impermeable surfaces and height of structures on an existing site or approved site plan, provided such modifications do not exceed a 10 percent increase over the original;

\* \* \*

Section 62. Subsection 17.96.030(B)(1)(a) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

B. Major Site Plan Review.

1. Applications for major site plan review shall be processed in accordance with the procedures established under GHMC Title 19 for a Type II project permit application, except as provided for in subsection (B)(3) of this section. The following are classified as major site plan reviews:

- a. Construction of a building or installation of ~~impervious~~hard/impermeable surfaces on a vacant parcel;

\* \* \*

Section 63. Subsection 17.96.050(C) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.96.050 Contents of a complete application.**

Each application for site plan review shall contain the following information, if applicable to the application:

\* \* \*

C. Project Description. A written description addressing the scope of the project, the nature and size in gross floor area of each use, and the total amount of square feet to be covered by ~~impervious~~hard -surfaces;

\* \* \*

Section 64. Section 17.98.040 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.98.040 Design review application requirements.**

A complete design review application shall contain the following information:

A. Site Layout. A plan, drawn to scale no smaller than one inch equals 30 feet showing location and size of all structures, critical areas, required buffer areas, required yards, landscape areas, open spaces, common areas or plazas, walkways, retaining wall locations, storm water retention facilities, and parking and vehicle maneuvering areas.

B. Significant ~~Vegetation Plan~~ Tree Survey. A significant ~~vegetation plan~~tree survey which accurately identifies the species, size and location of all significant ~~vegetation~~ trees within the property subject to the application.

C. ~~Tree Retention Plan~~ Survey. A ~~landscape plan~~ survey showing the species, size and location of all significant ~~natural-vegetation~~ trees to be retained on the property.

D. Preliminary Site Section Drawings. Section drawings which illustrate existing and proposed grades.

E. Preliminary Grading Plan. A topographic map of the property, delineating contours, existing and proposed, at no greater than five-foot intervals. The plan shall indicate all proposed cuts, fills and retaining wall heights and include areas of disturbance necessary to construct all retaining walls, structures and ~~impervious~~ hard surfaces.

F. Preliminary Utilities Plan. A utilities plan showing the location and type of any utilities proposed in critical areas, critical area buffers and natural vegetation retention areas.

G. Paving Materials. A description of proposed pedestrian and vehicular paving materials; include proposed type (asphalt, concrete, pavers, etc.), color, scoring and texture.

H. Elevation Drawings. Complete elevation drawings of all buildings showing dimensions and proposed materials including roofing, siding, windows and trim. Drawings shall include conceptual trim and cornice design, roof pitch, and solid/void ratio and siding material calculations. If landscaping is proposed to soften or mitigate architectural modulation or details, additional elevation drawings showing proposed landscaping shall be provided.

I. Sign Plan. A sign plan showing the general location, type and size of signage on buildings.

J. Equipment Screening. A description of how all mechanical and utility equipment will be screened.

K. Color and Material Palette. A schematic color and material palette of the building's exterior siding, trim, cornice, windows and roofing. If alternative design review is requested, material and color samples shall be provided.

L. Fencing. The location and description of any proposed fencing.

M. Light Fixtures. A cutsheet showing typical parking and building lighting which includes pole height and mounting height. If proposed fixtures are near critical areas or natural vegetation retention areas, shielding shall be shown.

N. Accessories. The location of all outdoor furniture, trash receptacles and accessories.

O. Alternative Design Review. A request for alternative design review shall include a written statement addressing the criteria for approval as set forth in GHMC 17.98.055, 17.98.056, 17.98.058 or 17.98.060, as applicable.

Section 65. Article III of Section 17.99.020 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**Article III. SITE DESIGN.**

This article addresses how projects relate to their own site. It requires that design consideration be given to topography, building location, walkways, parking, landscaping, open space and common areas. It encourages pedestrian access, outdoor activities, and preservation of significant ~~vegetation~~ trees and existing views.

Section 66. Subsections 17.99.160(A), (B), and (C) of the Gig Harbor Municipal Code are hereby amended, to read as follows:

**17.99.160 Enhancement corridor standards.**

All development within enhancement corridors must conform to the following design criteria:

**A. Retain significant vegetation.**

Significant ~~vegetation~~-trees within 30 feet of the property line abutting the street rights-of-way or City of Tacoma Cushman transmission line properties within the enhancement corridor shall be retained.

**B. Provide full screening or partial screening with glimpse-through areas.**

Parking lots and structures in any area of the defined enhancement corridor must be fully screened from SR 16, except they may be viewed through a semi-transparent screen of on-site trees as follows:

1. Neither full or semi-transparent screening is required on parcels designated as prominent parcels on the city's visually sensitive areas map, except that

significant ~~vegetation~~ trees within 30 feet of the property line abutting the street rights-of-way or City of Tacoma Cushman transmission line properties within the enhancement corridor shall be retained.

2. Semi-transparent screens must provide at least 70 percent year-round foliage coverage distributed evenly across the view along the SR 16 right-of-way and City of Tacoma Cushman transmission line properties and 50 percent coverage along the Canterwood Blvd/Burnham Drive/Harborview Drive rights-of-way. Semi-transparent screens may consist of new vegetation only if healthy existing vegetation is not adequate to fulfill this requirement.

**[Note: Retain graphic at this location]**

3. A semi-transparent screen shall not be a rigid line of trees along the property's edge. Rows of trees existing along property edges shall be retained. Additional trees are required so that a staggered, natural growth pattern is retained or achieved.

**C. Maintain 30-foot setbacks from the rights-of-way and City of Tacoma Cushman transmission line properties that define enhancement corridors.**

Parcels abutting defined enhancement corridor rights-of-way and City of Tacoma Cushman transmission line properties must maintain a 30-foot setback within which no structures or parking lots shall be allowed. Existing significant ~~vegetation~~ trees within the setback shall be retained.

\* \* \*

Section 67. Subsection 17.99.220(D) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.99.220 Prominent parcel standards.**

All development of prominent parcels shall conform to all applicable development standards of this title and to the following additional standards:

\* \* \*

**D. Keep structures in the foreground.**

To provide further emphasis to design, buildings shall be located at the front setback line unless significant ~~vegetation~~ trees warrants placing the building further back.

\* \* \*

Section 68. Section 17.99.240 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.99.240 Natural site conditions.**

Site development should be designed to reflect the natural conditions of the site, including topography and existing vegetation. The following standards will help to achieve this, and are applicable to all development.

**A. Limit clearing of vacant parcels to no more than 50 percent of significant vegetation trees and retain vegetation in all required buffers and setbacks.**

Clearing limitations apply to all vacant parcels with no approved site plan or building permit for development.

**B. Retain natural vegetation on underdeveloped portions of sites with approved site plan.**

Clearing of underdeveloped portions of approved site plans shall only be permitted once civil plans for development of those areas have been approved and clearing is required for civil infrastructure.

**C. Maintain natural topography.**

Buildings and parking lots shall be designed to fit natural slopes rather than regrading the slope to fit a particular building or parking lot design. Cuts and fills on a site shall be balanced and finished grades shall not include any retaining walls that exceed six feet. Instead, designs shall complement and take advantage of natural topography. Sloped lots may require multileveled buildings, terraced parking lots and/or lower level parking garages.

**[Note: Retain graphic at this location]**

**D. Incorporate approximately 20 25 percent of significant ~~vegetation trees~~ into site plan the project.**

On nonresidential, ~~and~~ multifamily sites and residential subdivisions, at least 20 25 percent of ~~natural-significant trees vegetation~~ shall be incorporated into required landscaping and retained indefinitely. The ~~20-25~~ percent calculation shall be based upon significant trees vegetation currently on the site and which has been cleared from the site within the past five years. All significant trees on site shall be identified and shown on a tree survey. In conjunction with the ~~20 25~~ percent retention requirement, the following options may be applied to other landscaping requirements of this chapter.

**1. REDUCED LANDSCAPING REQUIREMENTS**

Clusters of natural vegetation which form a continuous canopy at least 15 feet deep (average) and at least ~~20 25~~ percent of the parcel size (measured from the outer edges of the trunks) will meet the requirements for on-site trees; provided, that screening and buffering requirements otherwise required are met. All other landscaping requirements must be adhered to.

**[Note: Retain graphic at this location]**

**2. REDUCED PARKING STALL DIMENSIONS**



Parking stalls adjacent to protected trees may be reduced to eight feet by 16 feet to avoid encroachment into tree root zones.

### 3. ENCROACHMENT INTO SETBACKS

Structures and parking areas may encroach into required setbacks if it can be shown that such encroachment allows significant trees or tree clusters to be retained. Encroachment shall be the minimum encroachment necessary to protect specified trees. In no case shall the yard be reduced to less than five feet. (Not applicable to single-family and duplex development or to development subject to zone transition standards.)

**[Note: Retain graphic at this location]**

#### **E. Replace lost trees which were intended to be retained.**

~~Any tree proposed or required to be retained and which is subsequently lost or destroyed must be replaced with at least three six-foot trees or one 18-foot tree or one 12-foot plus one six-foot tree of the same species.~~

If trees required to be retained pursuant to this title or a land use approval are subsequently removed or damaged, they shall be replaced by at least one and one half times the tree diameter removed (ex. A 10" DBH tree removed will equal 15" DBH of tree diameter replaced.) A single tree may be replaced with multiple trees provided the total tree diameter at DBH equals the required replacement value. Replacement trees shall be a minimum of six-foot trees for evergreens or 2 inch caliper for deciduous trees at planting. The trees removed shall be replaced with trees of the same type, evergreen or deciduous. Shrubs and ground cover shall also be replaced when replacing tree(s). The shrubs and ground cover shall be planted within the limits of the previous tree stand canopy.

#### **F. Retain the natural symmetry of trees.**

Trimming of trees shall be done in a manner that preserves the tree's natural symmetry. Topping is prohibited unless recommended by an ~~ISA-certified~~ qualified arborist for health or safety reasons. Limbing-up may be appropriate if sufficient crown is retained to preserve the tree's fullness and health.

#### **G. Maintain health and fullness of natural vegetation and buffer areas.**

Areas of natural vegetation shall be retained over time. To ensure this, volunteer saplings of coniferous trees should be allowed to grow to replace older, less healthy trees. However, it may be prudent to thin out some saplings to avoid overcrowding if existing trees are healthy and full. A healthy and typical spacing of larger trees in a natural or forested setting is about 12 to 15 feet on center.

Selective thinning and maintenance may be allowed if this spacing is retained, subject to city planning staff approval. The order of preference in trees to be retained under a thinning maintenance program is:

1. Healthy coniferous and madrone trees with a 10-inch or greater trunk diameter;
2. Healthy coniferous and madrone trees with a six inch or greater trunk diameter;
3. Smaller saplings of coniferous trees; and
4. Deciduous trees.

No trees shall be removed under a thinning and maintenance program if such removal results in tree spacing greater than 15 feet on center, except to remove dying or dangerous trees as determined by a ~~certified~~ qualified arborist. Full under-story shrubbery shall be retained, except to thin out non-native species (e.g., blackberry, scotch broom).

Section 69. Subsection 17.99.280(F) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**F. Take advantage of common area credits.**

Common areas invite pedestrian activity. Therefore, it is expected that impacts from automobile traffic will be lessened. Additionally, a well-designed common area provides the same visual amenity as ~~pervious coverage~~ landscaping. Provision of common areas may therefore be counted toward parking and ~~impervious~~ hard surface coverage requirements as follows:

1. REDUCED PARKING. Required on-site parking may be reduced by one parking stall for every 200 square feet of required common area.
2. INCREASED ~~IMPERVIOUS~~ HARD SURFACE COVERAGE. Required common areas shall ~~not~~ may be counted ~~towards the total hard surface coverage as pervious when calculating impervious coverage allowances.~~ (Drainage system design must incorporate all ~~impervious~~ impermeable surfaces.)

Section 70. Subsection 17.99.300(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.99.300 Nonresidential setbacks.**

The following standards apply to all nonresidential development. In order to deviate from minimum setback standards, approval must be obtained through the variance process defined in Chapter 17.66 GHMC and not through the design review process.

\* \* \*

**B. Locate structures near front setback line (IBE).**

At least 50 percent of the primary structure's front facade shall be placed on the front setback line (except in the historic district or unless retention of significant ~~vegetation~~ tree(s) warrants an increased setback). Additional structures on the site shall be likewise placed on the front setback line unless they are located behind other structures on the site. The remaining portion of the building may be stepped back to accommodate common areas or parking. However, no more

than 50 percent of required parking may be located forward of the front façade of a building (see parking standards in GHMC 17.99.330(E)).

\* \* \*

Section 71. Subsection 17.99.390(A) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.99.390 Hierarchy in building design.**

The following standards apply to all nonresidential sites with more than one building or with one or more multitenant buildings, and on all prominent parcels identified on the city’s visually sensitive areas map (see Appendix A of this chapter).

**A. Design primary structures as a focal point (IBE).**

Primary structures shall be designed to serve as a visual draw to a site. Primary structures shall be designed as follows:

**1. Must be prominently visible to the public.**

Primary structures shall be the focal point of development and must be prominently visible to the public right-of-way giving access to the project, unless significant ~~vegetation~~ tree(s) warrants a less visible structure, or unless visibility is otherwise prohibited (e.g., enhancement corridors).

**2. Must have the appearance of at least two levels.**

To provide a more stately appearance, primary structures shall have at least two floors (minimum eight feet apart). The second floor level shall be at least one-third the area of the lower floor area. Alternatively, primary structures may be single-floor buildings with roofs having a minimum pitch of 8/12, and which contain dormer windows on every roof plane having a ridge length of 40 feet or more. One dormer window with a glazing area of at least 15 square feet shall be required for every 40 feet of ridge length (or portion thereof). Dormer windows shall be functional, providing natural light into the finished and heated area of the building.

**3. May have limited increased height.**

Primary structures may include an area not to exceed 10 percent of the building’s footprint that rises above the underlying height limit; provided, that the parcel is not located in the height restriction area defined in Chapter 17.62 GHMC. The height increase must be in building volume rather than as an extension of a parapet. This height increase shall not exceed eight feet, and shall not be applied to building heights otherwise restricted under zone transition standards in GHMC 17.99.170.

**4. Must provide a prominent entrance.**

Primary structures shall include a prominent entrance which faces or is clearly visible from the street. The entrance shall be defined by a projecting or recessed portico or a clearly defined doorway designed as a focal point in the facade design.

\* \* \*

Section 72. The definition of “Certified Arborist” in Section 17.99.590 of the Gig Harbor Municipal Code is hereby repealed.

Section 73. The definition of “Drip Line” in Section 17.99.590 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**Drip Line** The most extreme reach of a tree’s branches beyond its trunk, or one ~~foot~~ and one-half feet of space from the trunk for every inch of trunk diameter as measured four and one-half feet above grade, whichever is greater.

Section 74. The definition of Significant Vegetation in Section 17.99.590 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**Significant Trees** ~~Vegetation~~ A Healthy trees having a trunk diameter of at least six inches as measured 54 inches above grade. A tree growing with multiple stems shall be considered significant if at least one of the stems, measured at a point six inches from the point where the stems digress from the main trunk, is at least four inches in diameter. Alders (Alnus rubra), Cottonwood (Populus algeiros), and trees in the Poplar species shall not be considered a significant tree. A dead tree or a tree that has been identified by a qualified arborist as substantially diseased or damaged shall not be considered a significant tree.

Section 75. The definition of Dense Vegetative Buffer in Section 17.99.590 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**Dense Vegetative Buffer** A vegetated area at least 40 feet deep providing screening and physical separation between areas or uses, consisting of the following:

1. A minimum of one row of evergreen plantings for every 10 feet of buffer depth, with each row including:
  - a. One five-gallon evergreen shrub for every five feet of lot line, of a type that will grow up to six feet at maturity; and
  - b. One evergreen tree for every 10 feet of lot line, with at least 50 percent of said trees being 12 feet or taller, and the remaining trees being at least six feet.
2. One two-inch minimum caliper deciduous tree per 20 feet of lot line and for every 40 feet of buffer width.

3. Evergreen groundcover that will cover 75 percent of the ground area within three growing seasons.
4. Planting rows that are offset from each other or staggered in a random fashion in a manner that provides full, consistent coverage throughout the entire buffer area.
5. LID BMPs may be utilized within dense vegetative buffers. Where LID BMPs are proposed to meet dense vegetative buffer requirements, these plantings may deviate from the requirements in this subsection, provided that the overall buffer area meets the intent of providing screening and physical separation.

Section 76. Subsection 18.08.206(A)(2) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**18.08.206 Reasonable use exceptions.**

If the application of this chapter would preclude all reasonable use of a site, development may be permitted, consistent with the general purposes and intent of this chapter. Applications for a reasonable use permit shall be processed in accordance with the procedures established under GHMC Title 19 for a Type III project permit application.

A. Information Required. An application for a reasonable use exception shall be in writing to the department director and shall include the following information:

1. A description and map of the area of the site which is within a critical resource area or within the setbacks or buffers as required under this title;
2. The area of the site which is regulated under the respective setbacks (minimum yards) and maximum impervious-impermeable surface and hard surface coverage of the zoning code (GHMC Title 17);

\* \* \*

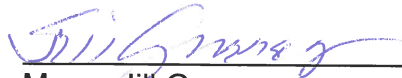
Section 77. The Gig Harbor City Council hereby adopts the 2017 Gig Harbor Stormwater Management and Site Development Manual, attached as **Exhibit A** hereto and incorporated herein by this reference.

Section 78. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.


Section 79. Effective Date. This Ordinance shall take effect and be in full force December 31, 2016 after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 14<sup>th</sup> day of November, 2016.

CITY OF GIG HARBOR

  
\_\_\_\_\_  
Mayor Jill Guernsey

ATTEST/AUTHENTICATED:

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

APPROVED AS TO FORM:  
Office of the City Attorney

  
\_\_\_\_\_

FILED WITH THE CITY CLERK: 10/19/16  
PASSED BY THE CITY COUNCIL: 11/14/16  
PUBLISHED: 11/17/16  
EFFECTIVE DATE: 12/31/16  
ORDINANCE NO: 1347