

AGENDA
GIG HARBOR CITY COUNCIL MEETING
Monday, February 12, 2024 - 5:30 PM
Council Chambers

This meeting may also be accessed through Zoom at <https://zoom.us/j/93216056382> or by calling (253) 215-8782 and entering Meeting ID 932 1605 6382. Please see the public comment & decorum section at the end of this agenda for information on options for making public comments.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

LAND ACKNOWLEDGMENT

Before we begin this council meeting we would like to recognize that we are gathered on not only the ancestral and traditional lands of the sx̣wəbabč band of the Puyallup Tribe of Indians, but also on the site of one of the largest and longest standing historic villages of their people, the original inhabitants of the Gig Harbor area.

CHANGES TO THE AGENDA

PRESENTATIONS

1. **Oath of Office for Police Officer Alexa Ejde**
2. **Red Cross Month Proclamation**
Presented to Larry Bleich, American Red Cross Community Volunteer Leader

PUBLIC COMMENT ON CONSENT AGENDA ITEMS

CONSENT AGENDA

1. **City Council Minutes - City Council Study Session - January 11, 2024; City Council Study Session - January 18, 2024; City Council Meeting - January 22, 2024; City Council Study Session - January 25, 2024; City Council Retreat - February 2, 2024**
2. **Approval of Vouchers: Check Numbers 105277 through 105406 and ACH payments in the amount of \$1,649,072.64.**
3. **Approval of Payroll: Check numbers #8502 through #8503 and direct deposit transactions in the total amount of \$567,973.03.**

4. **Professional Services Contract for Design of Peacock Hill Half-Width Roadway Improvements**
5. **Resolution 1306 Approving the Final Plat for the Edwards Drive Plat, Located West of and Adjacent to the Gig Harbor United Methodist Church and Southwest of Edwards Drive**
6. **Appointment of Stephen McDuffie to Parks Commission**

MAYOR'S REPORT

CITY ADMINISTRATOR'S REPORT

1. **Department Updates - February 7, 2024**

BUSINESS ITEMS

1. **Resolution 1305 Calling for a Special Election to be Held in the City on April 23, 2024, for the Purpose of Authorizing a Single-Year, Permanent Property Tax Levy Lid Lift Starting in 2025 to Provide for the Continual Provision of Public Safety, Streets and Park Maintenance, and Other Governmental Services; Setting Forth the Ballot Title Therefore; and Requesting that the Pierce County Auditor Place the Proposition on the April 23, 2024, Ballot**
Suggested Motion: Move to approve Resolution 1305 and authorize the mayor to execute a professional services contract with a communications firm to relay facts and information regarding the levy lid lift to the community in an amount not to exceed \$30,000.
 - a. Staff Report: City Administrator Katrina Knutson
 - b. Clarifying Questions
 - c. Public Comment
 - d. Council Deliberation and Action
2. **Selection of "For" and "Against" Committees for Gig Harbor Proposition 1 on the April 23, 2024, Special Election**
Suggested Motion: Move to nominate members to the "For" and "Against" Committees.
 - a. Staff Report: City Clerk Josh Stecker
 - b. Clarifying Questions
 - c. Public Comment
 - d. Council Deliberation and Action
3. **Ordinance 1519 Relating to Buildings and Construction; Adopting the 2021 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Fire**

Code, the International Existing Building Code, the International Wildland-Urban Interface Code, the International Energy Conservation Code and the Uniform Plumbing Code by Reference; Repealing Chapters 15.02 And 15.20, As Well as Making Certain Clean-Up Amendments, Amending Gig Harbor Municipal Code Sections: 15.06.020, 15.06.060, 15.08.060, 15.10.040, 15.10.060, 15.12.030, 15.14.040, 15.16.050, 15.18.070 and 15.22.065.

Suggested Motion: None.

- a. Staff Report: Building Official/Fire Marshal Paul Rice
- b. Clarifying Questions
- c. Public Comment
- d. Council Deliberation and Action

4. Rezone of Pierce County Assessor Parcel Number 7650000020 from the Waterfront Millville (WM) District to the Waterfront Commercial (WC) District

Suggested Motion: Move to approve Resolution 1302 and Ordinance 1520.

- a. Staff Report: Community Development Director Carl de Simas
- b. Clarifying Questions
- c. Council Deliberation and Action

5. Consideration for Removing Pierce County Assessor Parcel Numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040 from the Height Restriction Overlay District

Suggested Motion: Move to approve Resolution 1301 and Ordinance 1521.

- a. Staff Report: Community Development Director Carl de Simas
- b. Clarifying Questions
- c. Council Deliberation and Action

COUNCIL REPORTS/ COMMENTS

PUBLIC COMMENT ON NON-AGENDA ITEMS

ANNOUNCEMENT OF UPCOMING MEETINGS

1. Upcoming City Meetings

ADJOURN

PUBLIC COMMENT & DECORUM

The city council desires to allow a maximum opportunity for public comment. However, the business of the city must proceed in an orderly, timely manner. The purpose of a council meeting is to conduct the city's business; it is not a public forum.

Speakers will be allotted 3 minutes per individual, unless revised by the mayor. In-person comments shall be made from the microphone, first giving the speaker's name and address. Anyone making "out of order" comments may be subject to removal from the meeting.

Public comment may be made remotely via Zoom or by phone during designated portions of the meeting. To speak during the meeting, press the raise hand button near the bottom of your Zoom window or press *9 on your phone. Please refrain from raising your hand until the mayor has announced that she has opened the public comment portion of the meeting. Your name or the last three digits of your phone number will be called out when it is your turn to speak. When using your phone to call in, you may need to press *6 to unmute yourself. All speakers will have up to three minutes to speak.

Instead of making oral comments, written comments may be submitted to the city council at mayorandcouncil@gigharborwa.gov.

All remarks shall be addressed to the council as a body and not to any specific councilmember. All speakers shall be courteous in their language and deportment and shall not engage in or discuss or comment on personalities or indulge in derogatory remarks or insinuations with regard to any councilmember, the mayor, or any member of the staff or the public.

There will be no demonstrations during or at the conclusion of any public comment. These guidelines are intended to promote an orderly system of holding public meetings, to give every person an opportunity to be heard and to ensure that no individuals are embarrassed by voicing their opinions.

AMERICANS WITH DISABILITIES (ADA) ACCOMMODATIONS

ADA accommodations can be provided upon request. Those requiring special accommodations should contact the city clerk at cityclerk@gigharborwa.gov or (253) 853-7613 at least 24 hours prior to the meeting.

MINUTES
GIG HARBOR CITY COUNCIL STUDY SESSION
Thursday, January 11, 2024 – 5:00 p.m.
Zoom or Civic Center Executive Conference Room

CALL TO ORDER / ROLL CALL: Mayor Markley called the meeting to order at 5:01 p.m. Councilmembers Barber, Coronado, Henderson, Lykins, Rodenberg, Storset, and Woock were present. Councilmember Storset left the meeting at 5:30 p.m.

DISCUSSION ITEMS:

1. **Levy Lid Lift** – Finance Director Dave Rodenbach discussed the need for additional funding sources as the city's General Fund trends downward. He reviewed several possible options and asked for council feedback.

Council was supportive of raising property taxes from \$.69/\$1,000 of Assessed Value (AV) to \$1.30/\$1,000 AV and directed staff to prepare a levy lid lift ballot measure. This will come before council for official consideration in February.

2. **Public Comment Procedures** – City Attorney Daniel Kenny reviewed the options available for collecting public comment and asked for council feedback.

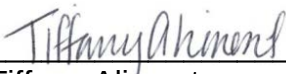
Council was supportive of taking public comment on agenda items in-person and online as the meeting unfolds and allowing for general comments not related to agenda items at the end of each meeting.

Council entered into a five-minute recess at 7:28 p.m. and returned from recess at 7:34 p.m.

3. **Creative Endeavor Grant Funding** – City Administrator Katrina Knutson reviewed the packet material and asked for council feedback.

Council was supportive of funding the 2024 Creative Endeavor Grants at \$35,000.

ADJOURN: The meeting adjourned at 7:41 p.m.



Tiffany Aliment
Assistant City Clerk

MINUTES
GIG HARBOR CITY COUNCIL STUDY SESSION
Thursday, January 18, 2024 – 3:00 p.m.
Zoom or Civic Center Executive Conference Room

CALL TO ORDER / ROLL CALL: Mayor Markley called the meeting to order at 3:01 p.m. Councilmembers Barber, Coronado, Henderson, Lykins, and Woock were present. Councilmember Rodenberg was excused. Councilmember Storset arrived at 3:34 p.m.

DISCUSSION ITEMS:

Discussion item #3 was moved to #1.

- 1. Legislative Update** – Josh Weiss and Annika Vaughn, the city’s legislative consultants, provided council with an update on the current legislative session, including potential state funding for the sports complex, and answered questions.

Council was supportive of allocating \$2 million from the Hospital Benefit Zone (HBZ) fund for the sports complex to help ensure construction in 2025.

- 2. Sports Complex Phase 2 & 3 Feasibility Study Update** – Parks Manager Jennifer Haro introduced the city’s consultants – Eric Streeby and Andrew Cirillo of BCRA – who reviewed the two proposed field layout alternatives and answered questions.

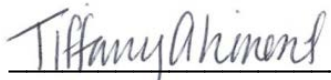
Council preferred Alternative D. A final feasibility report with master plan will be presented to council at a future regular meeting for consideration.

Council entered into a five-minute recess at 4:26 p.m. and returned from recess at 4:34 p.m.

- 3. Proposed UGA Retraction by Pierce County** – Principal Planner Robin Bolster-Grant introduced Pierce County Long Range Planning Supervisor Erika Rhett Hunt, who presented the county’s UGA analysis and addressed questions.

Council was supportive of sending a letter to the county requesting that the Madrona Links area be included in their alternative analysis.

ADJOURN: The meeting adjourned at 5:02 p.m.



Tiffany Aliment
Assistant City Clerk

MINUTES
GIG HARBOR CITY COUNCIL MEETING
Monday, January 22, 2024 - 5:30 PM
Council Chambers

CALL TO ORDER/ROLL CALL Mayor Markley called the meeting to order at 5:30 p.m. Councilmembers Barber, Coronado, Lykins, Storset, and Woock were present.

PLEDGE OF ALLEGIANCE

LAND ACKNOWLEDGMENT

CHANGES TO THE AGENDA

PUBLIC COMMENT ON CONSENT AGENDA ITEMS AND NON-AGENDA ITEMS

CONSENT AGENDA

MOTION: Move to approve the consent agenda (Lykins/Barber).

VOTE: Unanimously approved.

1. **City Council Minutes: City Council Special Meeting Minutes - January 8, 2024**
2. **Approval of Vouchers: Check numbers 105183 through 105276 and ACH payments in the amount of \$1,210,533.76.**
3. **Approval of Small Public Works Contract for Well #3 Emergency Generator Installation**
4. **Approval of Purchase Agreement for WWTP In-Channel Fine Screen**
5. **Purchase Agreement Amendment #1 for Headworks In-Channel Rotating Drum Screen**
6. **Resolution 1303 Declaring the Existence of an Emergency Necessitating the Waiver of Competitive Bidding Requirements to Address the Emergency Repair of a Gravity Sewer Main in Harborview Drive**
7. **Resolution 1304 Authorizing the Submittal of an Application for Grant Funding Assistance for a Brian Abbott Fish Barrier Removal Board Grant Program to the Recreation and Conservation Office (RCO) for North Creek Culvert Replacement Project Construction and Construction Management**

8. Amendment #12 to Assigned Counsel Agreement with Pierce County

MAYOR'S REPORT Mayor Markley reported on the new Harbor WildWatch Marine Science Center, the point in time count of people experiencing homelessness, and Tacoma Pro Bono legal services.

CITY ADMINISTRATOR'S REPORT City Administrator Katrina Knutson reported on services provided by Field Supervisor Brandon Crosswhite and the Wastewater Treatment Plant, Alex Ejeda hiring as a police officer, and Pierce Transit runner and trolley services.

1. Department Updates

BUSINESS ITEMS

1. Election of Mayor Pro Tempore

MOTION: Move to elect Councilmember Lykins as Mayor Pro Tempore (Barber/Coronado).

VOTE: Unanimously approved

2. Resolution 1300 Declaring the City as One of

Welcoming Housing, Health, and Human Services Program Manager Shea Smiley introduced the resolution.

MOTION: Move to approve Resolution 1300 (Lykins/Coronado).

VOTE: Unanimously approved.

3. Changes to Public Comment Procedures

MOTION: Move to resume allowing public comment via Zoom for all regular city meetings and to move public comment on non-agenda items to after the conclusion of business items at regular city council meetings for a period of no longer than 30 minutes. These changes will be in effect for all future city meetings until incorporated into Council Guidelines (Barber/Lykins).

VOTE: Unanimously approved.

STAFF REPORT

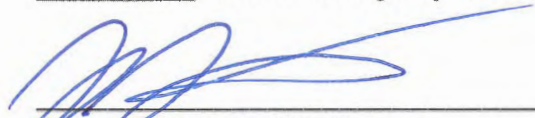
- 2023 4th Quarter Financial Report and Budget Update** Finance Director Dave Rodenbach presented the city's quarterly financial reports.

COUNCIL REPORTS/ COMMENTS Councilmember Lykins reported on the most recent Pierce County Regional Council meeting and recommended the city formally adopt a position on proposed UGA reductions. Councilmember Lykins requested revisiting the levy lid lift direction at the next study session in person.

ANNOUNCEMENT OF UPCOMING MEETINGS

1. Upcoming City Meetings

ADJOURN The meeting adjourned at 6:11 p.m.



Joshua Stecker, CMC
City Clerk

MINUTES
GIG HARBOR CITY COUNCIL STUDY SESSION
Thursday, January 25, 2024 – 3:00 p.m.
Civic Center Community Rooms or Zoom

CALL TO ORDER / ROLL CALL: Mayor Markley called the meeting to order at 3:06 p.m. Councilmembers Barber, Coronado, and Lykins were present in-person and Councilmember Henderson was present virtually. Councilmember Woock arrived virtually at 3:14 p.m. Councilmember Rodenberg arrived virtually at 3:57 p.m. Councilmember Storset was excused.

DISCUSSION ITEMS:

Discussion item #4 was moved to #2.

- 1. Introduction of Parks Commission Appointee** – Mayor Markley introduced her appointment to the Parks Commission, Stephen McDuffie, who addressed council and spoke briefly about his qualifications and interest in serving.
- 2. Levy Lid Lift** – Council revisited the levy lid lift discussion and gave new direction to staff.

Council directed staff to prepare a ballot measure for voters to consider restoring property taxes to \$1.10/\$1,000 AV at a special election in April and a .1 percent public safety sales tax increase in August.

Council entered into a five-minute recess at 4:16 p.m. and returned from recess at 4:24 p.m.

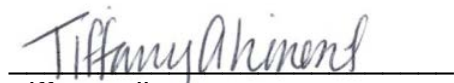
- 3. State Building Code Adoption** – Building Official/Fire Marshal Paul Rice reviewed the material in the packet and asked for council feedback.

Council was supportive of transferring authority from the Building Code Advisory Board to the Hearing Examiner. This will come before council for consideration at its February 12 meeting.

- 4. Redundant Watermain in Gig Harbor North** – Public Works Director Jeff Langhelt and Associate Engineer Stephanie Seibel reviewed the packet material and asked for council feedback.

Council was supportive of abandoning the inter-tie and interlocal agreement with Washington Water and transferring resources and efforts to pursue a redundant water source project consisting of connecting the existing 8-inch ductile iron pipe in Bering St to the existing 8-inch pipe at the hospital campus with approximately 800 feet of new watermain.

ADJOURN: The meeting adjourned at 5:10 p.m.


Tiffany Aliment
Assistant City Clerk

MINUTES
GIG HARBOR CITY COUNCIL RETREAT
Friday, February 2, 2024 – 9:00 a.m.
Civic Center Community Rooms or Zoom

CALL TO ORDER / ROLL CALL: Mayor Markley called the meeting to order at 9:13 a.m. Councilmembers Barber, Coronado, Henderson, Lykins, Rodenberg, Storset, and Woock were present.

ICEBREAKER: Council and staff introduced themselves.

DISCUSSION ITEMS:

- 1. Council & Mayor Roles & Responsibilities/Council Guidelines & Procedures Review** – City Attorney Daniel Kenny reviewed council's roles and responsibilities and addressed questions.

City Clerk Joshua Stecker reviewed council's Guidelines and Procedures.

- 2. Strategic Plan Review & Prioritization** – City Administrator Katrina Knutson reviewed the strategic plan with council.

At 11:12 a.m. council entered into recess for five minutes and returned at 11:22 a.m.

- 3. Legislative Update** – The city's consultants, Josh Weiss and Annika Vaughn, provided council with a legislative update and answered questions.

- 4. Department Work Plan Presentations** – Department managers and directors presented council with their 2024 work plans and answered questions.

At 12:19 p.m. council entered into recess for 15 minutes and returned at 12:36 p.m.

Department Work Plan Presentations (continued)

At 2:21 p.m. council entered into recess for five minutes and returned at 2:29 p.m.

Due to time constraints, the Parks District discussion item was removed and will be presented and discussed at a future study session.

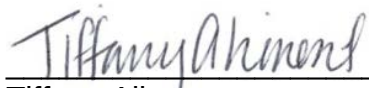
- 5. The Dignity Index** – H3 Program Manager Shealynn Smiley provided council with a PowerPoint presentation.
- 6. Downtown Parking/Zoning** – Community Development Director Carl de Simas discussed current issues surrounding parking downtown and asked for council feedback regarding eliminating parking mandates for new businesses.

Council was supportive of removing the mandate.

- 7. Study Session Format** – City Administrator Katrina Knutson reviewed the format options moving forward and asked for council feedback.

Council was supportive of holding study sessions in person with a virtual option.

ADJOURN: The meeting adjourned at 3:59 p.m.

A handwritten signature in cursive script, reading "Tiffany Aliment", written in dark ink. The signature is positioned above a horizontal line.

Tiffany Aliment
Assistant City Clerk



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: February 12, 2024

SUBJECT: Professional Services Contract for Design of Peacock Hill Half-Width Roadway Improvements

SUBMITTED BY: Associate Engineer Chloe Wiser

DEPARTMENT: Public Works

PHONE: (253) 853-8182

SUGGESTED MOTION: Move to authorize the mayor to execute a Professional Services Contract with 3J Consulting, Inc. in an amount not to exceed \$424,980.10.

BACKGROUND INFORMATION: This project will provide pedestrian improvements on the west side of Peacock Hill Avenue from just north of Ringold Street to just north of 107th Street Court. This project is identified in the city's Biennial Budget in the Pedestrian Safety Fund 2023-24 goals. This professional services contract will complete the design and permitting of this project and will provide the city with construction bid documents by December 2024.

FISCAL CONSIDERATION: The 2023-24 budget identifies the design and permitting of this project through the Pedestrian Safety Fund. However, it did not establish a budget for this work. While the Pedestrian Safety Fund has \$218,207.00 in available resources for this and other projects, after reconciling the design and permitting costs for similar scoped projects, this amount was not sufficient. Therefore, Public Works requested an additional \$530,000.00 from the HBZ fund as part of the 2023-24 mid-biennial budget amendment to pay for the entirety of the design and permitting.

Expenditure Required:
\$ 424,980.10 Amount Budgeted:
\$ 700,000 Appropriation Required:
\$ 0

ATTACHMENTS:

1. 3J Prof Serv Contract-Peacock Half-Street Improv_02-12-24

STRATEGIC PLAN PRIORITY: Maintain small town character and historic preservation while growing responsibly.

**PROFESSIONAL SERVICES CONTRACT
BETWEEN THE CITY OF GIG HARBOR AND
3J CONSULTING, INC.**

THIS AGREEMENT is made by and between the City of Gig Harbor, a Washington municipal corporation (the "City"), and 3J Consulting, Inc., an Oregon corporation (the "Consultant").

RECITALS

WHEREAS, the City is presently engaged in Peacock Hill Avenue Half-Street Improvements and desires that the Consultant perform services necessary to provide the following consultation services; and

WHEREAS, the Consultant agrees to perform the services more specifically described in the Scope of Work including any addenda thereto as of the effective date of this Agreement, all of which are attached hereto as **Exhibit A – Scope of Work**, and are incorporated by this reference as if fully set forth herein;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the parties as follows:

TERMS

1. Retention of Consultant - Scope of Work. The City hereby retains the Consultant to provide professional services as defined in this Agreement and as necessary to accomplish the scope of work attached hereto as **Exhibit A** and incorporated herein by this reference as if set forth in full. The Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work, except as specifically noted otherwise in this Agreement.

2. Payment.

A. The City shall pay the Consultant an amount based on time and materials, not to exceed Four Hundred Twenty-four Thousand Nine Hundred Eighty Dollar and Ten Cents (\$424,980.10) for the services described in Section 1 herein. This is the maximum amount to be paid under this Agreement for the work described in **Exhibit A**, and shall not be exceeded without the prior written authorization of the City in the form of a negotiated and executed supplemental agreement. The Consultant's staff and billing rates shall be as described in **Exhibit B – Schedule of Rates and Estimated Hours**. The Consultant shall not bill for Consultant's staff not identified or listed in **Exhibit A** or bill at rates in excess of the hourly rates shown in **Exhibit B**, unless the parties agree to a modification of this Contract, pursuant to Section 17 herein.

B. The Consultant shall submit monthly invoices to the City after such services have been performed, and a final bill upon completion of all the services described in this Agreement. The City shall pay the full amount of an invoice within 45 days of receipt. If the City objects to all or any portion of any invoice, it shall so notify the Consultant of the same within 15 days from the date of receipt and shall pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion.

3. **Duration of Work.** The City and the Consultant agree that work will begin on the tasks described in **Exhibit A** immediately upon execution of this Agreement. The parties agree that the work described in **Exhibit A** shall be completed by March 31, 2025; provided however, that additional time shall be granted by the City for excusable days or extra work. Further, the parties may extend the duration of this Agreement consistent with the terms of Section 17 below.

4. **Termination.** The City reserves the right to terminate this Agreement at any time upon ten (10) days written notice to the Consultant. Any such notice shall be given to the address specified above. In the event that this Agreement is terminated by the City other than for fault on the part of the Consultant, a final payment shall be made to the Consultant for all services performed. No payment shall be made for any work completed after ten (10) days following receipt by the Consultant of the notice to terminate. In the event that services of the Consultant are terminated by the City for fault on part of the Consultant, the amount to be paid shall be determined by the City with consideration given to the actual cost incurred by the Consultant in performing the work to the date of termination, the amount of work originally required which would satisfactorily complete it to date of termination, whether that work is in a form or type which is usable to the City at the time of termination, the cost of the City of employing another firm to complete the work required, and the time which may be required to do so.

5. **Non-Discrimination.** The Consultant agrees not to discriminate against any customer, employee or applicant for employment, subcontractor, supplier or materialman, because of race, color, creed, religion, national origin, marital status, sex, sexual orientation, age or handicap, except for a bona fide occupational qualification. The Consultant understands that if it violates this provision, this Agreement may be terminated by the City and that the Consultant may be barred from performing any services for the City now or in the future.

6. **Independent Status of Consultant.** The parties to this Agreement, in the performance of it, will be acting in their individual capacities and not as agents, employees, partners, joint ventures, or associates of one another. The employees or agents of one party shall not be considered or construed to be the employees or agents of the other party for any purpose whatsoever.

7. Indemnification.

A. The Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers, harmless from any and all claims, injuries, damages, losses or suits including reasonable attorney's fees, arising out of or resulting from the negligent or wrongful acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

B. In the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees or volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

8. Insurance.

A. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

B. No Limitation. The Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City of Gig Harbor's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance. The Consultant shall obtain at no cost to the City and maintain said insurance in force for the duration of this agreement, insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent liability coverage and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named by endorsement as an additional insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
4. Professional Liability insurance appropriate to the Professional's profession.

D. Minimum Amounts of Insurance. The Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Employer's Liability, each accident \$1,000,000, Employer's Liability Disease-each employee \$1,000,000, and Employer's Liability Disease - Policy Limit \$1,000,000.
4. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim/aggregate.

E. Other Insurance Provisions. The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. The Consultant's insurance coverage shall be primary insurance as respect to the City of Gig Harbor. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute to it.
2. The City of Gig Harbor will not waive its right to subrogation against the Consultant. The Consultant's insurance shall be endorsed acknowledging that the City of Gig Harbor will not waive its right to subrogation. The Consultant's insurance shall be endorsed to waive the right of subrogation against the City of Gig Harbor, or any self-insurance, or insurance pool coverage maintained by the City of Gig Harbor.
3. The Consultant's insurance shall be endorsed to state that coverage shall not be cancelled by either party, unless thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
4. If any coverage is written on a "claims made" basis, then a minimum of a three (3) year extended reporting period shall be included with the claims made policy, and proof of this extended reporting period provided to the City.

F. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII and licensed to conduct business in the State of Washington.

G. Verification of Coverage. The Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily

limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

9. Ownership and Use of Work Product. Any and all documents, drawings, reports, and other work product produced by the Consultant under this Agreement shall become the property of the City upon payment of the Consultant's fees and charges therefore. The City shall have the complete right to use and re-use such work product in any manner deemed appropriate by the City, provided, that use on any project other than that for which the work product is prepared or modification of the work product shall be at the City's risk unless such use is agreed to by the Consultant.

10. City's Right of Inspection. Even though the Consultant is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right of inspection to secure the satisfactory completion thereof. The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or become applicable within the terms of this Agreement to the Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

11. Records.

A. The Consultant shall keep all records related to this Agreement for a period of three years following completion of the work for which the Consultant is retained. The Consultant shall permit any authorized representative of the City, and any person authorized by the City for audit purposes, to inspect such records at all reasonable times during regular business hours of the Consultant. Upon request, the Consultant will provide the City with reproducible copies of any such records. The copies will be provided without cost if required to substantiate any billing of the Consultant, but the Consultant may charge the City for copies requested for any other purpose.

B. Consultant acknowledges that the City is an agency governed by the public records disclosure requirements set forth in chapter 42.56 RCW. Consultant shall fully cooperate with and assist the City with respect to any request for public records received by the City concerning any public records generated, produced, created and/or possessed by Consultant and related to the services performed under this Agreement. Upon written demand by the City, the Consultant shall furnish the City with full and complete copies of any such records within ten business days. Consultant's failure to timely provide such records upon demand shall be deemed a material breach of this Agreement. To the extent that the City incurs any monetary penalties, attorneys' fees, and/or any other expenses as a result of such breach, the Consultant shall indemnify and hold harmless the City as set forth in Section 7. For purposes of this section, the terms "public records" and "agency" shall have the same meaning as defined by chapter 42.56 RCW, as construed by Washington courts.

C. The provisions of this section shall survive the expiration or termination of this Agreement.

12. Work Performed at the Consultant's Risk. The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents, and subconsultants in the performance of the work hereunder and shall utilize all protection necessary for that purpose. All work shall be done at the Consultant's own risk, and the Consultant shall be responsible for any loss of or damage to materials, tools, or other articles used or held by the Consultant for use in connection with the work.

13. Non-Waiver of Breach. The failure of the City to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein conferred in one or more instances shall not be construed to be a waiver or relinquishment of said covenants, agreements, or options, and the same shall be and remain in full force and effect.

14. Resolution of Disputes and Governing Law.

A. Should any dispute, misunderstanding, or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to the City Engineer or Director of Operations and the City shall determine the term or provision's true intent or meaning. The City Engineer or Director of Operations shall also decide all questions which may arise between the parties relative to the actual services provided or to the sufficiency of the performance hereunder.

B. If any dispute arises between the City and the Consultant under any of the provisions of this Agreement which cannot be resolved by the City Engineer or Director of Operations determination in a reasonable time, or if the Consultant does not agree with the City's decision on the disputed matter, jurisdiction of any resulting litigation shall be filed in Pierce County Superior Court, Pierce County, Washington. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The prevailing party in any such litigation shall be entitled to recover its costs, including reasonable attorney's fees, in addition to any other award.

15. Written Notice. All notices required to be given by either party to the other under this Agreement shall be in writing and shall be given in person, electronically delivered receipt confirmed, or by mail to the addresses set forth below. Notice by mail shall be deemed given as of the date the same is deposited in the United States mail, postage prepaid, addressed as provided in this paragraph.

CONSULTANT:
ATTN: John Howorth, President
3J Consulting, Inc.
748 Market Street, Ste 301
Tacoma, WA 98402
253-470-4675, x205

City of Gig Harbor
ATTN: Aaron Hulst, City Engineer
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335
253-851-6170

16. Subcontracting or Assignment. The Consultant may not assign or subcontract any portion of the services to be provided under this Agreement without the express written consent of the City.

17. Entire Agreement. This Agreement represents the entire integrated agreement between the City and the Consultant, superseding all prior negotiations, representations or agreements, written or oral. This Agreement may be modified, amended, or added to, only by written instrument properly signed by both parties hereto. If extending the duration of the Agreement only, the parties may agree to such duration extension by written instrument approved and signed by the Consultant and by the Department Director if all other terms of the Agreement are unchanged and remain in full force and effect for the entire new duration of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on _____.

CONSULTANT

CITY OF GIG HARBOR

By: _____
Its: _____

By: _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A – SCOPE OF WORK

Contract Statement of Work Delivery Schedule and Summary of Estimate for Services

CSP-2325

PEACOCK HILL AVENUE (HALF-STREET IMPROVEMENTS)

City of Gig Harbor

Associate Engineer: Chloe Wiser
3510 Grandview Street
Gig Harbor, WA 98335
253-853-8182
cwiser@gigharborwa.gov

3J Consulting, Inc.

Project Manager: Brian K. Feeney, PE
748 Market Street, Suite 301
Tacoma, WA 98402
253-470-4675, Ext 205
brian.feeney@3j-consulting.com

PROJECT UNDERSTANDING AND WORK SCOPE FOR COMPLETE PROJECT

This scope of work is for civil design, including public involvement, and bid document preparation for new half street improvements to include pavement widening, striping, curb, planter strip, sidewalks, drainage and pedestrian lighting along the west side of Peacock Hill Avenue, connecting to the existing sidewalk between just north of 105th St Court and just north of 99th St NW. The project is approximately 2,100-lf in length. The City of Gig Harbor (Agency) has project management responsibility for this project with 3J Consulting, Inc. (3J) providing assistance with project management, design and engineering services, public involvement assistance, and other tasks provided in the scope below.

SPECIFIC SCOPE OF SERVICES

The following services are for the entirety of the project through the bidding, which is to be completed by 3J staff and subconsultants. The deliverables are listed for each task. Tasks include survey, geotechnical, traffic engineering, landscape architecture, structure engineering, arborist, right-of-way services, and civil engineering design. The tasks below are the result of our phone conversations and preliminary Scope of Services estimate, dated October 2, 2023, meeting on December 1, 2023 with City staff and efforts as we understand them to be at this time. All work performed under this scope of work will be done in accordance with the City of Gig Harbor design standards and supplemented with Federal and State standards when applicable.

The project team includes:

Owner	City of Gig Harbor
Prime Consultant	3J Consulting, Inc
Civil Engineer	3J Consulting, Inc
Drainage Engineer	3J Consulting, Inc
Survey	Lanktree Land Surveying
Geotechnical Engineer	HWA GeoScience
Arborist	Tree Solutions Inc.
Traffic Engineer	DKS Associates
Landscape Architect	Baumwelt
Structural Engineer	Exeltech Consulting, Inc.
Right-of-Way / TCE's	Epic Land Solutions, Inc.



The design services work scope outlined below is anticipated to complete the project through bidding.

Task 1.0	Project Management
Task 2.0	Public Involvement Assistance
Task 3.0	Survey Services
Task 4.0	Geotechnical Services
Task 5.0	30% Design/Roll Map
Task 6.0	Final Design
Task 7.0	Bid Support
Task 8.0	Arborist Services
Task 9.0	Traffic Engineering Services
Task 10.0	Landscape Architecture Services
Task 11.0	Structural Engineering Services
Task 12.0	Right-of-Way Services
Task 13.0	Management Reserve (CONTINGENCY TASK)

Preliminary Milestone Schedule

Below is a preliminary schedule of major milestones for the project. After notice to proceed, the consultant will provide a detailed schedule as described in Task 1.

Notice to Proceed (NTP)	February 2024
Survey Completed	March 2024
30% Design	June 2024
60% Design	August 2024
90% Design	October 2024
100% Design	November 2024
Bid Advertisement Ready	December 2024

TASK 1.0 Project Management (3J)

Project Administration

The duration of the project planning and design effort through bidding is assumed to be eleven (11) months, starting approximately February 2024 and running through December 2024. The following items are included:

- Provide management, coordination, and direction to the project team and subconsultants for completing the project on time and on budget.
- Provide assistance in the day-to-day management and decision making for the project.
- Prepare and administer subconsultant contracts.
- Track project costs and budgets on a monthly basis.
- Prepare monthly invoices for project and monthly summary reports. Eleven (11) invoices and summary reports are included.



Project Meetings

The proposed approach to project coordination during design is to hold project meetings with key project team members and representatives from the City of Gig Harbor and others as needed. These will be scheduled and attended by the City's Project Manager. Other participants may include affected utility providers, key sub-consultants, and a representative of Gig Harbor Operations Division. These meetings will have a specific agenda addressing and resolving project issues as they are encountered. These meetings may be either in-person or virtual, depending on the nature of the meeting.

- Schedule and attend a one (1) hour Project Kickoff Meeting with the City, 3J Project Manager and Designer, and appropriate subconsultants project managers, if required. Prepare and distribute project information including team member list, copies of the contract, deliverable expectations list, draft project schedule, and electronic file structure information. Prepare meeting agenda and summary notes.
- Conduct monthly coordination/technical team meetings with the City of Gig Harbor and design staff to coordinate the project. These meetings will include the design engineer or project manager depending on the agenda. Assume eleven (11) meetings, one (1) hours each in duration attended by 3J at either the City offices, or a virtual conference call. Prepare the meeting agendas and summary notes for the meetings.
- Complete review at the completion of the 30%, 60%, and 90% Design phases. This will include discussing review comments from the design team and City of Gig Harbor. Assume the 30% review will be completed at a monthly coordination meeting or be limited to 30-60 minutes, 60% and 90% review meetings will anticipate two (2) separate meetings, two (2) hours each and attended by 3J at the City offices or virtually. Prepare the meeting agendas and summary notes for meetings.

Project Scheduling

- Prepare and submit a detailed activities list and schedule to the City following the notice-to-proceed and kick-off meeting. The schedule will show appropriate milestones for the project including intermediate and final submittal dates for design documents and key decision points.
- Revise project schedule to reflect changes in the project. Schedule updates will be completed following key milestones, or as requested by the City.

Quality Control

Manage and conduct quality control reviews of the 30%, 60%, 90% and final submittals to the City. Consultant shall log all review comments received from the Agency. This log must contain the Consultant's response to each of the comments; note how and if the comment was incorporated into the final deliverable.

- Set up review periods identified, and reviewers established.
- Established reviewers will review all deliverables before submission to the City.

Task 1 Deliverables:

The following deliverables are part of this task:

- Monthly Summary Reports.
- Detailed schedule to be presented after Kickoff Meeting.
- Monthly schedule updates, as coordinated with the City.
- Meeting Agenda and materials distributed prior to meetings.
- Attendance and participation at meetings as described herein.
- Draft summary notes (including action item / decision log and risk/issue log).
- Quality Control review of project deliverables.

TASK 2.0 Public Involvement Assistance

The primary purpose of the public involvement task is to provide assistance to the City for public meetings and communications. The project team will work with the City Project Manager to complete the following:

Public Meetings and Coordination

- Assist the City Project Manager to prepare for and facilitate outreach meetings to present the process and gather issues, comments, and to present and discuss proposed improvements and access options. In addition, 3J will assist the City Project Manager to prepare for and attend one (1) neighborhood outreach meeting and one (1) Council Study Session with City Staff. These meetings will be two (2) hours in length and up to one (1) 3J staff may attend.
- Provide materials and exhibits for City use in the outreach meeting.

Deliverables:

The following deliverables are part of this task:

- Drawings and Graphics provided for outreach meetings
- Written Meeting Summaries

TASK 3.0 Survey Services (Lanktree)

Consultant (Lanktree) shall provide labor, equipment, and materials to complete the surveying needs for the project. Surveying on this project includes establishing a control network and performing topographical mapping within the defined topographical limits. All deliverables must be reviewed and stamped by Consultant's Professional Surveyor (PLS) registered in the State of Washington.

The project limits will include the road east fogline to the west right-of-way boundary plus 25-ft if accessible along Peacock Hill Avenue from just north of 105th St Court to just north of 99th Street NW.

Task 3.1 ROW/Topographical Survey

Right-of-Way Survey

- Surveyor will establish West right-of-way line through project area based on centerline control monumentation and records found during research for surveys and adjoining deeds found on-line with Pierce County Auditor.

Topographic Survey

- Surveyor will survey the topography and observable improvements within the project limits. Subconsultant will also survey the locations of existing trees in accordance with primary reviewing jurisdiction requirements. Marking placed by subconsultants prior to the start of the survey will be located (e.g., wetland flags, soil test pits, and septic test pits). The Topographic Survey will be prepared using NAVD88 vertical datum, NAD 83/91 HARN State Plane South or 83/11 horizontal datum, as required by the primary reviewing jurisdiction, and will show all spot elevations, breaks-in-grade, and a 1-foot contour interval in sufficient detail for your engineer, planner, and subconsultants to determine slope gradients as may be required by the primary reviewing jurisdiction. Items buried or obscured by heavy vegetation may not be located due to their existence being hidden. All visible, aboveground utilities will be shown, as well as any reference paint marks for underground utilities. Invert elevations will be provided where possible. The topographic survey will be prepared in AutoCAD format and PDF format.

Utility Locates

- Surveyor will contact the private utility locate company and coordinate the locating of the underground utilities prior to commencement of the survey. The locate company will locate conductible utilities.

Task 3.1 Deliverables:

The following deliverables are part of this task:

- Topographical survey Base map in AutoCAD v2018 Civil 3D compatible Format.
- DTM compatible with AutoCAD, Civil 3D.
- Copy of original survey field notes.
- Existing conditions base map in pdf format, including utility company line work.

Task 3.2 Legal Descriptions and Exhibits

- Surveyor will prepare a Legal Description and Graphical Exhibit for Easements, Dedications or other purposes to be used as part of documents and agreements prepared by others. Provided fee is per request set of Legal Descriptions and Exhibits.

Task 3.2 Deliverables:

The following deliverables are part of this task:

- Legal Descriptions and Exhibits (up to 15 properties)

TASK 4.0 Geotechnical Services (HWA)

Consultant (HWA GeoSciences) shall provide labor, equipment, and materials to complete the geotechnical needs for the project. Geotechnical services on this project includes verifying existing pavement sections and light pole foundation support recommendation. All deliverables must be reviewed and stamped by Consultant's Professional Engineer (PE) registered in the State of Washington.

Project Management

- Geotech to attend one (1) kick-off meeting and attend up to two (2) consultant design team meetings and prepared monthly invoices as required for sub-consultant.

Geotechnical and Pavement Evaluation

- Collect and Review Available Geotechnical Data: HWA will review all readily available geotechnical information from the vicinity of the proposed project. This will include a review of the existing geotechnical reports for adjacent project sites, available geologic maps, online databases, and HWA's library of geotechnical explorations to provide insight into the site soil conditions.
- Plan Field Exploration Program: HWA will plan and coordinate the geotechnical and pavement exploration program for the project. The exploration program will consist of drilling a series of up to four (4) geotechnical borings and eight (8) pavement cores to provide data for design of pavement reconstruction, suitability for use of infiltration in stormwater management and luminaire foundations.
- Mark and Verify Utility Locates: HWA will mark the proposed exploration locations and arrange for utility locates using the Utility Notification Center. HWA will make an additional site visit to verify that the proposed locations of the pavement cores and borings are clear of utilities prior to finalizing the exploration plans and mobilizing the equipment. HWA will also utilize private

utility locates on the day of drilling/coring to further assess the clearance of the subgrade from any buried public or private utilities.

- Generate Geotechnical and Pavement Subsurface Explorations Work Plan: HWA will prepare a Geotechnical and Pavement Work Plan Memoranda for the proposed exploration program. HWA will also coordinate with the City and design team and develop site specific traffic control plans for each proposed geotechnical exploration. The work plan will be submitted to the design team and the City for review and approval. The work plan will detail the type, location, and extent of proposed field explorations along with logistics necessary to perform the work such as traffic control plans and staging areas. The work plans will also be used for utility locating clearances and for permitting that may be necessary to access the exploration locations.
- Conduct Pavement Cores: HWA will conduct a series of up to two (2) days of pavement cores along the project corridor to assess the pavement and near surface subgrade conditions along the alignment. We anticipate completing up to eight (8) core holes. Cores will consist of 6-inch diameter core holes advance through the pavement. The explorations will be advanced between 2 to 3 feet below the base of the pavement to identify the depth of the aggregate base and the conditions of the subgrade soils below the pavement. Core holes will be backfilled with Crushed Surfacing Top Course to the base of the existing pavement and with Aquaplast up to the top of the pavement surface.
- Conduct Geotechnical Explorations: HWA will conduct a series of up to two (2) days of geotechnical borings along the project corridor evenly spaced along the corridor, to assess the subsurface soil and groundwater conditions along the alignment. We anticipate completing four (4) borings which will be drilled to depths of 20 to 30 feet below ground surface in support of assessment of feasibility of infiltration, luminaire foundations and associated sidewalks.
- HWA will install a 1-inch diameter groundwater monitoring piezometer within one (1) of the proposed borings to monitor and assess the groundwater fluctuation during the wet season. Data logging transducers will be installed in the monitoring piezometer to record water levels. The water level information collected will be used in geotechnical analyses to developing recommendations for infiltration potential and possible dewatering and construction impacts, as appropriate. These transducers will be set to take groundwater elevation readings every hour for 1 year.
- Each boring will be drilled with a truck or track mounted drill rig. Given limited space on the shoulder and anticipated utility obstructions, we anticipate that the boring locations will have to be shifted into the traffic lanes and will require a single-lane closure.
- Traffic control for borings that have to be located in traffic lanes will include shoulder and single lane closures. Any anticipated lane closures will require flaggers assistance.
- The geotechnical borings will be logged by an HWA geotechnical engineer or engineering geologist. The borings will be backfilled per the department of ecology requirement. Samples will be screened visually for signs of contamination. All non-contaminated drilling spoils will be drummed and transported off-site for disposal by the driller.
- Generate Summary Logs and Assign Laboratory Testing: HWA will prepare summary boring logs and perform laboratory testing to evaluate relevant physical properties of the site soils. Laboratory testing will include moisture content, hydrometers, grain-size distribution, cation-exchange and organic content.
- Conduct Groundwater Monitoring: HWA will make two (2) site visits to download and process the groundwater data from the groundwater monitoring well installed. Temporary lane closure and yield signs will be established in order to extract transducers from the groundwater

monitoring wells. This data will be used to provide the designer and prospective contractors with seasonal groundwater variations across the site.

- Evaluate Field and Laboratory Data: Based on the borings and cores and the laboratory test results on selected samples, HWA will generate estimates of the soil strength and other properties needed to evaluate the effects the subsurface conditions will have on the proposed improvements.
- Generate AASHTO Seismic Design Parameters: Based on the soils encountered along the alignment, HWA will determine the Seismic Site Class for seismic design. The design spectral acceleration parameters will then be selected in accordance with the AASHTO Specifications for Road and Bridge.
- Evaluate Liquefaction Potential: HWA will evaluate the susceptibility of the subsurface soils to liquefaction along the corridor and assess the potential impacts to the proposed improvements.
- Conduct Infiltration Screening Analyses and Provide Recommendation: HWA will evaluate grain size distribution data obtained during the subsurface explorations to determine if onsite infiltration of stormwater is feasible.
- Luminaire Pole Design: HWA will review the exploration data and provide recommendations for lateral bearing pressures for use in determining the appropriate standard foundation to use for luminaire pole design. Assumes that soil strength will be sufficient to allow for use of WSDOT and/or City of Gig Harbor standard plans.
- Perform Pavement Design: HWA will conduct pavement design for the proposed improvements including review of the standard pavement section provided by the City of Gig Harbor. The design for the new pavement section will be performed with site specific traffic data (provided by others).
- HWA QA/QC: All design calculations and recommendations will be reviewed by a senior principal prior to distribution to the design team or the City of Gig Harbor. Geotechnical Report will be prepared by a certified soils scientist, prof engineer, geologist, or hydrogeologist licensed in the state of Washington.
- Prepare Draft Geotechnical Report: HWA will prepare a draft geotechnical report for the project. This report will contain the results of the subsurface exploration program, including logs, laboratory test results, and a description of surface and subsurface conditions; a site plan showing exploration locations and other pertinent features; and geotechnical and pavement engineering recommendations for the design and construction of the proposed roadway improvements.
- Prepare Final Geotechnical Report: HWA will finalize our geotechnical report once we receive review comments from the design team and the CITY.

Deliverables:

- Geotechnical Work Plan Memorandum
- Draft Geotechnical Engineering Report
- Final Geotechnical Engineering report

Assumptions:

- All geotechnical borings conducted through the roadway will be patched with Aquaphalt. No saw cuts and hot mix asphalt patches will be required.

- The subsurface explorations will not be used to assess site environmental conditions. However, visual and/or olfactory observations regarding potential contamination will be noted. Analysis, testing, storage, and handling of potentially contaminated soil and groundwater (either sampled or spoils from drilling) are beyond this scope of services. If contaminated soils and/or ground water are encountered, the material will be properly contained on-site for disposal as mutually agreed upon without additional cost to HWA.
- All non-contaminated drilling spoils and related debris will be drummed on site and transported off site for disposal by the drilling subcontractor.
- The borehole locations will be surveyed by others.
- Soil samples will be collected from the borings using the Standard Penetration Test (SPT) at intervals of about 2½ feet to a depth of 20 feet and at intervals of about 5 feet to the depth of termination.
- All Geotechnical Explorations and Pavement Coring will be completed during daylight weekday work hours. Anticipated work hours will be from 8AM to 5PM.
- Infiltration rates can be estimated using grain-size methods and no field infiltration testing will be required. If soils require field infiltration testing to determine infiltration rates additional testing will be required.

TASK 5.0 30% Design/Roll Map (3J)

The Consultant team will utilize the survey base mapping to prepare a 30% Design Roll Map for the project limits along Peacock Hill Avenue. This mapping will be used to determine the next steps in the design process.

Site Visit to Confirm Mapping and Site-Specific Constraints

- Conduct site visit along project limits to confirm mapping including culverts, existing water quality swale extents, conveyance ditches, utility crossings, utility poles, fences, landscape encroachments, mailbox locations and potential constraints to locating the turn lane and pathway within the available right-of-way.
- Perform a drone flight within the project limits to be used for reference in the project.
- Prepare roll map of project limits with updated information found during the site visit.
- Based on survey and site observations, select potential sidewalk alignment, and identify constraints that have the potential to create additional property impacts or increased construction costs.
- Compile sidewalk options and constraints onto roll maps.

Develop 30% Preliminary Plans

- Prepare preliminary roll map to the 30% level of completion based on the horizontal alignment.
- Prepare initial recommendations for the crossing improvements at the intersections, ramps, and landings, including potential grade issues.
- Review the alignment design based on the potential utility, landscape, and cost impacts.
- Prepare potential grade issues and initial recommendations for ADA landings and ramps.

Stormwater Management 30% Design/Constraints

- Compile conceptual stormwater options and constraints memo, including conceptual stormwater details and exhibits.
- Compile stormwater options and constraints onto roll map.

Review Meeting with City Staff to Review 30% Design/Constraints

- Set up and attend one (1) review meeting with City staff.
- Work with City to select final option to carry into the final design phase.
- Identify potential Temporary Construction Easement and/or right-of-way needs for the project.

Preliminary Cost Estimate

- Prepare a preliminary construction cost estimate based on the approved 30% alignment for right-of-way, street construction, and other construction costs.

Deliverables:

The following deliverables are part of this task:

- 30% Design/Constraints Roll Map.
- Decision log and action item summary resulting from meeting.
- Stormwater design/constraints memorandum and roll map.
- Provide preliminary wall alignment and elevations.
- Preliminary Construction Cost Estimate

TASK 6.0 Final Design (3J)

The design will consist of the street widening along the west side of Peacock Hill Avenue to accommodate a new sidewalk.

Design plans will be prepared after the alignment and roadway section have been established. The plan scale will generally be 1"=20' for 22"x34" plans, unless otherwise noted in the plan index at the end of this scope of services.

Task 6.1 60% Submittal

- Prepare plan and profile sheets to the 60% level of completion based on the horizontal and vertical alignment, including utility lines and laterals.
- Prepare 60% grading limits for interim right-of-way/temporary construction easements.
- Prepare grading limits for 60% Design including limits for driveways and retaining walls.
- Prepare 60% Design for the ADA crossing improvements at the intersections, including curb return profiles.
- Review the alignment design based on the identified utility, landscape, and cost impacts.
- Prepare and finalize typical sections for sidewalks based on site constraints and decisions made during review of the 30% Design.
- Complete drainage and water quality improvements based on the City's street and drainage standards.
- Develop drainage on street plans to 60% based on findings from the 30% Plans. The design will address existing conditions, impacts to existing drainage swales and culverts and designed improvements.
- Prepare 60% design and details for the water quantity and retention improvements.
- Prepare Preliminary Drainage Design Report.
 - Compile project design decisions, meeting notes, review comments, stormwater report, engineer's opinion of potential construction cost and 60% design plans for submittal to the City.



- Meet with the City to review design report and to obtain approval to proceed to final design.
- Prepare Outline of Technical Specifications
 - Identify appropriate technical sections from 2024 WSDOT standard specifications to be included in project specifications.
 - Develop modifications to City of Gig Harbor special technical specification sections necessary to address project specific issues or design elements.
 - Select measurement and payment method for each project element.
 - Based on the above, prepare outline of the technical specifications including any potential special provisions based on the 60% design.
- Prepare updated construction cost estimate based on 60% design.
- Prepare for and attend 60% one (1), two (2) hour review meeting with the City.

Task 6.1 - 60% Deliverables:

- 60% Construction Plans
- Preliminary Storm Water Report.
- Outline of Technical specifications.
- Updated Engineer's opinion of construction cost based on 60% design.

Task 6.2 90% Submittal

Prepare 90% Construction plans based on the City's comments to the 60% submittal.

- Prepare plan and profile sheets to the 90% level of completion based on the horizontal and vertical alignment, including utility lines and laterals.
- Prepare 90% grading limits for interim right-of-way/temporary construction easements
- Prepare grading limits for 90% Design including limits for driveways and retaining walls.
- Prepare final design for the ADA crossing improvements at the intersections, including curb return profiles.
- Review the alignment design based on the identified utility, landscape, and cost impacts.
- Prepare and finalize typical sections for sidewalks based on site constraints and decisions made during review of the 60% Design.
- Prepare draft site specific details for the project.
- Complete drainage and water quality improvements based on the City's street and drainage standards.
- Develop drainage on street plans to 90% based on findings from the 60% Plans. The design will address existing conditions, impacts to existing drainage swales and culverts and designed improvements.
- Prepare 90% Design and details for the water quantity and retention improvements.
- Prepare Preliminary Drainage Design Report
 - Compile project design decisions, meeting notes, review comments, stormwater report, engineer's opinion of potential construction cost and 90% design plans for submittal to the City.
 - Meet with the City to review design report and to obtain approval to proceed to final design.
- Prepare Technical Specifications
 - Finalize modifications to technical specification sections addressing project specific issues and design elements.
 - Complete measurement and payment section for each project pay element.

- Finalize special provisions based on project constraints, property owner input, and identified construction impacts.
 - Prepare final technical specifications including special provisions based on the 90% design.
- Prepare updated construction cost estimate based on 90% design.
- Prepare for and attend 90% one (1), two (2) hour review meeting with the City.

Task 6.2 - 90% Deliverables:

- 90% Construction Plans
- Final Storm Water Report.
- Technical specifications.
- Engineer's Opinion of Construction Cost based on the 90% Design.

Task 6.3 100% Submittal

Prepare 100% Construction plans based on the City's comments to the 90% submittal. Final deliverables will be reviewed and stamped by Consultant's Professional Engineer (PE) registered in the State of Washington.

- Prepare plan and profile sheets to the 100% level of completion based on the horizontal and vertical alignment, including utility lines and laterals.
- Prepare grading limits for 100% design including limits for driveways, retaining walls and slope easements.
- Prepare final design for the ADA crossing improvements at the intersections, including curb return profiles.
- Prepare final site specific details for the project.
- Complete drainage and water quality improvements based on the City's Street and drainage standards.
- Prepare 100% design and details for the water quantity and retention improvements.
- Prepare Technical Specifications
 - Finalize modifications to technical specification sections addressing project specific issues and design elements.
 - Complete measurement and payment section for each project pay element.
 - Finalize special provisions based on project constraints, property owner input, and identified construction impacts.
 - Prepare final technical specifications including special provisions based on the 90% design.
- Prepare updated construction cost estimate based on final design.

Task 6.3 - 100% Deliverables:

- 100% Construction Plans
- Technical specifications.
- Engineer's Opinion of Construction Cost based on the 100% Design.

TASK 7.0 Bid Support (3J)

Bid Support

- Provide design engineer for reviewing and answering questions via City interface with bidders.
- Support City in preparation of up to two (2) addenda if required.

Deliverables:

The following deliverables are part of this task:

- Engineer available to answer technical questions during bid process.
- Addenda preparation.

TASK 8.0 Arborist Services (Tree Solutions)

Consultant (Tree Solutions) shall provide labor, equipment, and materials to complete the tree inventory needs for the project.

Arborist shall inventory and provide assessment of approximately 125 trees for the proposed half-street widening along the west side of Peacock Hill, including curb, landscape, and sidewalk. Provide protection recommendations and construction recommendations for the proposed improvements.

Proposal is for an arborist report and assistance during the design phase of the project.

Project Management

- Internal coordination (scheduling, tracking, logistics, contract administration).

Site Visit

- Prepare (research site, review documents and relevant code) and travel (round trip) to site.
- Inventory and assess all trees within scope location (west side of Peacock Hill from just north of 105th Street Court to just north of 99th Street NW).
 - Collect data for all trees equal to or greater than 6 inches: tree species, DSH (Diameter at Standard Height), health and structural condition and driplines.
- Tag all scope area trees with aluminum tag.
- Identify exceptional trees and groves.
- Assess design plans and document the proposed action for each tree (remove, retain, etc.).

Deliverables

- Arborist Report with Tree Table, site tree map (marked up PDF using client's survey or aerial image as base map). Include tree retention feasibility and protection recommendations and construction recommendations based on provided site plans.

Correspondence & Meetings

- External communication (meetings, emails and phone calls with client and project team).

Assumptions:

- Notice to proceed is provided at least 2 weeks prior to site visit.
- Survey includes tree locations and is provided at least 48 business hours prior to site visit.

- Site plans will be provided if we are asked to assess construction impacts on trees and will include all proposed infrastructure changes (including demo, civil, grading, utility, and landscape plans).

TASK 9.0 Traffic Engineering Services (DKS)

Consultant (DKS) shall provide labor, equipment, and materials to complete the illumination design and traffic control plans for the project. All deliverables must be reviewed and stamped by Consultant's Professional Engineer (PE) registered in the State of Washington.

Project Management

Provide project management administrative services, including:

- Project set-up and execution agreement
- Preparation of monthly progress reports, Invoices, and Record keeping
- Design coordination.
- Schedule and budget monitoring
- QA/QC

The project design phase is assumed to be eleven (11) months. DKS will coordinate with the design team and CITY staff, including preparation and attendance of up to four (4) one-hour virtual coordination meetings throughout the project. The level of effort for this task is based on one (1) attendance at the kick-off meeting and an average of two (2) Consultant staff at each design meeting:

- One (1) formal kick-off meeting
- Three (3) design coordination and comment resolution meetings.

Lighting Analysis and Memo

DKS will perform lighting analysis using Agi32 software. DKS will prepare a lighting analysis memo based on sidewalk and street layout design developed by the project team. The lighting design will be based on WSDOT design standards. DKS will finalize the lighting analysis memo based on design layout revisions and the city's comments on the light analysis and design.

Deliverables:

- Draft and final lighting analysis for street lighting design

Task 9.1 60% Design

DKS will prepare the 60% lighting plans. The 60% design plan will include lighting poles, conduits, and wiring schedule. The design plans will be in AutoCAD format following the CITY of Gig Harbor's standard plan and CAD standards.

DKS will prepare quantity takeoffs and prepare a 60% estimate of probable construction costs. The street lighting cost will be lump sum.

The CONSULTANT will provide documentation of their QA/QC process to the CITY for review, and copies of QA/QC mark-ups will be submitted as part of each design submittal.

Task 9.1 – 60% Deliverables

- 60% lighting design Plans (PDF format).
- 60% cost estimate (PDF and Excel formats).

Task 9.2 90% Design

DKS will revise the lighting design plans based on CITY 60% review comments and discussion with the CITY and project team. It is assumed that no significant design revisions will be required. DKS will prepare typical traffic control plans to show a staging concept for the project. Four traffic control plan sheets are assumed.

The final design plans will be in AutoCAD format following the CITY of Gig Harbor's standard plan and CAD standards.

DKS will prepare project specifications associated with its design scope based on applicable amendments and general or American Public Works Association (APWA) special provisions to the WSDOT Standard Specifications.

DKS will prepare quantity takeoffs and prepare a final estimate of probable construction costs. The street lighting cost will be lump sum.

The CONSULTANT will provide documentation of their QA/QC process to the CITY for review, and copies of QA/QC mark-ups will be submitted as part of each design submittal.

Task 9.2 - 90% Deliverables

- 90% lighting and temporary traffic control design plans (PDF format).
- 90% cost estimate (PDF and Excel formats).
- 90% specification for lighting.

Task 9.3 Final PS&E/ Bid Package

DKS will revise the lighting design plans based on CITY comments and discussion with the CITY and project team. It is assumed that the 90% design comments will be minimum and no significant PS&E revisions will be required.

The final design plans will be in AutoCAD format following the CITY of Gig Harbor's standard plan and CAD standards.

DKS will prepare project specifications associated with its design scope based on applicable amendments and general or American Public Works Association (APWA) special provisions to the WSDOT Standard Specifications.

DKS will prepare quantity takeoffs and prepare a final estimate of probable construction costs. The street lighting cost will be lump sum.

Task 9.3 - Final PS&E/Bid Package Deliverables

- Bid-ready lighting and traffic control design Plans (PDF format).
- Bid-ready cost estimate (PDF and Excel formats).
- Bid-ready Specification for lighting.

ASSUMPTIONS

The following list is included to confirm the understanding between CONSULTANT and the CITY and will be used to guide the work.

- The CITY will provide existing lighting as-builts on the corridor.
- 3J Consulting will provide sidewalk, street, pavement, curb, landscape, and drainage facility design in AutoCAD format for the corridor design.
- The CITY/3J Consulting will coordinate the utility, including the power source(s) for the street lighting.
- The lighting analysis and improvements are only for the sidewalks; intersection lighting are not included.

TASK 10.0 Landscape Architecture Services (Baumwelt)

Consultant (Baumwelt) shall provide labor, equipment, and materials to complete the landscape planting and irrigation design for the project.

Task 10.1 60% Submittal

- Visit site and/or review digital images as necessary to determine existing site character.
- Review Client streetscape landscape design standards.
- Coordinate with Civil/Prime design layout.
- Develop plant list and layout for new landscape.
- Develop irrigation plan for new landscape plantings.
- Specifications sections for landscape planting and irrigation.
- Cost estimate for the landscape and irrigation work.

Task 10.1 - 60% Deliverables:

- 60% Planting Plans and Details
- 60% Irrigation Plans and Details
- 60% Landscape Specifications
- 60% Landscape Cost Estimate

Task 10.2 90% Submittal

- Coordinate with Civil/Prime design layout.
- Develop plant list and layout for new landscape.
- Develop irrigation plan for new landscape plantings.
- Specifications sections for landscape planting and irrigation.

- Cost estimate for the landscape and irrigation work.

Task 10.2 - 90% Deliverables:

- 90% Planting Plans and Details
- 90% Irrigation Plans and Details
- 90% Landscape Specifications
- 90% Landscape Cost Estimate

Task 10.3 100% Submittal

- Coordinate with Civil/Prime design layout.
- Develop final plant list and layout for new landscape.
- Develop final irrigation plan for new landscape plantings.
- Specifications sections for landscape planting and irrigation.
- Cost estimate for the landscape and irrigation work.

Task 10.3 - 100% Deliverables:

- 100% Planting Plans and Details
- 100% Irrigation Plans and Details
- 100% Landscape Specifications
- 100% Landscape Cost Estimate

TASK 11.0 Structural Engineering Services (Exeltech)

Consultant (Exeltech) shall provide labor, equipment, and materials to complete the structural design calculations required for approximately 450 feet of case-in-place retaining walls over 4-feet in height including light pole foundations. All deliverables must be reviewed and stamped by Consultant's Professional Engineer (PE) registered in the State of Washington.

Project Management

Provide project management administrative services, including:

- Preparation of monthly progress reports, Invoices, and Record keeping
- Design Coordination
- QA/QC

The project design phase, associated with the structural design is assumed to be three (3) months. Exeltech will coordinate with the design team and CITY staff, including preparation and attendance of up to three (3) one-hour virtual coordination meetings throughout the project.

- One (1) formal kick-off meeting
- Two (2) design coordination and comment resolution meetings.

Task 11.1 60% Design

Exeltech will prepare the 60% retaining wall plans. The 60% design plan will include wall profiles, typical sections, notes and supporting design calculations for retaining walls over 4-feet in height. The design will be in AutoCAD format following City of Gig Harbor's standard plan and CAD standards.

The CONSULTANT will provide documentation of their QA/QC process to the CITY for review, and copies of QA/QC mark-ups will be submitted as part of each design submittal.

Task 11.1 – 60% Deliverables

- 60% retaining wall Plans.
- 60% design calculations.

Task 11.2 Final PS&E/ Bid Package

Exeltech will revise the retaining wall design plans and calculations based on CITY comments and discussion with the CITY and project team.

The final design plans will be in AutoCAD format following the CITY of Gig Harbor's standard plan and CAD standards.

Exeltech will prepare project specifications associated with its design scope based on applicable amendments and general or American Public Works Association (APWA) special provisions to the WSDOT Standard Specifications.

Task 11.2 - Final PS&E/Bid Package Deliverables

- Bid-ready retaining wall design Plans.
- Bid-ready Specification for retaining walls.
- Final design calculations

TASK 12.0 Right-of-Way Services (Epic)

Consultant (Epic) shall provide labor, equipment, and materials to assist in the Right-of-Way services required for the temporary construction easement for the project.

EPIC understands that there is no federal funding involved in this project and right of way acquisition tasks are required to complete the Project. It is anticipated that there is one (1) negotiation that will require EPIC's right of way services.

Acquisition/Negotiations

Epic will interface with 3J Consulting and the City and its partners to manage the scope of the real estate services necessary for this project. Epic will prepare and maintain a detailed project schedule and provide periodic progress reports to 3J Consulting and the City. Epic will ensure the right of way process has been followed in accordance with all City, WSDOT and federal policies and regulations. Epic's team will regularly reference the WSDOT Right of Way and Local Agency Guidelines (LAG) manuals.

Epic will provide real estate acquisition and negotiation services for the parcel affected by this project. Epic will assist the City in developing all right-of-way documents and offer letters in accordance with the City's right-of-way procedures for acquisition of affected properties. Epic will draft all right-of-way documents and offer letters using either WSDOT templates or City supplied documents. Epic will provide these to City staff for pre-acquisition review before any offers are made to property owners.

Epic agents will act in good faith always and will never coerce owners in an attempt to settle the parcel. All negotiations will start with an in-person presentation of offers when feasible. Epic will identify property owner issues, concerns and differences early on and document that information in the individual parcel negotiation diary. Epic will work with 3J Consulting and City staff throughout the negotiation process with the property owner until settlement is reached. Epic will submit all signed documents to the City for payment and recording.

ASSUMPTIONS

- Assumes up to three (3) client meetings (as needed) including a project kick off meeting, Weekly status report preparation, and related tasks.
- Assumes up to one (1) unique owner affected.
- Assumes that a project funding estimate is not needed.
- Assumes no appraisals or appraisal reviews. If additional appraisals are required, appraisals will be billed at \$5,000 each and reviews will be \$1,500 each.
- Assumes either Client will provide Right of Way document templates, or WSDOT templates will be used.
- Assumes no condemnation or negotiations after possession and use. If condemnation support or post possession and use support is needed, the scope and fee will be adjusted accordingly.
- Assumes one (1) TCE only.
- Assumes project has no delays and that scope can be completed within six (6) months from NTP.
- Assumes legal descriptions of right of way area, plat maps, project plans, and right-of-way maps will be provided by 3J Consulting.
- Assumes no NEPA approval.
- Signed conveyance documents will be delivered to the City to process payment and recording. Epic can provide escrow, payment and recording oversight at additional cost.

TASK 13.0 Management Reserve (Contingency Tasks)

This task is reserved for potential additional services or contingency tasks that the City may request or the project requires. Management reserve is available only upon the City's written approval.

S U M M A R Y O F F E E S

***See attached Exhibit B for Fee Schedule**

EXCLUSIONS

The following items and tasks are excluded from this Scope of Services.

- *Assumes no property relocation.*
- *Assumes lighting analysis is only for sidewalk and intersection lighting is not required.*
- *Title Reports will be provided by the City or others.*
- *Wetland coordination is not anticipated to be necessary for this project.*
- *Modifications to development codes, building codes, or engineering codes after the date of this proposal may require additional fees.*
- *The client will provide all available as-built information for the Project.*
- *3J assumes the project will be designed and bid as one package.*
- *Construction Services will be provided under a separate contract.*



EXHIBIT B - SCHEDULE OF RATES AND ESTIMATED HOURS

Gig Harbor - Peacock Hill

Professional Services Hourly Breakdown (Master)
3J Consulting

Task No.	Task Description	3J Consulting	Lanktree	HWA Geo	Tree Solution	DKS	Baumwelt	Exeltech	Epic	Management Reserve	Expenses	Total Budget
1.0	Management and Administration Project Management	\$46,472.00									\$400.00	\$46,872.00
	Sub-Total Management and Administration	\$46,472.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$400.00	\$46,872.00
2.0	Public Involvement Assistance Public Meetings and Coordination	\$9,328.00									\$400.00	\$9,728.00
	Sub-Total Public Involvement Assistance	\$9,328.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$400.00	\$9,728.00
3.0	Survey Services											
3.1	ROW/Topo Survey		\$11,966.00								\$1,392.00	\$13,358.00
3.2	Leagal Descriptions		\$8,940.00									\$8,940.00
	Sub-Total Survey Services	\$0.00	\$20,906.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$1,392.00	\$22,298.00
4.0	Geotechnical Services Geotechnical and Pavement Evaluation			\$40,290.00							\$31,423.00	\$71,713.00
	Sub-Total Geotechnical Services	\$0.00	\$0.00	\$40,290.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$31,423.00	\$71,713.00
5.0	30% Design/Roll Map 30% Design	\$35,684.00									\$400.00	\$36,084.00
	Sub-Total 30% Design/Roll Map	\$35,684.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$400.00	\$36,084.00
6.0	Final Design											
6.1	60% Design	\$39,820.00									\$400.00	\$40,220.00
6.2	90% Design	\$29,080.00									\$0.00	\$29,080.00
6.3	100% Design	\$14,492.00									\$0.00	\$14,492.00
	Sub-Total Final Design	\$83,392.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$400.00	\$83,792.00
7.0	Bid Support Bid Support	\$3,256.00									\$400.00	\$3,656.00
	Sub-Total Bid Support	\$3,256.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$400.00	\$3,656.00
8.0	Arborist Services Tree Inventory/Assessment				\$4,680.00						\$563.00	\$5,243.00
	Sub-Total Arborist Services	\$0.00	\$0.00	\$0.00	\$4,680.00	\$0.00	\$0.00	\$0.00	\$0.00		\$563.00	\$5,243.00
9.0	Traffic Engineering Project Management					\$27,495.00					\$280.00	\$27,775.00
9.1	60% Design					\$22,420.00						\$22,420.00
9.2	90% Design					\$14,870.00						\$14,870.00
9.3	Final PS&E / Bid Package					\$10,090.00						\$10,090.00
	Sub-Total Traffic Engineering	\$0.00	\$0.00	\$0.00	\$0.00	\$74,875.00	\$0.00	\$0.00	\$0.00		\$280.00	\$75,155.00
10.0	Landscape Architecture Services											
10.1	60% Design						\$4,440.00				\$100.00	\$4,540.00
10.2	90% Design						\$3,790.00					\$3,790.00
10.3	Final PS&E / Bid Package						\$4,270.00					\$4,270.00
	Sub-Total Landscape Architecture Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,500.00	\$0.00	\$0.00		\$100.00	\$12,600.00
11.0	Structural Engineering Services Project Management							\$5,432.91			\$0.00	\$5,432.91
11.1	60% Design							\$9,524.71			\$0.00	\$9,524.71
11.2	Final PS&E / Bid Package							\$7,966.48			\$0.00	\$7,966.48
	Sub-Total Structural Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$22,924.10	\$0.00		\$0.00	\$22,924.10
12.0	Right-of-way Services TCE Coordination								\$4,230.00		\$685.00	\$4,915.00
	Sub-Total Right-of-way Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,230.00		\$685.00	\$4,915.00
13.0	Management Reserve Un-Allocated Contingency									\$30,000.00		\$30,000.00
	Sub-Total Management Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30,000.00	\$0.00	\$30,000.00
Original Contract Total		\$178,132.00	\$20,906.00	\$40,290.00	\$4,680.00	\$74,875.00	\$12,500.00	\$22,924.10	\$4,230.00	\$30,000.00	\$36,443.00	\$424,980.10
Contract Grand Totals												

Total Labor Cost	\$388,537.10
Total Expenses	\$36,443.00
Total Project Estimate	\$424,980.10



Gig Harbor - Peacock Hill

Professional Services Hourly Breakdown (Master)
3J Consulting

3J Consulting																	3J Consulting, Inc. Totals				
		Sr. Project Manager		Project Manager I		Civil Eng. Manager I		Sr. Civil Engineer		Civil Engineer I		Civil Designer I		Admin. Proj. Specialist		Accounting Administrator					
		Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Expenses	
Task No.	Task Description	\$230.00		\$184.00		\$158.00		\$162.00		\$140.00		\$116.00		\$116.00		\$132.00		Fee + Expenses			
1.0 Management and Administration																					
	Project Management	120.00	\$27,600.00	20.00	\$3,680.00	48.00	\$7,584.00	0.00	\$0.00	10.00	\$1,400.00	8.00	\$928.00	33.00	\$3,828.00	11.00	\$1,452.00	250.00	\$46,472.00	\$400.00	\$46,872.00
	Sub-Total Management and Administration	120.00	\$27,600.00	20.00	\$3,680.00	48.00	\$7,584.00	0.00	\$0.00	10.00	\$1,400.00	8.00	\$928.00	33.00	\$3,828.00	11.00	\$1,452.00	250.00	\$46,472.00	\$400.00	\$46,872.00
2.0 Public Involvement Assistance																					
	Public Meetings and Coordination	8.00	\$1,840.00		\$0.00	12.00	\$1,896.00	0.00	\$0.00	30.00	\$4,200.00	12.00	\$1,392.00		\$0.00		\$0.00	62.00	\$9,328.00	\$400.00	\$9,728.00
	Sub-Total Public Involvement Assistance	8.00	\$1,840.00	0.00	\$0.00	12.00	\$1,896.00	0.00	\$0.00	30.00	\$4,200.00	12.00	\$1,392.00	0.00	\$0.00	0.00	\$0.00	62.00	\$9,328.00	\$400.00	\$9,728.00
5.0 30% Design/Roll Map																					
	30% Design	30.00	\$6,900.00	16.00	\$2,944.00	40.00	\$6,320.00	40.00	\$6,480.00	60.00	\$8,400.00	40.00	\$4,640.00		\$0.00		\$0.00	226.00	\$35,684.00	\$400.00	\$36,084.00
	Sub-Total 30% Design/Roll Map	30.00	\$6,900.00	16.00	\$2,944.00	40.00	\$6,320.00	40.00	\$6,480.00	60.00	\$8,400.00	40.00	\$4,640.00	0.00	\$0.00	0.00	\$0.00	226.00	\$35,684.00	\$400.00	\$36,084.00
6.0 Final Design																					
	6.1 60% Design	30.00	\$6,900.00	10.00	\$1,840.00	40.00	\$6,320.00	40.00	\$6,480.00	85.00	\$11,900.00	55.00	\$6,380.00		\$0.00		\$0.00	260.00	\$39,820.00	\$400.00	\$40,220.00
	6.2 90% Design	20.00	\$4,600.00	10.00	\$1,840.00	30.00	\$4,740.00	30.00	\$4,860.00	60.00	\$8,400.00	40.00	\$4,640.00		\$0.00		\$0.00	190.00	\$29,080.00	\$0.00	\$29,080.00
	6.3 100% Design	10.00	\$2,300.00	3.00	\$552.00	16.00	\$2,528.00	16.00	\$2,592.00	30.00	\$4,200.00	20.00	\$2,320.00		\$0.00		\$0.00	95.00	\$14,492.00	\$0.00	\$14,492.00
	Sub-Total Final Design	60.00	\$13,800.00	23.00	\$4,232.00	86.00	\$13,588.00	86.00	\$13,932.00	175.00	\$24,500.00	115.00	\$13,340.00	0.00	\$0.00	0.00	\$0.00	545.00	\$83,392.00	\$400.00	\$83,792.00
7.0 Bid Support																					
	Bid Support	2.00	\$460.00		\$0.00	8.00	\$1,264.00	6.00	\$972.00	4.00	\$560.00		\$0.00		\$0.00		\$0.00	20.00	\$3,256.00	\$400.00	\$3,656.00
	Sub-Total Bid Support	2.00	\$460.00	0.00	\$0.00	8.00	\$1,264.00	6.00	\$972.00	4.00	\$560.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	20.00	\$3,256.00	\$400.00	\$3,656.00
Original Contract Total		220.00	\$50,600.00	59.00	\$10,856.00	194.00	\$30,652.00	132.00	\$21,384.00	279.00	\$39,060.00	175.00	\$20,300.00	33.00	\$3,828.00	11.00	\$1,452.00	1103.00	\$178,132.00	\$2,000.00	\$180,132.00
Contract Grand Totals																					

Contractor: 3J Consulting, Inc.

Fee Schedule

CLASSIFICATION TITLE	HOURLY RATES
	STANDARD NOT TO EXCEED
1. Accounting Administrator	\$132.00
2. Administration	\$98.00
3. Administration Assistant	\$100.00
4. Administrative Project Specialist	\$116.00
5. Benefits Specialist	\$107.00
6. Chief Engineering Manager	\$234.00
7. Civil Designer I	\$116.00
8. Civil Designer II	\$128.00
9. Civil Engineer I	\$140.00
10. Civil Engineer II	\$150.00
11. Civil Engineering Manager I	\$158.00
12. Civil Engineering Manager II	\$174.00
13. Civil Tech I	\$102.00
14. Civil Tech II	\$114.00
15. Development Specialist I	\$128.00
16. Development Specialist II	\$144.00
17. Development Specialist III	\$154.00
18. Director of Engineering	\$236.00
19. Director of Planning	\$214.00
20. Engineering Intern	\$80.00
21. GIS Analyst I	\$130.00
22. GIS Analyst II	\$140.00
23. GIS Manager	\$154.00
24. Graphics Designer I	\$104.00
25. Graphics Designer II	\$124.00
26. Graphics Designer Senior	\$142.00
27. Inspector I	\$128.00
28. Inspector II	\$144.00
29. Inspector III	\$158.00
30. Marketing Director	\$160.00
31. Planner I	\$114.00
32. Planner II	\$130.00
33. Planning Assistant	\$94.00
34. Planning Project Manager I	\$174.00
35. Planning Project Manager II	\$184.00
36. Principal Engineer	\$246.00
37. Principal Planner/Director	\$226.00
38. Project Manager I	\$184.00
39. Project Manager II	\$194.00
40. Senior Civil Designer	\$140.00
41. Senior Civil Engineer	\$162.00
42. Senior Civil Engineering Manager	\$224.00
43. Senior Civil Technician	\$124.00
44. Senior Development Specialist	\$164.00
45. Senior GIS Manager	\$164.00
46. Senior Inspector	\$164.00
47. Senior Planner I	\$144.00
48. Senior Planner II	\$164.00
49. Senior Planning Project Manager	\$194.00
50. Senior Project Manager	\$230.00
51. Senior Urban Designer I	\$144.00
52. Senior Urban Designer II	\$164.00
53. Urban Designer I	\$114.00
54. Urban Designer II	\$130.00



Lanktree Land Surveying - Services Hourly Breakdown

Task No. Task Description		Lanktree										Totals			
		Professional Land Surveyor		Party Chief-Field		Additional Crew Member		Survey Technician		Administration		Hours	Fee	Expenses	Total Budget
		Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee				
3.0	Survey Services		\$149.00		\$172.00		\$52.00		\$126.00		\$78.00				
	3.1 ROW/Topo Survey	14.00	\$2,086.00	29.00	\$4,988.00	29.00	\$1,508.00	25.00	\$3,150.00	3.00	\$234.00	100.00	\$11,966.00	\$1,392.00	\$13,358.00
	3.2 Leagal Descriptions	60.00	\$8,940.00		\$0.00		\$0.00		\$0.00		\$0.00	60.00	\$8,940.00		\$8,940.00
	Sub-Total Survey Services	74.00	\$11,026.00	29.00	\$4,988.00	29.00	\$1,508.00	25.00	\$3,150.00	3.00	\$234.00	160.00	\$20,906.00	\$1,392.00	\$22,298.00
Contract Grand Totals															

Total Scope Fee	\$20,906.00
Total Expenses	\$1,392.00
Total Sub Fee	\$22,298.00

CLASSIFICATION TITLE	BILLING RATE
Professional Land Surveyor	\$149.00
Party Chief-Field	\$172.00
Additional Crew Member	\$52.00
Survey Technician	\$126.00
Administration	\$78.00



HWA GeoScience - Services Hourly Breakdown

Task No. Task Description																						Totals			
		Principal IX		Geotechnical Engineer VIII		Geotechnical Engineer VII		Geotechnical Engineer V		HWA Geotechnical Engineer II		Geologist VI		Geologist III		Contracts Administrator		CAD		Admiinistrative Support		Hours	Fee	Expenses	Total Budget
		Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee				
4.0	Geotechnical Services		\$315.00		\$300.00		\$300.00		\$198.00		\$135.00		\$169.00		\$127.00		\$155.00		\$110.00		\$112.00				
	Geotechnical and Pavement Evaluator	4.00	\$1,260.00	19.00	\$5,700.00	12.00	\$3,600.00	63.00	\$12,474.00	20.00	\$2,700.00	22.00	\$3,718.00	62.00	\$7,874.00	12.00	\$1,860.00	8.00	\$880.00	2.00	\$224.00	224.00	\$40,290.00	\$31,423.00	\$71,713.00
	Sub-Total Survey, Design Studies and Reports	4.00	\$1,260.00	19.00	\$5,700.00	12.00	\$3,600.00	63.00	\$12,474.00	20.00	\$2,700.00	22.00	\$3,718.00	62.00	\$7,874.00	12.00	\$1,860.00	8.00	\$880.00	2.00	\$224.00	224.00	\$40,290.00	\$31,423.00	\$71,713.00
Original Contract Total		4.00	\$1,260.00	19.00	\$5,700.00	12.00	\$3,600.00	63.00	\$12,474.00	20.00	\$2,700.00	22.00	\$3,718.00	62.00	\$7,874.00	12.00	\$1,860.00	8.00	\$880.00	2.00	\$224.00	224.00	\$40,290.00	\$31,423.00	\$71,713.00

Total Scope Fee

Total Reimbursables

\$40,290.00

\$31,423.00

CLASSIFICATION TITLE	BILLING RATE
Principal IX	\$315.00
Geotechnical Engineer VIII	\$300.00
Geotechnical Engineer VII	\$300.00
Geotechnical Engineer V	\$198.00
Geotechnical Engineer II	\$135.00
Geologist VI	\$169.00
Geologist III	\$127.00
Contracts Administrator	\$155.00
CAD	\$110.00
Administrative Support	\$112.00



Tree Solutions - Services Hourly Breakdown

		Tree Solution		Totals			
		Principal/Project Manager		Hours	Fee	Expenses	Total Budget
		Principal/Project Manager					
Task No.	Task Description	Hours	Fee				
8.0	Arborist Services		\$180.00				
	Tree Inventory/Assessment	26.00	\$4,680.00	26.00	\$4,680.00	\$563.00	\$5,243.00
	Sub-Total Final Design	26.00	\$4,680.00	26.00	\$4,680.00	\$563.00	\$5,243.00
Contract Grand Totals							

Total Scope Fee\$4,680.00

Total Reimbursables\$563.00

BILLING RATE	
Principal/Project Manager	\$200.00
Senior Arborist	\$180.00
Arborist	\$160.00
CAD Specialist	\$140.00
Administrative support	\$125.00



DKS - Services Hourly Breakdown

Task No. Task Description		DKS												Totals			
		Principal Engineer		Project Manager		Project Engineer		Assistant Engineer		CAD Technician		Admin		Hours	Fee	Expenses	Total Budget
		Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee				
9.0	Traffic Engineering		\$315.00		\$255.00		\$190.00		\$180.00		\$150.00		\$155.00				
	Project Management	5.00	\$1,575.00	40.00	\$10,200.00	44.00	\$8,360.00	34.00	\$6,120.00	0.00	\$0.00	8.00	\$1,240.00	131.00	\$27,495.00	\$280.00	\$27,775.00
	9.1 60% Design	0.00	\$0.00	8.00	\$2,040.00	28.00	\$5,320.00	52.00	\$9,360.00	38.00	\$5,700.00		\$0.00	126.00	\$22,420.00		\$22,420.00
	9.2 90% Design	0.00	\$0.00	6.00	\$1,530.00	20.00	\$3,800.00	28.00	\$5,040.00	30.00	\$4,500.00		\$0.00	84.00	\$14,870.00		\$14,870.00
	9.3 Final PS&E / Bid Package	1.00	\$315.00	5.00	\$1,275.00	10.00	\$1,900.00	20.00	\$3,600.00	20.00	\$3,000.00		\$0.00	56.00	\$10,090.00		\$10,090.00
Sub-Total		6.00	\$1,890.00	59.00	\$15,045.00	102.00	\$19,380.00	134.00	\$24,120.00	88.00	\$13,200.00	8.00	\$1,240.00	397.00	\$74,875.00	\$280.00	\$75,155.00
Contract Grand Totals																	

Total Scope Fee **\$74,875.00**
Total Reimbursables **\$280.00**

CLASSIFICATION TI	CLASSIFICATION TITLE	BILLING RATE
Principal Engineer	Principal Engineer	\$315.00
Project Manager	Project Manager	\$255.00
Project Engineer	Project Engineer	\$190.00
Assistant Engineer	Assistant Engineer	\$180.00
CAD Technician	CAD Technician	\$150.00
Admin	Admin	\$155.00



Baumwelt - Services Hourly Breakdown

Task No. Task Description			Baumwelt								Totals			
			Principal/Project Manager		LA I		Drafter		Administrative		Hours	Fee	Expenses	Total Budget
			Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee				
			\$145.00		\$120.00		\$105.00		\$65.00					
10.0	Landscape Architecture Services													
	10.1	60% Design	2.00	\$290.00	2.00	\$240.00	36.00	\$3,780.00	2.00	\$130.00	42.00	\$4,440.00	\$100.00	\$4,540.00
	10.2	90% Design	2.00	\$290.00	6.00	\$720.00	24.00	\$2,520.00	4.00	\$260.00	36.00	\$3,790.00		\$3,790.00
	10.3	Final PS&E / Bid Package	2.00	\$290.00	10.00	\$1,200.00	24.00	\$2,520.00	4.00	\$260.00	40.00	\$4,270.00		\$4,270.00
Sub-Total Final Design			6.00	\$870.00	18.00	\$2,160.00	84.00	\$8,820.00	10.00	\$650.00	118.00	\$12,500.00	\$100.00	\$12,600.00
Contract Grand Totals														

Total Scope Fee **\$12,500.00**
Total Reimbursables **\$100.00**

CLASSIFICATION TITLE	BILLING RATE
Principal/Project Manager	\$145.00
LA I	\$120.00
Drafter	\$105.00
Administrative	\$65.00



Exeltech- Services Hourly Breakdown

Task No. Task Description		Exeltech										Totals			
		Principal In Charge (Deputy)		Project Manager (Eng 7)		Bridge Engineer (Eng 3)		Drafting Technician 3		Administration Assistant		Hours	Fee	Expenses	Total Budget
		Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee				
11.0	Structural Engineering Services		\$270.91		\$221.51		\$148.95		\$125.87		\$104.38				
	Project Management	3.00	\$812.73	12.00	\$2,658.12	6.00	\$893.70	6.00	\$755.22	3.00	\$313.14	30.00	\$5,432.91		\$5,432.91
	11.1 60% Design	1.00	\$270.91	12.00	\$2,658.12	24.00	\$3,574.80	24.00	\$3,020.88		\$0.00	61.00	\$9,524.71		\$9,524.71
	11.2 Final PS&E / Bid Package	1.00	\$270.91	9.00	\$1,993.59	18.00	\$2,681.10	24.00	\$3,020.88		\$0.00	52.00	\$7,966.48		\$7,966.48
Sub-Total Final Design		5.00	\$1,354.55	33.00	\$7,309.83	48.00	\$7,149.60	54.00	\$6,796.98	3.00	\$313.14	143.00	\$22,924.10	\$0.00	\$22,924.10
Contract Grand Totals															

Total Scope Fee

\$22,924.10

Total Reimbursables

\$0.00

CLASSIFICATION TITLE	BILLING RATE
Principal In Charge (Deputy)	\$270.91
Project Manager (Eng 7)	\$221.51
Bridge Engineer (Eng 3)	\$148.95
Drafting Technician 3	\$125.87
Administration Assistant 3	\$104.38



Epic Land Solutions - Services Hourly Breakdown

Task No. Task Description		Principal		Senior Project Manager		Epic Land Solutions APM		Senior ROW Agent		Finance/Project Controls		Proejct Support		Totals			
		Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Expenses	Total Budget
			\$245.00		\$165.00		\$125.00		\$105.00		\$160.00		\$90.00				
12.0	Right-of-way Serivces TCE Coordination	1.00	\$245.00	2.00	\$330.00	5.00	\$625.00	20.00	\$2,100.00	3.00	\$480.00	5.00	\$450.00	36.00	\$4,230.00	\$685.00	\$4,915.00
Sub-Total Right-of-way Serivces		1.00	\$245.00	2.00	\$330.00	5.00	\$625.00	20.00	\$2,100.00	3.00	\$480.00	5.00	\$450.00	36.00	\$4,230.00	\$685.00	\$4,915.00
Original Contract Total		1.00	\$245.00	2.00	\$330.00	5.00	\$625.00	20.00	\$2,100.00	3.00	\$480.00	5.00	\$450.00	36.00	\$4,230.00	\$685.00	\$4,915.00
Contract Grand Totals																	

Total Scope Fee\$4,230.00

Total Reimbursables\$685.00

CLASSIFICATION TI	CLASSIFICATION TITLE	BILLING RATE
Principal	Principal	\$245.00
Senior Project Mana	Senior Project Manager	\$165.00
APM	APM	\$125.00
Senior ROW Agent	Senior ROW Agent	\$105.00
Finance/Project Cont	Finance/Project Controls	\$160.00
Project Support	Project Support	\$90.00



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: February 12, 2024

SUBJECT: Resolution 1306 Approving the Final Plat for the Edwards Drive Plat, Located West of and Adjacent to the Gig Harbor United Methodist Church and Southwest of Edwards Drive

SUBMITTED BY: Community Development Director Carl de Simas

DEPARTMENT: Administration

PHONE: (253) 853-7628

SUGGESTED MOTION: Move to approve Resolution 1306

BACKGROUND INFORMATION: Attached for your consideration is a resolution making findings of approval for the final plat known as the Edwards Drive Plat, located west of and adjacent to the Gig Harbor United Methodist Church (7400 Pioneer Way) and southwest of Edwards Drive, and within the Single-Family Residential (R-1) zoning district. The applicant, Contour Engineering LLC, received preliminary plat approval from the City Hearing Examiner on May 9, 2019.

This final plat proposes the division of the subject site into 14 single family residential lots, associated infrastructure, perimeter landscape areas, and tracts to serve the residents of the plat.

Plats, or subdivisions, are approved in two phases: 1. Preliminary Plat; 2. Final Plat. The preliminary plat is decided by the city's hearing examiner after a public hearing. If approved, the applicant will seek civil approval and develop the subdivision in accordance with both approvals, including all conditions set forth. Once the subdivision is substantially developed, the applicant may submit an application for final plat approval. A final plat is the final record-ready drawing of the subdivision and dedication prepared for filing with the Pierce County Assessor. Once the final plat is recorded, the lots are created and given tax identification numbers. They are now legal lots of record and may be built upon. The final plat application is processed as a Type IV project permit pursuant to Chapter 19.01.003 GHMC with the final decision made by city council. Council's role in this process is to ensure that all approval criteria and hearing examiner conditions have been met and, if so, to authorize the mayor to sign the face of the final plat.

Staff have reviewed the criteria for approval of the final plat, as set forth in Chapter 16.06 GHMC and determined that the application substantially meets the requirements therein. Additionally, all conditions set forth by the city's hearing examiner have been met and the site has been developed accordingly. In accordance with GHMC, the community development director has provided their approval and recommendation for council consideration.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. Resolution 1306
2. Hearing Examiner Decision
3. Community Development Director's Recommendation
4. Plat Map

STRATEGIC PLAN PRIORITY: N/A

RESOLUTION 1306

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, APPROVING THE FINAL PLAT FOR THE EDWARDS DRIVE PLAT, LOCATED WEST OF AND ADJACENT TO THE GIG HARBOR UNITED METHODIST CHURCH AND SOUTHWEST OF EDWARDS DRIVE

WHEREAS, on May 9, 2019, the City of Gig Harbor Hearing Examiner conditionally granted preliminary plat approval to the Edwards Drive Plat, located west of and adjacent to the Gig Harbor United Methodist Church (7400 Pioneer Way) and southwest of Edwards Drive; Pierce County Assessor-Treasurer Parcel Number 0221086015, 0221086016 and 0221086017; and

WHEREAS, on August 18, 2021, the applicant received civil plan approval to begin work on constructing the roads and the public and private infrastructure required in the preliminary plat approval; and

WHEREAS, on September 25, 2023, the city accepted the final record and survey drawings submitted by the applicant for the public and private infrastructure required in the civil construction of the plat; and

WHEREAS, the street names within the plat were approved by the city on March 13, 2023; and

WHEREAS, an application for final plat approval was submitted to the city on October 10, 2023 and deemed complete October 12, 2023; and

WHEREAS, the proposed final plat application materials were circulated to the appropriate departments of the city for review; and

WHEREAS, the city requested revisions to the final plat drawing and CC&Rs on November 8, 2023; and

WHEREAS, the applicant submitted the requested revisions on November 17, 2023; and

WHEREAS, the city requested minor revisions to the final plat drawing on December 6, 2023; and

WHEREAS, the applicant submitted the requested revisions on January 10, 2024; and

WHEREAS, the final drawings of the proposed final plat and requested documents were circulated to the appropriate departments of the city and recommendations for approval were provided; and

WHEREAS, the proposed plat certificate has been reviewed by the city attorney and all certificates of completion as required by Chapter 16.06.001 GHMC have been received; and

WHEREAS, the city council considered the application for the final plat at its regular meeting of February 12, 2024;

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

Section 1. Findings. The city council hereby finds that, pursuant to Gig Harbor Municipal Code 16.06.005, Edwards Drive Plat, subject to the conditions imposed in Section 2:

1. Meets all general requirements for plat approval as set forth in Chapter 16.08 GHMC, General Requirements for Subdivision Approval; and
2. Conforms to all terms of the preliminary plat approval with a landscaping bond accepted in lieu of installation of the required and yet incomplete landscaping; and
3. Meets the requirements of Chapter 58.17 RCW, other applicable state laws, Title 16 GHMC, and all applicable ordinances which were in effect at the time of preliminary plat approval.

Section 2. Approval Conditions. The city council hereby approves the Edwards Drive Plat, City of Gig Harbor File No. PL-FPLAT-23-0002, subject to the following conditions:

1. Declaration of Covenants, Conditions and Restrictions for Hillstad Homeowners Association shall be recorded with the County Auditor prior to the recording of the final plat.

Section 3. The city council directs the mayor and all other appropriate city officials to inscribe and execute the city's written approval on the face of the plat.

Section 4. The city shall record the final plat with the Pierce County Auditor, at the expense of the applicant, after all inspections and approvals, and after all fees, charges and assessments due the city resulting from the subdivision development have been paid in full.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 12th day of February, 2024.

Tracie Markley
Mayor

Attest:

Joshua Stecker, CMC
City Cler

MEMORANDUM

TO: Parties of Record

FROM: Stephen K. Causseaux, Jr.
City of Gig Harbor Hearing Examiner

RE: **Request for Reconsideration-Edwards Preliminary Plat
PL-PPLAT-16-0005 and PL-DR-16-0192**

DATE: June 3, 2019



By Report and Decision dated May 9, 2019, the Examiner conditionally approved the Edwards Preliminary Plat subject to compliance with 20 conditions of approval that included SEPA mitigation measures. In a Memorandum dated May 17, 2019, Trent A. Ward, City Engineer and Peter Katich, Principal Planner requested reconsideration of the Decision as follows:

- A. Delete Condition 16B as it is not a necessary nor required condition of approval since the preliminary stormwater design has met flow control exemption criteria in the City Stormwater Ordinance.
- B. Remove SEPA Mitigating Measure C18 and include it with the special conditions of approval requested by the Public Works Department, Operations and Engineering Divisions.
- C. Correct the Minutes from the April 18, 2019, public hearing to reflect that Marion Ekberg and not Mary Medford appeared and testified regarding concerns over the 25 foot wide buffer.

Based upon the above the following changes to the Report and Decision are hereby made as follows:

- A. Condition 16B is hereby eliminated.
- B. Condition C18 is renumbered Condition 17 and placed under the Operations and Engineering Divisions conditions and eliminated from the SEPA mitigating measures.
- C. The Minutes of the hearing are revised to eliminate the name of Mary Medford and add the name of Mary Ekberg on page 5 of the Report and Decision.

DECISION:

The request for Reconsideration is hereby granted as set forth above.

May 9, 2019

Contour Engineering, LLC
Attn: Stephen Bridgeford
P.O. Box 949
Gig Harbor, WA 98335

**RE: PL-PPLAT-16-0005 & PL-DR-16-0192
EDWARDS PRELIMINARY PLAT**

Dear Applicant:

Transmitted herewith is the Report and Decision of the City of Gig Harbor Hearing Examiner regarding your request for the above-entitled matter.

Very truly yours,



STEPHEN K. CAUSSEAU, JR.
Hearing Examiner

SKC/jjp
cc: Parties of Record

1X

OFFICE OF THE HEARING EXAMINER

CITY OF GIG HARBOR

REPORT AND DECISION

CASE NO.: PL-PPLAT-16-0005 & PL-DR-16-0192
EDWARDS PRELIMINARY PLAT

APPLICANT/AGENT: Contour Engineering, LLC
Attn: Stephen Bridgeford
P.O. Box 949
Gig Harbor, WA 98335

OWNER: Bogue Family, LLC
Attn: Neil Bouge
5716 N.E. 60th Street
Seattle, WA 98115

PLANNER: Peter Katich, Principal Planner

SUMMARY OF REQUEST:

Subdivision of approximately 4.3 acres into 14 single-family lots located within the R-1 (Single-family Residential) zone. The site is located west of and adjacent to the Gig Harbor United Methodist Church (7400 Pioneer Way) and southwest of Edwards Drive, in Section 08, Township 21, Range 02.

SUMMARY OF DECISION: Request granted, subject to conditions.

DATE OF DECISION: May 9, 2019

PUBLIC HEARING:

After reviewing the Planning Department Staff Report and examining available information on file with the application, the Examiner conducted a public hearing on the request as follows:

The hearing was opened on April 18, 2019, at 1:30 p.m.

Parties wishing to testify were sworn in by the Examiner.

The following exhibits were submitted and made a part of the record as follows:

- EXHIBIT "A"** - **Community Development Department Planning Division Staff Report**
- EXHIBIT "B"** - **Plan Set Including Civil and Landscape Pages**
- EXHIBIT "C"** - **MDNS Including SEPA Memo from City Engineer**
- EXHIBIT "D"** - **Department of Ecology Comments**
- EXHIBIT "E"** - **Certification of Publishing, Mailing, and Posting**
- EXHIBIT "F"** - **Public Comment Letters**
- EXHIBIT "G"** - **Former GHMC Chapter 17.78**
- EXHIBIT "H"** - **Email from John Holmaas dated April 11, 2019**
- EXHIBIT "I"** - **Public Works Recommendations dated April 1, 2019**
- EXHIBIT "J"** - **Email from Pierce Transit dated November 29, 2016**
- EXHIBIT "K"** - **Photograph**
- EXHIBIT "L"** - **Alan Richardson Submittal**

The Minutes of the Public Hearing set forth below are not the official record and are provided for the convenience of the parties. The official record is the recording of the hearing that can be transcribed for purposes of appeal.

PETER KATICH appeared, presented the Community Development Department Staff Report, and testified that this is the last undeveloped parcel in the area. The applicant proposes a gated community with a private road. The topography slopes down from south to north and has no regulated critical areas. Wet areas do exist and water flows from the site. A manmade ditch along the west property line conveys stormwater to the City system. The City system directs flows south to Pioneer and then to the bay. The plat will have an engineered designed system as shown in Exhibit 6. The storm drainage plans will significantly reduce the amount of flow to the ditch. Some flows from adjacent plat homes will reach the ditch. He addressed the comments in Exhibit F and also met with the neighbor. The site is located within the R-1 single-family zone. The plat is vested to the City Stormwater Manual in effect in 2014. A manual amendment occurred in 2016, as well as an amendment to the landscaping code. The new landscaping ordinance provides more flexibility in the 25 foot wide buffer and allows other approaches to buffering. However, this project is vested under the old code and must have a 25 foot wide buffer. The plat is vested to the density allowed prior to the 2018 moratorium. The R-1 zone at that time required a density of four dwelling units per acre minimum and four dwelling units per acre maximum. On June 12, 2018, the City Council amended the R-1 zone to eliminate the minimum density requirement. Public Works' standards allow parallel parking on one side of public and private roads. This project will allow limited parking on one side of the internal plat street. Following SEPA review the responsible official issued a Mitigated Determination of Nonsignificance on March 19 and received no appeals. The City provided proper public notice. Concerning sewer, the City issued a Concurrency Certificate and approved the project for 14 ERUs. The applicant submitted a TIA that shows the plat will generate 14, new, p.m. peak hour trips. The City issued a

Transportation Certificate as plat traffic will not affect the level of service at any intersections. The project complies with all municipal code standards.

CARL HALSAN appeared on behalf of the request and testified that they pre-filed four years ago. Their biggest challenge was achieving the minimum density of four dwelling units per acre. A leg of the property extends to Pioneer and had to be included within the developable area. The project is consistent with both the Comprehensive Plan and zoning code. The applicant will pay impact fees at the building permit stage, and a homeowners association will maintain the private road and gate. He requested elimination of Condition 7 as they will not have a public road, and therefore no public access. He requested that the SEPA mitigating measure condition on page 15 be amended to assure that the SEPA official has authority to amend any SEPA mitigating measures.

BRETT ALLEN, Contour Engineering, appeared and testified that the plat will be served by public sewer and water, and that they will extend an eight inch main to the site. They will control the stormwater internally and will treat it with filters or other devices. The stormwater will be directed by internal conveyances to Edwards Drive. The City did not require flow control since they performed a downstream analysis that shows adequate conveyance capacity. All of the water will flow down to the saltwater. They will maintain the informal ditch in the development plan. Roof and footing drains are yet to be determined. Offsite flow through the site will be captured. At the time of development, they will address other flows and seeps on the site. The development will conform with the land as they have a moderately balanced site. They will not discharge to the ditch. Upon questioning by Mr. Katich, Mr. Allen responded that the first civil plans will address the ditch. Their erosion control plan will enhance the ditch. They will design their storm system to convey up to a ten year event. It is their intent to collect all drainage and convey it to the City system in the street.

NEIL BOGUE appeared and testified that his parents bought the property in 1952 and that his mother served on the city council and also served as mayor. He grew up here, but they sold their house and one-half acre of property. This parcel is their remaining land. His roots in Gig Harbor are deep, and he wants a good outcome for the property. They have spent three years working with the City.

MELINDA MAZOUÉ appeared and testified that another road is proposed nearby that will create additional stormwater and traffic. We need to take into account other driveways in the area, and stormwater and traffic should be reviewed in a coordinated manner. Right now we have a first come/first serve attitude and the second project is placed on top. Thus, additional traffic is added. Concurrency should look at development as it occurs. The City has a traffic model to account for where vehicles go. As projects come in we keep adding additional trips. We need to check the level of service and address additional impacts.

KATHLEEN GUINAN appeared and testified that her property abuts the ditch. Her issues include the fact that the ditch doesn't catch water that comes into her yard. They have had to put in many drains. She is concerned about what will happen to the drain during

construction. They are concerned about traffic at the plat entrance and at the St. Nicholas School driveway. She is unsure if enough sight distance exists considering distracted drivers. A right turn lane could help address this issue. She is also concerned about illegal parking.

ALAN RICHARDSON appeared and testified that he lives in Greyhawk, a subdivision to the south. The ditch only crosses part of the north property line, and his biggest concern is the stormwater runoff. He and his neighbors have had to install crawl space drains and curtain drains. Once this project is started, how will it change? He agrees that drainage should be better, but what happens during the two years time it takes the plat to develop? What will protect them? How will they collect water from compacted soil after the vegetation is removed? How will the onsite flow be addressed? Will it create new flow or will they collect it? He is glad to hear about the footing drains and that they will address the springs. Photo 5 in his submittal shows footings filled with water. Every house here will have the same issues he has. They need to provide something to stop the water flow. The drainage plans for during and after construction need a temporary system or advance installation of the final system. They shouldn't have to modify the system.

* *Marianne E. Rberg*
MARY MEDFORD appeared and testified that she is a neighbor and is concerned about the 25 foot wide buffer. She is concerned about whether they will cut the vegetation. Mr. Katich responded by testifying that the buffer will include a combination of existing and enhanced vegetation.

SUE JARZYNKA appeared and testified that she owns a house and that the buffer is all blackberries. Mr. Katich explained that they can't use blackberries as a buffer.

WILLIAM LYNN, attorney at law, appeared and addressed the Snohomish County case referred to by the Examiner, and explained why it does not apply in this case. The initial stormwater plans are very detailed and that they have a timing issue providing copies. He advised that they will resubmit storm plans shortly at the 30 percent level and will provide extra copies to the City to send to a list of people and 20-30 days for comment. Concerning temporary erosion control, the Stormwater Manual contains 1,400 pages and includes many temporary erosion control standards.

No one spoke further in this matter and the Hearing Examiner took the matter under advisement. The hearing was concluded at 2:30 p.m.

NOTE: A complete record of this hearing is available in the office of the City of Gig Harbor Community Development Department.

FINDINGS, CONCLUSIONS, AND DECISION:

FINDINGS:

1. The Hearing Examiner has admitted documentary evidence into the record, heard testimony, and taken this matter under advisement.
2. Following review of the project pursuant to the State Environmental Policy Act (SEPA), on March 19, 2019, the City responsible official issued a Mitigated Determination of Non-Significance (MDNS) threshold determination. The appeal period ended on April 11, 2019, and no appeals were filed.
3. The Notice of Application (NOA) was published in the Peninsula Gateway newspaper on November 3, 2016. In addition, notice was mailed to all property owners within 300 feet of the subject site on November 3, 2016. Notice of the application was also posted on the subject site on November 2, 2016. The legal notice of the proposed action and scheduled hearing was published in the Peninsula Gateway newspaper on April 4, 2019. In addition, notice was mailed to all property owners within 300 feet of the subject site on April 4, 2019. Notice of the hearing was also posted on the subject site on April 3, 2019. The declarations of publishing, mailing, and posting are Exhibit "E" to the Staff Report.
4. Contour Engineering, LLC, is the applicant and agent on behalf of the Bogue Family, LLC, which has a possessory ownership interest in an unimproved, 4.3 acre, irregularly shaped parcel of property located south of Edwards Drive between Stinson Avenue and Pioneer Way within the City of Gig Harbor. The applicant requests preliminary plat approval to allow subdivision of the site into 14, single-family residential lots.
5. The preliminary plat map shows access to the site provided via an internal private plat road extending southerly from Edwards Drive near the St. Nicholas School driveway. The plat will consist of a gated community and the internal private road includes a cul-de-sac turnaround in front of the proposed gate. The plat road terminates in a cul-de-sac near the south property line. Private drive aisles provide access to Lots 6 and 7 in the southeast corner of the plat and to Lot 13 in the northwest corner. A rectangular, 12,170 square foot portion of the parcel extends from the developable portion of the site to Pioneer Way and will remain in undisturbed open space.
6. Abutting uses are limited to single-family residential homes to the west and south and the Gig Harbor United Methodist Church to the east. Across Edwards Drive to the north are single-family residential homes in the Greyhawk subdivision and the St. Nicholas School. The plat parcel and all abutting parcels are located within the Single-Family Residential-R1 zone classification of the Gig Harbor Municipal Code

(GHMC). All of said parcels are also located within the Residential Low designation of the City of Gig Harbor Comprehensive Plan.

7. The Residential Low designation contemplates development with low density single-family residential uses as well as community services such as schools and parks. Said designation also contemplates the use of natural buffers to retain the natural site character and to minimize noise impacts. The project will satisfy all landscaping requirements of the GHMC and will provide a density consistent with the applicable R-1 zone classification.
8. The topography of the site slopes downward from south to north at between 15 and 25 percent. Vegetation consists of dense evergreen and deciduous trees, shrubs, and other undergrowth. While wet areas exist in the northerly portion of the site and a man-made drainage ditch is located along the west property line, no critical areas such as wetlands and streams exist on the parcel. Soundview Consultants, LLC, the applicant's wetlands expert, and Grette Associates, the City's independent expert, agree that no critical areas exist on the site.
9. The applicant submitted a complete application for preliminary plat approval on October 26, 2016, and in accordance with RCW 58.17.033, a section of the State Subdivision Act, the plat application vested to all City development regulations and zoning, and to the Comprehensive Plan in effect at that time. Subsequent thereto the City amended its Stormwater Management and Site Development Manual as well as its landscaping code. However, the application is subject to the regulations in effect in 2016.
10. The intent of the R-1 zone classification is to provide areas for low density, single-family residential development and for certain community services and facilities. At the time of vesting the R-1 classification required both a minimum and maximum density of four dwelling units per acre. Following subtraction of the private street area of .98 acres, the buildable area reduces to 3.445 acres. Fourteen residential units thereon calculates to a density of four dwelling units per net acre.
11. The R-1 classification authorizes a maximum impervious coverage of 40 percent as compared with the proposed 19 percent shown on the preliminary plat map. The building permit process will ensure compliance with the height restriction of 16 feet, and each individual lot will have two, off-street, parking spaces. Virtually all lots have a rectangular shape and can provide a reasonably sized, building envelop that will meet required structural setbacks. The R-1 classification requires a front yard setback width of 20 feet for a house, 12 feet for a porch, and 26 feet for a garage; an eight foot wide, side yard setback; and a 30 foot wide, rear yard setback.
12. The landscape standards set forth in GHMC 17.78.060(B) in effect in 2016 require a 25 foot wide, perimeter buffer consisting of a dense, vegetated screen. Section 17.78.050 GHMC requires the applicant to retain all significant vegetation within

said buffer. The applicant will do so and will also provide supplemental plantings where necessary. The City will ensure compliance with buffer requirements at the time of final civil permit review. Furthermore, Design Review for a preliminary plat is limited generally to grading and tree retention and staff has found that the proposed plat complies with all review standards.

13. Prior to obtaining preliminary plat approval the applicant must show that the request satisfies the criteria set forth in GHMC 16.05.003. Findings on each criterion are hereby made as follows:
 - A. The preliminary plat conforms to the general requirements for subdivision approval as set forth in GHMC 16.08.001. Staff has analyzed said criteria on pages 9-11 of the Staff Report and the Examiner adopts staff's analysis as his own in full as if set forth herein.
 - B. The preliminary plat makes appropriate provision for the public health, safety, and general welfare for open spaces, drainage ways, streets, roads, alleys, other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools and school grounds, and safe walking conditions for students. The plat provides open space with the required 25 foot wide perimeter buffer, the rectangular open space area, and setbacks. Storm drainage and roads/traffic are addressed hereinafter. Pierce Transit does not request a new transit stop or other improvements. The City of Gig Harbor has issued a Certificate of Water Availability, and the applicant will connect each lot to the City's sewer system. The applicant will pay the City's applicable Park Impact Fee at the time of building permit approval. Section 19.12.050(B)(11) GHMC requires the payment of a per lot School Impact Fee prior to the issuance of building permits even if the Peninsula School District makes no request for such. The applicant will install sidewalks on both sides of the internal private road that will extend to Edwards Drive. Provision of the above coupled with compliance with SEPA mitigating measures and applicable standards of the municipal code will ensure that the plat serves the public health, safety, and welfare.
14. Residents of the area raised significant concerns regarding existing flooding and storm drainage issues and the possible exacerbation by new, impervious surfaces. Specific concerns addressed the ditch along the west side of the property, runoff onto the site and from the site, and protection of homes from flooding during construction of the plat. Contour Engineering provided a preliminary drainage control plan (Exhibit C-8) that shows stormwater runoff directed to a tight line system with a basic treatment filter vault to treat collected runoff. The applicant will direct the water to the City system that eventually discharges to Gig Harbor Bay. Furthermore, the plat will have less than half of the maximum impervious coverage authorized by the GHMC.

15. The drainage control plan shows that the natural drainage course for the site follows existing topography to Edwards Drive where a series of catch basins within the right-of-way collects the runoff and conveys it to the City's stormwater system. The report notes an informal drainage ditch that collects runoff generated from sloped areas that flows to Edwards Drive where a catch basin grate appears to capture the flow. The applicant proposes to capture all water from impervious surfaces as well as all runoff from offsite properties and convey it to the City system via an underground conveyance system. Only minimal runoff from adjacent rear yards and the vegetated buffer will enter the ditch. The applicant will submit a more detailed storm drainage plan to the City for review in the near future, and a condition of approval requires the preparation of additional copies for interested parties of record and a 20 day comment period. However, the final decision to approve the storm drainage plan is that of the City.
16. Residents raised concerns regarding the impacts of plat traffic on City streets and the safety of the intersection of the internal plat road and Edwards Drive. The applicant commissioned Heath and Associates, Inc., a qualified transportation engineering firm, to prepare a Traffic Impact Analysis (TIA). The Heath analysis shows that Edwards Drive has two, ten foot wide, travel lanes together with sidewalks, curb, and gutter, and that parking is allowed on the south side of the street. The speed limit is 25 miles per hour. Heath preformed traffic counts during the a.m. and p.m. peak periods at the intersection of Greyhawk Avenue and Edwards Drive. The Heath report establishes that the existing level of service (LOS) at the Edwards/Greyhawk Drive is presently LOS A in both the a.m. and p.m. peak periods. Heath anticipates that the proposed subdivision will generate a total of 132 average daily trips, ten of which will occur during the a.m. peak period and 14 during the p.m. peak period. Such calculates to a total of one vehicle trip per six minutes during the a.m. peak period and one vehicle trip per four minutes during the p.m. peak period. The Edwards/Greyhawk intersection and the new plat access with Edwards Drive will operate at LOS A. Heath also determined that due to the light traffic volumes along Edwards Drive a left turn pocket at the project entrance is not warranted. The City Engineer accepted the Heath report. The applicant will pay traffic mitigation fees at the building permit stage.
17. At the hearing Carl Halsan, applicant's representative, requested a clarification of Condition 17 that requires compliance with SEPA mitigating measures set forth in the MDNS. Mr. Halsan requested that the condition specify that the City responsible official has the authority to modify SEPA mitigating measures, and not the Examiner through the Major Amendment process. The responsible official has authority over SEPA issues and Condition 17 is so amended. Mr. Halsan also requested removal of Condition 7 that requires a public easement over internal plat sidewalks as the applicant proposes a gated community with private roads. Condition 7 is therefore eliminated.

CONCLUSIONS:

1. The Hearing Examiner has jurisdiction to consider and decide the issues presented by this request.
2. The applicant has shown that the proposed preliminary plat is consistent with the policies of the Residential Low designation of the City of Gig Harbor Comprehensive Plan and satisfies all bulk regulations of the applicable R-1 zone classification of the GHMC. The applicant has also shown that the request satisfies all criteria for preliminary plat approval set forth in GHMC 16.05.003 and 16.08.001. Therefore, the proposed preliminary plat should be approved subject to the following conditions:
 - A. Community Development Department, Planning Division Proposed Conditions: The following conditions are recommended to achieve compliance as noted under the analysis and finding sections above:
 1. The final plat shall note the 25-foot wide perimeter buffer area as a "buffer area," shall include a note that any changes to the approved buffer shall require approval from the City of Gig Harbor Community Development Department, Planning Division.
 2. In lieu of a homeowner's association, all landscape features within buffer areas shall be maintained by the owners of the individual lots containing regulated buffer area.
 3. All construction activities within 10-feet of the dripline of any tree proposed or required to be retained shall be performed in a manner consistent with the recommendations of the project arborist.
 4. Tree protection shall be provided for all retained significant vegetation on the site consistent with the barricade requirements contained in GHMC 17.78.050 (E). Final location of the tree protection fencing shall be reviewed and approved by the project arborist prior to submittal for the City. Any conditions relating to tree protection recommended by the arborist shall be implemented in the construction of the development. Tree protection is required to be reviewed and approved by Planning Division staff prior to issuance of the civil plan approval, and further shall be inspected by Planning Division staff prior to the start of work on the site.
 5. The landscape plan for the project shall be revised to delete the construction of the six-foot high wooden fence proposed for the outside edge of the perimeter buffer. A revised landscape plan that

meets the requirements of GHMC Subsection 17.78.060(B) (dense vegetative screen) shall be submitted to the Planning Division for review and approval at the final civil permit review stage of site development.

6. Planning Division staff shall review perimeter buffer screening with the applicant after clearing is completed on the site to determine if additional plantings are needed to meet minimum standards for a dense vegetative screen (GHMC 17.78.060(B)) based on field conditions. Irrigation shall be provided for all required plantings. Plantings shall be installed or bonded for prior to final plat application.
7. The applicant shall submit their proposed road name for the internal private road to the city for review. The road name shall be approved by City Council prior to the filing of the final plat application with the City.
8. Any dedication, donation or grant as shown on the face of the plat shall be considered to all intents and purposes as a quitclaim deed to the said donee(s) grantee(s) for his/her/their use for the purpose intended by the donor(s) or grantor(s).
9. Since the plat is subject to a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, and individual(s), religious society(ies) or to any corporation, public or private, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat.
10. Any dedication filed for record shall be accompanied by a title report confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.

B. Operations and Engineering Divisions Conditions:

11. This Project is subject to compliance with all comments and SEPA conditions provided in Public Works Department Memorandum from Trent Ward, City Engineer, to Peter Katich, Principal Planner, dated March 12, 2019. The subject SEPA conditions are contained in Exhibit "C" to the staff report.

Additionally, this project is subject to the following General Conditions:

12. City forces may remove any traffic control device constructed within the City right of way not approved by the Public Works department. Any liability incurred by the City due to non-conformance by the applicant shall be transferred to the applicant.
13. A road encroachment permit shall be acquired from the City prior to any construction within City right of way, including utility work, improvements to the curb, gutter, and sidewalk, roadway shoulders and ditches, and installation of culverts. All work within the City right of way shall conform to the applicable version of the City's Public Works Standards and Stormwater Design Manual.
14. Permanent survey control monuments shall be placed to establish public street centerlines, intersections, angle points, curves, subdivision boundaries and other points of control. A minimum of two permanent survey control monuments shall be installed at locations determined by the City in accordance with the City's Public Works Standards and recorded with the Pierce County Survey Control Division prior to final engineering approval of civil improvements.
15. Irrigation and maintenance of landscaping within the public right of way shall be the responsibility of the property owner(s) or its heirs or assigns.
16. The final plat map shall note (where quoted) or delineate the following:
 - a. "WARNING: City of Gig Harbor has no responsibility to build, improve, maintain or otherwise service private roadways or driveways within, or providing access to, property described in this plat."
 - b. "Increased stormwater runoff from the road(s), building, driveway and parking areas shall not be directed to City infrastructure. Increased storm water runoff shall be retained/detained on site."
 - c. "Where seasonal drainage crosses subject property, no disruption of the natural flow shall be permitted."
 - d. Stormwater drain connection points for runoff from buildings and parking surfaces shall be shown on individual building lots.

- e. If private roadways are proposed, then provisions shall be made for the roads and easements to be open at all times for emergency and public service vehicle use.
- f. "This plat is subject to stormwater maintenance agreement recorded under Auditor's file number (enter AFN here)."
- g. "Stormwater/Drainage easements are hereby granted for the installation, inspection, and maintenance of utilities and drainage facilities as delineated on this plat map. No encroachment will be placed within the easements shown on the plat that may damage or interfere with the installation, inspection, and maintenance of utilities. Maintenance and expense thereof of the utilities and drainage facilities shall be the responsibility of the property owner(s) or it's heirs or assigns, as noted under the stormwater maintenance agreement for the plat."

C. SEPA Mitigation Measures:

- 17. The applicant shall comply with all SEPA mitigation measures addressed by the Mitigated Determination of Nonsignificance issued by the city on March 19, 2019, pursuant to SEPA File #SEPA-16-0018. Modifications to SEPA mitigating measures are within the jurisdiction and authority of the SEPA responsible official and are accomplished through the SEPA process.
- 18. The applicant shall submit additional copies of its next storm drainage control plan to the City. The City will then distribute the plan to interested parties of record who will have 20 days from the date of submission to provide comments to the City and the applicant regarding said drainage control plan. However, the decision to approve or disapprove the plan is solely that of the City.
- 19. The decision set forth herein is based upon representations made and exhibits, including plans and proposals submitted at the hearing conducted by the hearing examiner. Any substantial change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to the approval of the hearing examiner and may require further and additional hearings.
- 20. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the

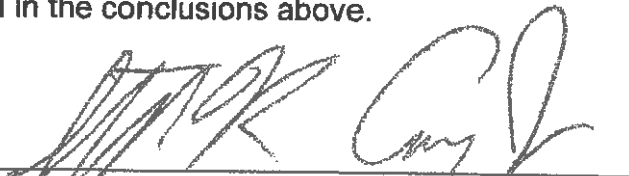
*add as
special condition
- not SEPA
with you*

approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

DECISION:

The request for preliminary plat approval for the Edwards Drive preliminary plat is hereby granted subject to the conditions contained in the conclusions above.

ORDERED this 9th day of May, 2019.



STEPHEN K. CAUSSEAU, JR.
Hearing Examiner

TRANSMITTED this 9th day of May, 2019, to the following:

APPLICANT/AGENT: Contour Engineering, LLC
Attn: Stephen Bridgeford
P.O. Box 949
Gig Harbor, WA 98335

OWNER: Bogue Family, LLC
Attn: Neil Bouge
5716 N.E. 60th Street
Seattle, WA 98115

OTHERS:

Bill Lynn
P.O. Box 1157
Tacoma, WA 98401

John Holmaas
P.O. Box 206
Gig Harbor, WA 98335

Sue Jarzynka
7401 Stinson Avenue
Gig Harbor, WA 98335

Andrew Welch
13037 Point Richmond
Gig Harbor, WA 98335

Carl Peterson
4203-60th Street Court N.W.
Gig Harbor, WA 98335

James and Kathleen Guinan
3664 Edwards Drive
Gig Harbor, WA 98335

Alan Richardson
3688 Edwards Drive
Gig Harbor, WA 98335

Steve and Marion Ekberg
7411 Stinson
Gig Harbor, WA 98335

Nancy Mayfield
P.O. Box 461
Gig Harbor, WA 98335

Marcie Smith
P.O. Box 363
Gig Harbor, WA 98335

Melinda Mazoue
P.O. Box 1010
Gig Harbor, WA 98335

John and Kathleen Gjerdrum
7900 Greyhawk Avenue
Gig Harbor, WA 98335

Peter and Jeanne Hampl
7898 Greyhawk Avenue
Gig Harbor, WA 98335

CITY OF GIG HARBOR

CASE NO.: PL-PPLAT-16-0005 & PL-DR-16-0192
EDWARDS PRELIMINARY PLAT

Duration of Permit Approval: The preliminary plat included in this decision is subject to GHMC Subsection 16.06.003.B and Chapter 58.17 RCW, which governs the expiration of the preliminary plat approvals and currently requires a final plat application be submitted within 5 years of this approval. Upon written request by the property owner, at least 30 days prior to the date of land use permit expiration, the director may grant an extension of time up to but not exceeding one (1) year pursuant to GHMC 16.06.003. Pursuant to GHMC 19.02.008(B), all underlying permits included in this decision shall be governed by the approval duration of the preliminary plat.

Administrative Appeal: There is no administrative appeal for this decision. Any appeal of this decision shall be in accordance with RCW 36.70C.

Property Tax Valuation: Affected property owners may request a change in property tax valuation notwithstanding any program of revaluation by contacting the Pierce County Assessor-Treasurer.

Availability of Complete Project Permit File for Review: The complete project permit file, including findings, conclusions and conditions of approval, if any, is available for review at the city of Gig Harbor Planning Department, 3510 Grandview Street, Gig Harbor, WA 98335. Please contact Peter Katich, Principal Planner; at 253-851-6170 should you desire to review the file.

Concerning Further Review

There is no administrative appeal of the hearing examiner's decision. A request for reconsideration may be filed according to the procedures set forth in Ordinance No. 1073. If a request for reconsideration is filed, this may affect the deadline for filing judicial appeal (Chapter 36.70c RCW) (see Ord. 1073, Ch. 36.70C RCW and RCW 90.58.180). Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.



TO: Mayor Markley and City Council
FROM: Carl de Simas, Community Development Director
SUBJECT: Closed Record Decision-Final Plat– Edwards Drive Plat
DATE: January 29, 2023

INFORMATION/BACKGROUND:

The applicant, Contour Engineering LLC, has requested final plat approval for Edwards Drive Plat to allow the division of 14 single-family residential lots and the development of associated infrastructure, perimeter buffers, and tracts to serve the residents of the plat. The site is located west of and adjacent to the Gig Harbor United Methodist Church (7400 Pioneer Way) and southwest of Edwards Drive, in Section 08, Township 21, Range 02.

The Edwards Drive preliminary plat was approved by the Hearing Examiner on May 9, 2019, to allow the division of a 4.43 acre site into 14 single family lots, subject to 19 conditions of approval (PL-PPLAT-16-0005).

The following is an analysis of the request for consistency with the city's requirements for final plat approval and with the conditions of approval imposed upon the project.

POLICY CONSIDERATIONS: Final Plat

Staff has reviewed the request for consistency with the criteria for approval of the final plat as specified in Gig Harbor Municipal Code (GHMC) Chapter 16.06, and has determined that the applicant has met the criteria for approval of the final plat as follows:

GHMC 16.06.004-Recommendation as prerequisites for final plat approval:

Each preliminary plat submitted for final approval shall be accompanied by the following recommendations:

- A. Local health department or other agency furnishing sewage disposal and supplying water as to the adequacy of the proposed means of sewage disposal and water supply;

The City of Gig Harbor is furnishing sewage disposal and water to the site.

- B. Planning Director's recommendation as to compliance with all of the terms of preliminary plat approval of the proposed plat or subdivision;

The applicant has complied with all terms of the preliminary plat approval, as discussed below.

- C. Approval of the City Engineer.

The City Engineer recommends approval of the final plat as all conditions imposed on the preliminary plat requiring engineering department approval have been constructed or improved satisfactorily.

GHMC 16.06.005-Criteria for approval of subdivisions:

A final plat application shall be approved if the subdivision proposed for approval:

- A. Meets all general requirements for plat approval as set forth in Chapter 16.08 GHMC, General Requirements for Subdivision Approval;

Edwards Plat has met the requirements of the Gig Harbor Municipal Code. The proposed subdivision conforms to all applicable zoning ordinances and the comprehensive plan. The applicant has complied with the requirements to dedicate open space, utilities and access easements. The approved record drawings document that the construction of required improvements comply with the City's adopted public works construction standards. In addition, the final plat contains the required certificates from the owner, surveyor, and city and county officials.

- B. Conforms to all terms of the preliminary plat approval;

The proposed final plat of Edwards Drive Plat conforms to the conditions of the preliminary plat as follows:

HEX Condition 1: *The final plat shall note the 25-foot wide perimeter buffer area as a "buffer area," shall include a note that any changes to the approved buffer shall require approval from the City of Gig Harbor Community Development Department, Planning Division.*

The perimeter buffer is shown sheet 3 as a "25' vegetation buffer". A note has been included as plat note #1 on sheet 1 requiring approval from the city for any changes.

HEX Condition 2: *In lieu of a homeowner's association, all landscape features within buffer areas shall be maintained by the owners of the individual lots containing regulated buffer area.*

The specified language has been included as part of plat note #7 on sheet one of the final plat.

HEX Condition 3: *All construction activities within 10-feet of the dripline of any tree proposed or required to be retained shall be performed in a manner consistent with the recommendations of the project arborist.*

This condition is informational in nature; the final plat complies with this condition.

HEX Condition 4: *Tree protection shall be provided for all retained significant vegetation on the site consistent with the barricade requirements contained in GHMC 17.78.050E. Final location of the tree protection fencing shall be reviewed and approved by the project arborist prior to submittal for the City. Any conditions relating to tree protection recommended by the arborist shall be implemented in the construction of the development. Tree protection is required to be reviewed and approved by Planning Division staff prior to issuance of the civil plan approval, and further shall be inspected by Planning Division staff prior to the start of work on the site.*

This condition has been satisfied through the civil permit issued for the plat.

HEX Condition 5: *The landscape plan for the project shall be revised to delete the construction of the six-foot high wooden fence proposed for the outside edge of the perimeter buffer. A revised landscape plan that meets the requirements of GHMC Subsection 17.78.060(B) (dense vegetative screen) shall be submitted to the Planning Division for review and approval at the final civil permit review stage of site development.*

This condition has been satisfied through the civil permit issued for this plat.

HEX Condition 6: *Planning Division staff shall review perimeter buffer screening with the applicant after clearing is completed on the site to determine if additional plantings are needed to meet minimum standards for a dense vegetative screen (GHMC 17.78.060(B)) based on field conditions. Irrigation shall be provided for all required plantings. Plantings shall be installed or bonded for prior to final plat application.*

This condition has been satisfied through the civil permit issued for this plat. Required plantings specified on the approved civil plans were installed prior to submittal of the final plat.

HEX Condition 7: *The applicant shall submit their proposed road name for the internal private road to the city for review. The road name shall be approved by City Council prior to the filing of the final plat application with the City.*

The street name on the plat was approved by city council March 13, 2023.

HEX Condition 8: *Any dedication, donation or grant as shown on the face of the plat shall be considered to all intents and purposes as a quitclaim deed to the said done(s) grantee(s) for his/her/their use for the purpose intended by the donor(s) or grantor(s)*

This condition is informational in nature; the final plat complies with this condition.

HEX Condition 9: *Since the plat is subject to a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, and individual(s), religious society(ies) or to any corporation, public or private, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat.*

This condition has been sufficiently addressed on sheet 1 of the final plat. The language is included in the dedication.

HEX Condition 10: *Any dedication filed for record shall be accompanied by a title report confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.*

Title report has been provided as part of the final plat submittal to satisfy the condition.

HEX Condition 11: *This Project is subject to compliance with all comments and SEPA conditions provided in Public Works Department Memorandum from Trent Ward, City Engineer, to Peter Katich, Principal Planner, dated March 12, 2019. The subject SEPA conditions are contained in Exhibit "C" to the staff report.*

Pursuant to Public Works, all requirements under this condition have been met in accordance with the Public Works Standards and the Storm Water Design Manual.

HEX Condition 12: *City forces may remove any traffic control device constructed within the City right of way not approved by this division. Any liability incurred by the City due to non-conformance by the applicant shall be transferred to the applicant.*

This condition is informational in nature; the final plat complies with this condition.

HEX Condition 13: *A road encroachment permit shall be acquired from the City prior to any construction within City right of way, including utility work, improvements*

to the curb, gutter, and sidewalk, roadway shoulders and ditches, and installation of culverts. All work within the City right of way shall conform to the applicable version of the City's Public Works Standards and Stormwater Design Manual.

Pursuant to Public Works, all requirements under this condition have been met in accordance with the Public Works Standards and the Storm Water Design Manual.

HEX Condition 14: *Permanent survey control monuments shall be placed to establish public street centerlines, intersections, angle points, curves, subdivision boundaries and other points of control. A minimum of two permanent survey control monuments shall be installed at locations determined by the City in accordance with the City's Public Works Standards and recorded with the Pierce County Auditor prior to final engineering approval of civil improvements.*

Pursuant to Public Works, all requirements under this condition have been met in accordance with the Public Works Standards.

HEX Condition 15: *Irrigation and maintenance of landscaping within the public right of way shall be the responsibility of the property owner(s) or its heirs or assigns.*

This condition has been sufficiently addressed by the plat notes on sheet 1 of the final plat.

HEX Condition 16: *The final plat map shall note (where quoted) or delineate the following:*

- a. *"WARNING: City of Gig Harbor has no responsibility to build, improve, maintain or otherwise service private roadways or driveways within, or providing access to, property described in this plat."*
- b. *"Where seasonal drainage crosses subject property, no or disruption of the natural flow shall be permitted."*
- c. *Stormwater for runoff from buildings and parking surfaces shall be shown on individual building lots, including drywell sizing or storm drain connection points.*
- d. *If private roadways are proposed then provisions shall be made for the roads and easements to be open at all times for emergency and public service vehicle use.*
- e. *"This plat is subject to stormwater maintenance agreement recorded under Auditor's file number (enter AFN here)."*

- f. *“Stormwater/Drainage easements are hereby granted for the installation, inspection, and maintenance of utilities and drainage facilities as delineated on this plat map. No encroachment will be placed within the easements shown on the plat that may damage or interfere with the installation, inspection, and maintenance of utilities. Maintenance and expense thereof of the utilities and drainage facilities shall be the responsibility of the property owner(s) or its heirs or assigns, as noted under the stormwater maintenance agreement for the plat.”*

The language has been included on sheet one of the final plat as plat notes #2-6.

HEX Condition 17: *The applicant shall submit additional copies of its next storm drainage control plan to the City. The City will then distribute the plan to interested parties of record who will have 20 days from the date of submission to provide comments to the City and the applicant regarding said drainage control plan. However, the decision to approve or disapprove the plan is solely that of the City.*

This condition has been satisfied through the civil permit issued for this plat.

HEX Condition 18: *The decision set forth herein is based upon representations made and exhibits, including plans and proposals submitted at the hearing conducted by the hearing examiner. Any substantial change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to the approval of the hearing examiner and may require further and additional hearings.*

This condition is informational in nature; the final plat complies with this condition.

HEX Condition 19: *The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.*

This condition is informational in nature; the final plat complies with this condition.

- C. Meets the requirements of Chapter 58.17 RCW, other applicable state laws, this title and any other applicable city ordinances which were in effect at the time of preliminary plat approval.

The proposed final plat meets the requirements of Chapter 58.17 RCW, the requirements of Title 16 and those of other applicable city ordinances.

- D. **Director's Decision:** Carl de Simas, Community Development Director, recommends that the City Council move to **adopt** this resolution approving the final plat for Edwards Drive Plat.

EDWARDS DRIVE PLAT

RECEIVED
By C. ANDREWS at 9:25 am, Jan 10, 2024

SHEET 1 OF 3

A PORTION OF THE SW 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 21 N., RANGE 2 E., W.M.
CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON

DEDICATION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY, AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS SHOWN THEREON IN THE ORIGINAL REASONABLE GRADING OF SAID STREETS AND AVENUES, AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS AND TRACTS SHOWN ON THIS PLAT FOR ALL PUBLIC PURPOSES AS INDICATED THEREON, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACE, WETLANDS, UTILITIES AND DRAINAGE UNLESS SUCH EASEMENTS OF TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC IN WHICH CASE WE DO HEREBY DEDICATE SUCH STREETS, EASEMENTS OR TRACT TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHERMORE, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGN, ANY AND ALL CLAIMS FOR DAMAGES AGAINST ANY GOVERNMENTAL AUTHORITY WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHED CONSTRUCTION, DRAINAGE AND MAINTENANCE OF ROADS WITHIN THIS SUBDIVISION.

WE DEDICATE TO THE CITY OF GIG HARBOR, ITS OFFICERS, EMPLOYEES, AGENTS, SUCCESSORS, ASSIGNS, CONTRACTORS, FOR THE USE OF THE PUBLIC FOREVER, A PERPETUAL EASEMENT WITH A RIGHT OF IMMEDIATE ENTRY AND CONTINUED ACCESS FOR THE CONSTRUCTION, IMPROVEMENT, MAINTENANCE AND REPAIR OF SEWER PIPELINES, MANHOLES AND OTHER APPURTENANT SEWER STRUCTURES, DRYWELLS, OR UNDERGROUND DRAINAGE FACILITIES, WATERMAINS AND WATER METERS OVER, UNDER AND ACROSS THE EASEMENTS SHOWN ON THE FACE OF THIS PLAT.

ALSO, UPON RECORDING OF THIS PLAT, WE DEDICATE TO THE CITY OF GIG HARBOR, ITS OFFICERS, EMPLOYEES, AGENTS, SUCCESSORS, ASSIGNS, FOR THE USE OF THE PUBLIC FOREVER, THAT PORTION SHOWN HEREON FOR ROADWAY FOR EDWARDS DRIVE.

THE UNDERSIGNED OWNER OR OWNERS OF THE INTEREST IN THE REAL ESTATE DESCRIBED HEREIN HEREBY DECLARE THIS MAP AND DEDICATE THE SAME FOR A COMMON INTEREST COMMUNITY NAMED EDWARDS DRIVE PLAT, A PLAT COMMUNITY, AS THAT TERM IS DEFINED IN THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT, SOLELY TO MEET THE REQUIREMENT OF THE WASHINGTON UNIFORM COMMON INTEREST ACT AND NOT FOR ANY PUBLIC PURPOSE. THIS MAP AND ANY PORTION THEREOF IS RESTRICTED BY LAW AND THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS FOR EDWARDS DRIVE PLAT, RECORDED UNDER PIERCE COUNTY RECORDING NUMBER

THIS SUBDIVISION, DEDICATION, AND WAIVER OF CLAIMS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

RM HOMES, L.L.C.
A WASHINGTON LIMITED LIABILITY COMPANY

BY: _____

IT'S: _____

ACKNOWLEDGEMENT:

STATE OF WASHINGTON }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED TO ME PERSONALLY KNOWN (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE _____ OF THE CORPORATION THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES THE PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT AND THAT THE SEAL AFFIXED, IF ANY, IS THE CORPORATE SEAL OF SAID CORPORATION.

WITNESS MY HAND AND SEAL HERETO AFFIXED THE DAY AND YEAR IN THIS CERTIFICATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE
OF WASHINGTON, RESIDING IN _____
MY COMMISSION EXPIRES: _____

PRINT NOTARY NAME

PLAT NOTES:

- CHANGES TO THE APPROVED BUFFER AREA SHALL REQUIRE APPROVAL FROM THE CITY OF GIG HARBOR COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION.
- WARNING: THE CITY OF GIG HARBOR HAS NO RESPONSIBILITY TO BUILD, IMPROVE, MAINTAIN OR OTHERWISE SERVICE PRIVATE ROADWAYS OR DRIVEWAYS WITHIN OR PROVIDING ACCESS TO, PROPERTY DESCRIBED IN THIS PLAT.
- WHERE SEASONAL DRAINAGE CROSSES SUBJECT PROPERTY, NO DISRUPTION OF THE NATURAL FLOW SHALL BE PERMITTED.
- IF PRIVATE ROADWAYS ARE PROPOSED, THEN ALL PROVISIONS SHALL BE MADE FOR THE ROADS AND THE EASEMENTS TO BE OPEN AT ALL TIMES FOR EMERGENCY AND PUBLIC SERVICE VEHICLE USE.
- THIS PLAT IS SUBJECT TO STORMWATER MAINTENANCE AGREEMENT RECORDED UNDER AUDITOR'S FILE NO. 202310260321.
- STORMWATER/DRAINAGE EASEMENTS ARE HEREBY GRANTED FOR INSTALLATION, INSPECTION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES AS DELINEATED ON THIS PLAT MAP.
NO ENCROACHMENT WILL BE PLACED WITHIN THE EASEMENTS SHOWN ON THE PLAT THAT MAY DAMAGE OR INTERFERE WITH THE INSTALLATION, INSPECTION AND MAINTENANCE OF UTILITIES.
MAINTENANCE AND EXPENSE THEREOF OF THE UTILITIES AND DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER(S) OR ITS HEIRS OR ASSIGNS, AS NOTED UNDER THE STORMWATER MAINTENANCE AGREEMENT FOR THE PLAT
- THE LANDSCAPE FEATURES IN THE 25 FOOT PERIMETER BUFFER HAVE BEEN ESTABLISHED TO PROVIDE A DENSE VEGETATIVE SCREEN PER CITY CODE AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION, UNLESS OTHERWISE AGREED WITH LOT OWNER. ANY CHANGES TO THE APPROVED BUFFER LANDSCAPING SHALL REQUIRE APPROVAL FROM THE CITY OF GIG HARBOR PLANNING DEPARTMENT. SITE ACCESS DRIVEWAYS AND PEDESTRIAN WALKWAYS MAY CUT THROUGH THE REMAINING PERIMETER LANDSCAPE AREA SUBSTANTIALLY PERPENDICULAR TO THE PROPERTY LINE.

APPROVALS:

CITY MAYOR

I HEREBY CERTIFY THAT THIS PLAT OF EDWARDS DRIVE IS DULY APPROVED BY THE CITY OF GIG HARBOR CITY COUNCIL THIS _____ DAY OF _____, 20____, BY RESOLUTION NO. _____.

MAYOR, CITY OF GIG HARBOR

CLERK, CITY OF GIG HARBOR

CITY PLANNING

I HEREBY CERTIFY THAT THIS PLAT OF EDWARDS DRIVE IS IN CONFORMANCE WITH THE CITY OF GIG HARBOR COMPREHENSIVE PLAN AND ZONING CODE.

COMMUNITY DEVELOPMENT DIRECTOR,
CITY OF GIG HARBOR

DATE

CITY ENGINEER

I HEREBY CERTIFY THAT THIS PLAT OF EDWARDS DRIVE COMPLIES WITH THE APPLICABLE PROVISIONS OF THE CITY OF GIG HARBOR PUBLIC WORKS CONSTRUCTION STANDARDS.

CITY ENGINEER, CITY OF GIG HARBOR

DATE

CITY CLERK

I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS AND THAT ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN CONTAINED AS DEDICATED STREETS, ALLEYS OR FOR OTHER PUBLIC USE ARE PAID.

COMMUNITY DEVELOPMENT DIRECTOR,
CITY OF GIG HARBOR

DATE

ASSESSOR - TREASURER:

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE HAVE BEEN FULLY PAID AND DISCHARGED.

ASSESSOR-TREASURER, PIERCE COUNTY, WASHINGTON

DATE

AUDITOR'S CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF THE CITY OF GIG HARBOR
THIS _____ DAY OF _____, 20____, AT _____ MINUTES
PAST _____ M., RECORDS OF THE PIERCE COUNTY, WASHINGTON.

AUDITOR'S FILE NO. _____

PIERCE COUNTY AUDITOR

DEPUTY AUDITOR

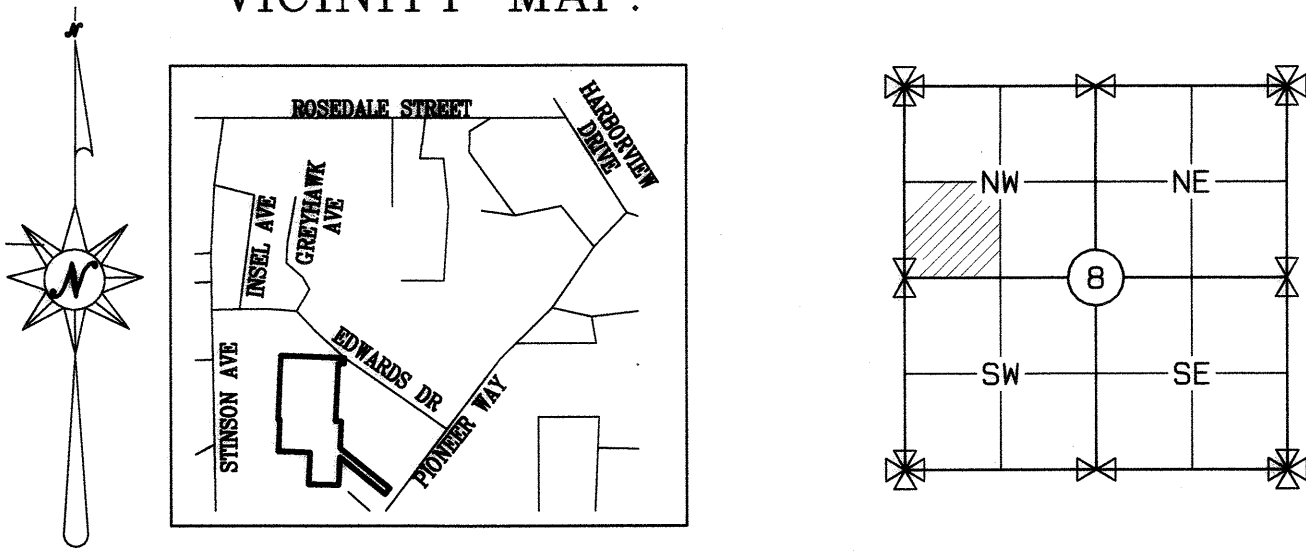
LAND SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF RM HOMES, L.L.C., A WASHINGTON LIMITED LIABILITY COMPANY, IN SEPTEMBER, 2023. I HEREBY CERTIFY THAT THIS MAP FOR EDWARDS DRIVE PLAT, IS BASED UPON AN ACTUAL SURVEY OF THE PROPERTY HEREIN DESCRIBED; THAT THE BEARINGS AND DISTANCES ARE CORRECTLY SHOWN; THAT ALL INFORMATION REQUIRED BY THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT IS SUPPLIED HEREIN; ALL MONUMENTS AND LOT CORNERS ARE SET OR BONDED WITH THE CITY AND WILL BE SET PRIOR TO RELEASE OF THE BOND. THAT THIS PLAT CONFORMS TO THE APPROVED PRELIMINARY PLAT AND THE CONDITIONS OF APPROVAL THEREOF.

STEPHEN H. WOODS, P.L.S. 38965

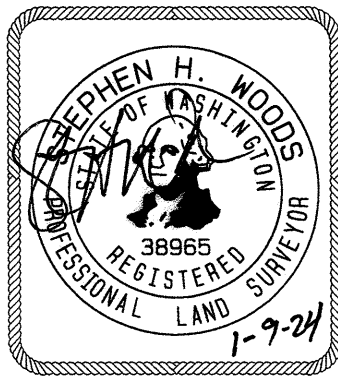
DATE

VICINITY MAP:



1" = 1000'

JOB NO. 21-201



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4706 97th Street NW, Suite #100, Gig Harbor, WA 98335
Phone: 253-857-5454 Fax: 253-509-0044 info@contourp11c.com

SW-NW 8, T21N, R2E, WM

VOLUME / PAGE

EDWARDS DRIVE PLAT

A PORTION OF THE SW 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 21 N., RANGE 2 E., W.M.
CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON

BASIS OF BEARING:

TRUE NORTH, BASED UPON GLOBAL POSITIONING SYSTEM (GPS) LAMBERT GRID WASHINGTON STATE SOUTH ZONE COORDINATES. A CONVERGENCE ANGLE OF ZERO COUNTERCLOCKWISE WAS APPLIED AT AN PUNCH ON A 3" BRASS DISC INCASED, LOCATED AT THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 21 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN. THE NORTH AMERICAN DATUM OF 1983/2011 (NAD 83/2011) GRID COORDINATES WERE FOUND TO BE 735278.735 / 1122360.887 AT THAT POINT. THE INVERSE OF BOTH THE SEA LEVEL CORRECTION FACTOR OF 0.9999994082 AND THE GRID SCALE FACTOR OF 0.9999986075 WAS APPLIED TO THE GRID COORDINATES FOR SHOWN GROUND DISTANCES.

LEGAL DESCRIPTION:

LOTS 2, 3 AND 4 AS SHOWN ON SHORT PLAT NO.8605290337 AND AFFIDAVIT OF MINOR CORRECTION RECORDED UNDER RECORDING NUMBER 8606100616, FILED WITH THE PIERCE COUNTY AUDITOR IN PIERCE COUNTY, WASHINGTON.

SURVEYOR'S NOTES:

- 1) THE MONUMENT CONTROL SHOWN FOR THIS SITE WAS ACCOMPLISHED BY FIELD TRAVERSE UTILIZING A THREE (3) SECOND THEODOLITE WITH INTEGRAL ELECTRONIC DISTANCE MEASURING METER (TRIMBLE S-3) AND REAL TIME KINEMATIC (RTK) / STATIC GLOBAL POSITIONING SYSTEM (GPS). LINEAR AND ANGULAR CLOSURE OF THE TRAVERSES MEET THE STANDARDS OF WAC 332-130-090.
- 2) UTILITIES OTHER THAN THOSE SHOWN MAY EXIST ON THIS SITE. ONLY THOSE WHICH ARE VISIBLE OR HAVING VISIBLE EVIDENCE OF THEIR INSTALLATION ARE SHOWN HEREON.
- 3) THIS SURVEY REPRESENTS PHYSICAL IMPROVEMENT CONDITIONS AS THEY EXISTED MARCH 22, 2018, THE DATE OF THIS FIELD SURVEY.
- 4) FULL RELIANCE FOR LEGAL DESCRIPTIONS AND RECORDED EASEMENTS HAVE BEEN PLACED ON THE TITLE REPORT FROM CHICAGO TITLE INSURANCE COMPANY COMMITMENT ORDER NO. 231780-TC REVISION 2ND GUARANTEE, DATED SEPTEMBER 29, 2023. NO ADDITIONAL RESEARCH HAS BEEN ATTEMPTED.
- 5) OFFSET DIMENSIONS SHOWN HEREON ARE MEASURED PERPENDICULAR TO PROPERTY LINES.
- 6) THE PURPOSE OF THIS SURVEY MAP IS TO CREATE A 14 LOTS PLAT.

BUILDING SETBACK NOTES:

- FRONT = 12 FEET FOR PORCHES
20 FEET FOR BUILDING
26 FEET FOR GARAGES/VEHICLE ACCESS
- * LOT 5 REQUIRES A 28.5 FOOT FRONT SETBACK DUE TO CITY OF GIG HARBOR LOT WIDTH REGULATIONS.
- INTERIOR = 8 FEET
- REAR = 30 FEET

TITLE REPORT NOTES:

PER CHICAGO TITLE COMPANY OF WASHINGTON COMMITMENT ORDER NUMBER 213780-TC REVISION 3RD GUARANTEE, DATED SEPTEMBER 29, 2023.

- 1. ITEM CONCERNING GIG HARBOR SHORT PLAT, FILED UNDER RECORDING NO. 8605290337 AND AFFIDAVIT OF MINOR CORRECTION, FILED UNDER RECORDING NO.8606100616. DOCUMENT CONTAINS A 30' PRIVATE ROAD AND UTILITY EASEMENT. EASEMENT HAS BEEN REMOVED PER TITLE REPORT ITEM NO.5 DOCUMENT, FILED UNDER RECORDING NO.202209260362.
- 2. ITEM CONCERNING A ROAD MAINTENANCE AGREEMENT OVER THE 40' PANHANDLE PORTION OF THE PROPERTY ABUTTING PIONEER WAY, FILED UNDER RECORDING NO.8605300018. THERE ARE ERRORS IN THIS DOCUMENT.
- 3. ITEM CONCERNING A SURVEY RECORDED UNDER RECORDING NO.201910085010. SEE CURRENT CONDITION SHOWN HEREON.
- 4. ITEM CONCERNING AN AMENDED AND REINSTATED EASEMENT AGREEMENT, FILED UNDER RECORDING NO.202208190268. SHOWN HEREON.
- 5. ITEM CONCERNING AN EASEMENT, FILED UNDER RECORDING NO.202209260362. THIS EASEMENT INCLUDES ALL STREET AND ROAD RIGHT-OF-WAYS WITHIN THIS PLAT AND THE ADJOINING 10 FEET THEREOF.
- 6-8. ITEMS CONCERNING TAXES. THESE ARE NOT SURVEY RELATED ITEMS.
- 9. ITEM CONCERNING A DEED OF TRUST, FILED UNDER RECORDING NO. 202112010894. THIS IS NOT A SURVEY RELATED ITEM.
- 10. TITLE COMPANY CONCERN.

EASEMENTS AND RESERVATIONS:

A DRAINAGE AND UTILITY EASEMENT (UE) IS HEREBY GRANTED TO THE CITY OF GIG HARBOR, PENINSULA LIGHT, CENTURY LINK, COMCAST, THE US POSTAL SERVICE AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON TRACTS A, C AND THE EXTERIOR 17.5 FEET ADJOINING AND PARALLEL WITH THE PROPOSED STREET FRONTAGE OF ALL LOTS AND TRACTS, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND PIPES, CONDUITS, CABLES, WIRES, WATER METERS, FIRE HYDRANTS, WATER SYSTEM APPURTENANCES, SANITARY SEWER STRUCTURES AND PUBLIC STORM DRAINAGE STRUCTURES WITH ALL NECESSARY OR CONVENIENT UNDERGROUND OR GROUND-MOUNTED APPURTENANCES THERETO FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS AND OTHER UTILITY SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AND TRACTS AT ALL TIMES FOR THE PURPOSE HEREIN STATED.

THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT OR FOR TELEPHONE USE OR CABLE TELEVISION SHALL BE PLACED OR PERMITTED TO BE PLACED UPON ANY LOT OR TRACT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

THE PRIVATE 10' DRAINAGE EASEMENTS SHOWN ON LOTS 6, 13 AND 14 ARE FOR THE BENEFIT OF THE HOMEOWNERS ASSOCIATION.

TRACT NOTES:

TRACT A IS AN INGRESS, EGRESS, PUBLIC UTILITIES AND MONUMENT SIGN TRACT. ALL LOTS HAVE AN EQUAL AND UNDIVIDED INTEREST IN THE TAXES, OWNERSHIP AND MAINTENANCE OF TRACT A. A PORTION OF TRACT A IS ALSO AN ACCESS AND UTILITIES EASEMENT FOR THE BENEFIT OF LOT 1 OF SHORT PLAT NO.8605290337 PER AGREEMENT FILED UNDER RECORDING NO.202208190268.

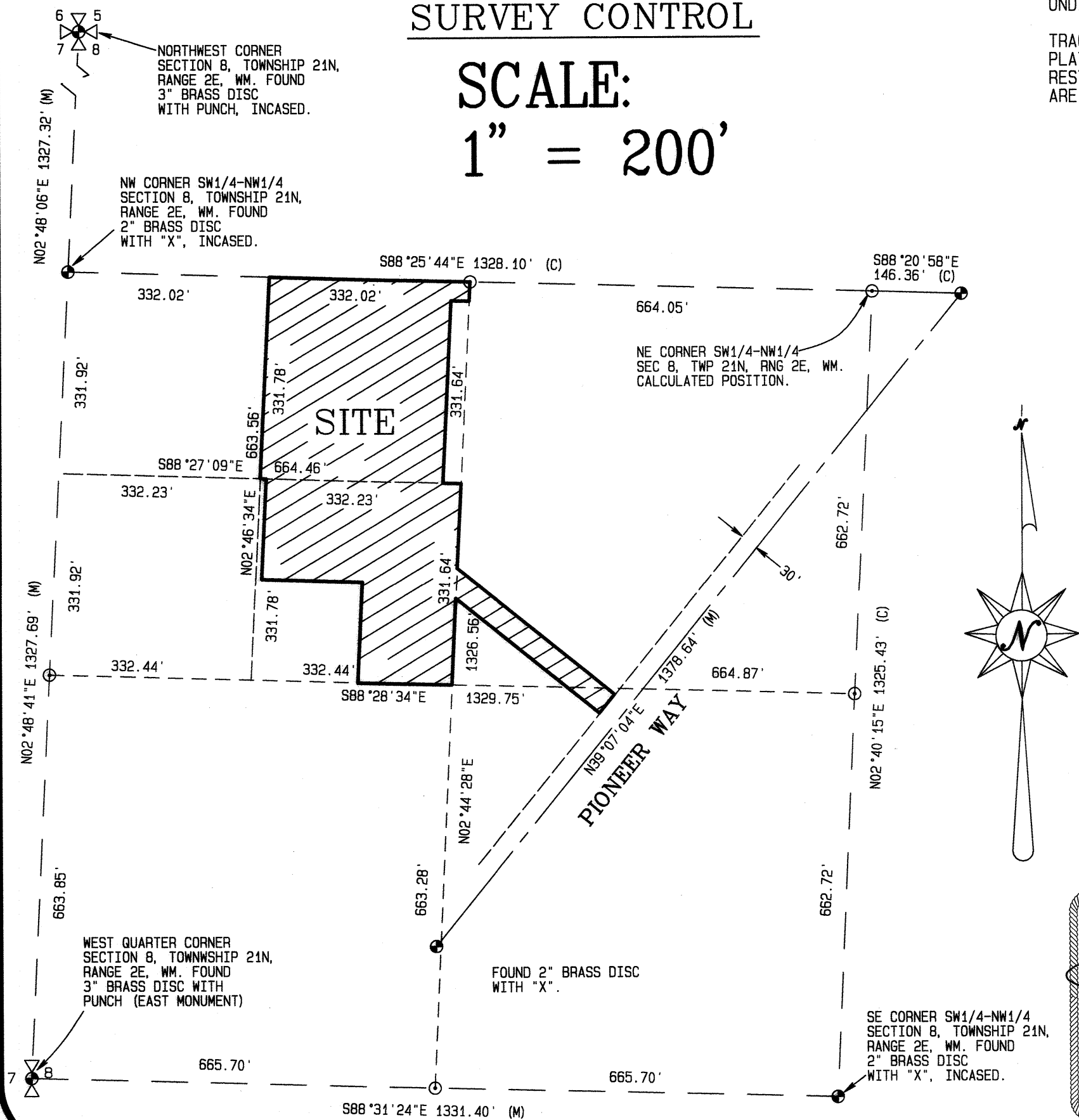
TRACT B IS AN OPEN SPACE TRACT. ALL LOTS HAVE AN EQUAL AND UNDIVIDED INTEREST IN THE TAXES, OWNERSHIP AND MAINTENANCE OF TRACT B. A PORTION OF TRACT B IS ALSO AN ACCESS AND UTILITIES EASEMENT FOR THE BENEFIT OF LOT 1 OF SHORT PLAT NO.8605290337 PER AGREEMENT FILED UNDER RECORDING NO.202208190268.

TRACT C IS AN INGRESS, EGRESS AND UTILITY TRACT. ALL LOTS HAVE AN EQUAL AND UNDIVIDED INTEREST IN THE TAXES, OWNERSHIP AND MAINTENANCE OF TRACT C.

TRACT D IS A RESERVE TRACT. TRACT D WILL BE "RETAINED BY THE OWNER OF THIS PLAT" FOR HIS/HER/THEIR SOLE INTERESTS AND WILL BEAR NO HOA RESTRICTIONS OR RESTRICTIONS TO POTENTIAL RIGHTS TO TRANSFER OWNERSHIP. PORTIONS OF TRACT D ARE AFFECTED BY AN AGREEMENT, FILED UNDER RECORDING NO.8605300018.

SURVEY CONTROL

SCALE:
1" = 200'



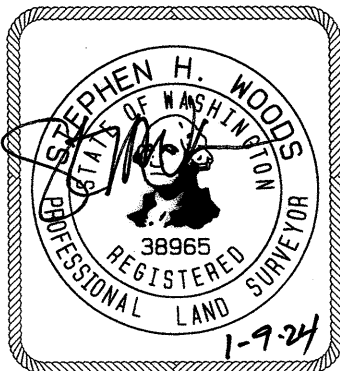
MAXIMUM IMPERVIOUS SURFACE CHART:

	GROSS LOT AREA (SQ.FT.)	MAX. COVERAGE PER LOT = 40% GROSS (SQ.FT.)
LOT 1	8,607	3,443
LOT 2	7,767	3,107
LOT 3	7,614	3,046
LOT 4	9,721	3,888
LOT 5	9,680	3,872
LOT 6	10,688	4,275
LOT 7	10,357	4,143
LOT 8	10,474	4,190
LOT 9	7,659	3,064
LOT 10	8,691	3,476
LOT 11	8,705	3,482
LOT 12	8,633	3,453
LOT 13	15,697	6,279
LOT 14	10,355	4,142

LEGEND:

- = FOUND MONUMENT AS NOTED, VISITED 12-10-2014.
- (C) = CALCULATED
- (M) = MEASURED

JOB NO.21-201



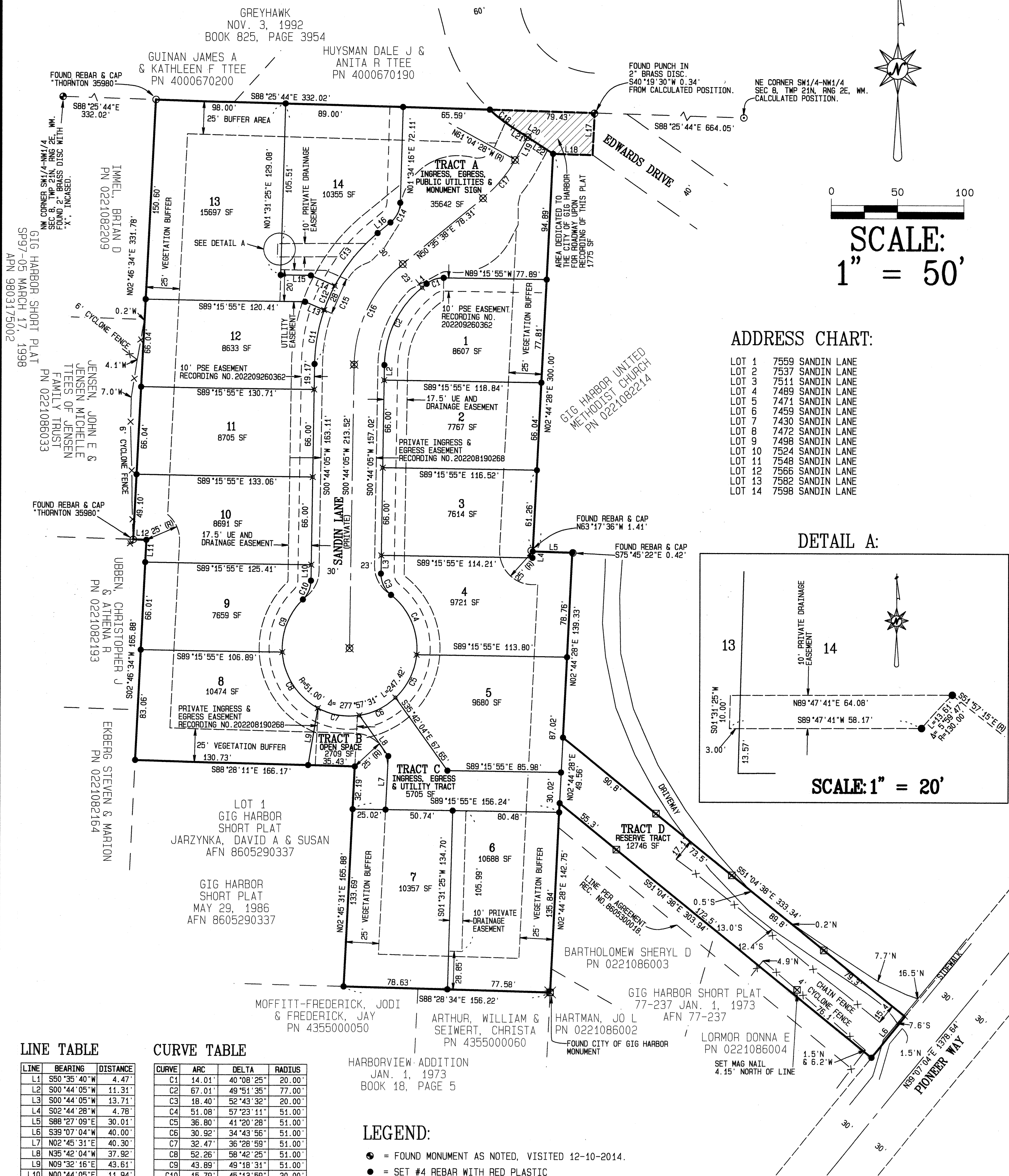
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SW-NW 8, T21N, R2E, WM

EDWARDS DRIVE PLAT

SHEET 3 of 3

A PORTION OF THE SW 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 21 N., RANGE 2 E., W.M.
CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON



LINE TABLE

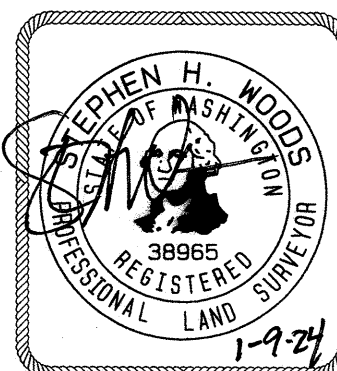
LINE	BEARING	DISTANCE
L1	S50°35'40"W	4.47'
L2	S00°44'05"W	11.31'
L3	S00°44'05"W	13.71'
L4	S02°44'28"W	4.78'
L5	S88°27'09"E	30.01'
L6	S39°07'04"W	40.00'
L7	N02°45'31"E	40.30'
L8	N35°42'04"W	37.92'
L9	N09°32'16"E	43.61'
L10	N00°44'05"E	11.94'
L11	N02°46'34"E	16.80'
L12	S88°27'09"E	10.00'
L13	S66°34'40"E	15.72'
L14	S66°34'40"E	19.73'
L15	S89°15'55"E	22.85'
L16	N50°35'40"E	12.60'
L17	N02°44'28"E	31.65'
L18	S88°25'44"E	30.01'
L19	N28°55'32"E	19.63'
L20	S57°23'08"E	36.52'
L21	S57°23'08"E	13.51'
L22	S57°23'08"E	23.01'
L23	S89°47'14"W	58.17'
L24	N01°31'25"E	10.00'
L25	N89°47'14"E	67.08'

CURVE TABLE

CURVE	ARC	DELTA	RADIUS
C1	14.01'	40°08'25"	20.00'
C2	67.01'	49°51'35"	77.00'
C3	18.40'	52°43'32"	20.00'
C4	51.08'	57°23'11"	51.00'
C5	36.80'	41°20'28"	51.00'
C6	30.92'	34°43'56"	51.00'
C7	32.47'	36°28'59"	51.00'
C8	52.26'	58°42'25"	51.00'
C9	43.89'	49°18'31"	51.00'
C10	15.79'	45°13'59"	20.00'
C11	41.47'	18°16'32"	130.00'
C12	20.02'	8°49'24"	130.00'
C13	51.64'	22°45'39"	130.00'
C14	17.11'	49°01'25"	20.00'
C15	113.13'	49°51'35"	130.00'
C16	87.02'	49°51'35"	100.00'
C17	37.82'	21°40'09"	100.00'
C18	21.71'	10°21'59"	120.00'
C19	13.61'	5°59'47"	130.00'

LEGEND:

- = FOUND MONUMENT AS NOTED, VISITED 12-10-2014.
- = SET #4 REBAR WITH RED PLASTIC CAP STAMPED "CONTOUR PLS 38965"
- ⊗ = SET STANDARD CITY OF GIG HARBOR MONUMENT.
- × = SET TACK WITH WASHER STAMPED "PLS 38965" ON PROPERTY LINE EXTENSION AT TOP BACK OF CURB
- SF = SQUARE FEET
- (C) = CALCULATED
- (M) = MEASURED
- ⊗ = SET MAG NAIL
- × = SCRIBED "X" IN CONCRETE
- (UE) = UTILITY EASEMENT



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SW-NW 8, T21N, R2E, WM

VOLUME / PAGE



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: February 12, 2024

SUBJECT: Appointment of Stephen McDuffie to Parks Commission

SUBMITTED BY: City Clerk Josh Stecker

DEPARTMENT: Administration

PHONE: (253) 853-7613

SUGGESTED MOTION: Move to confirm the appointment of Stephen McDuffie to the parks commission.

BACKGROUND INFORMATION: The mayor has selected Stephen McDuffie for appointment to the parks commission to fill an unexpired term ending on March 31, 2025.

FISCAL CONSIDERATION: None.

ATTACHMENTS: None

STRATEGIC PLAN PRIORITY: Promote environmental sustainability and preserve Gig Harbor's natural beauty.



DEPARTMENT UPDATES

Wednesday, February 7, 2024

A TWICE-MONTHLY SUMMARY FROM YOUR CITY OF GIG HARBOR LEADERSHIP TEAM

These department updates are an effort to increase our internal and external communication initiatives, to provide the mayor and city councilmembers with the information they need to serve the public and make informed decisions, and just as importantly, to share citywide information and updates with all staff and residents. Please feel free to send any questions, suggestions, or concerns about this document to communications@gigharborwa.gov.

ADMINISTRATION

City Administrator Katrina Knutson

City Council Retreat: Last Friday, the Gig Harbor City Council gathered for its [annual retreat](#). There they discussed a spectrum of city issues and topics, from parking mandates downtown to council's strategic plan and its goals. Department managers and directors presented council with their [2024 work plans](#), which outline and summarize each department's objectives, focus, and goals for the remainder of the year.

Council also received a thought-provoking [presentation](#) from H3 Program Manager Shea Smiley on [The Dignity Index](#). This eight-point scale measures speech along a continuum, ranging from contempt to dignity, prompting participants to reflect on their own mindset and communication style when speaking to someone with a different viewpoint.

This strategic meeting serves as a vital platform for collaborative discussions beyond regular meetings. The relaxed setting encourages open dialogue, team building, and the refinement of the long-term vision for our city.

Congratulations to Adam Blodgett: The city's Code Compliance Officer Adam Blodgett has officially passed all exams to earn the credentialing from the Washington Association of Code Enforcement. We are incredibly proud of Adam and commend this drive and perseverance in not only furthering his career, but also in serving this community with knowledge and respect.

COMMUNITY DEVELOPMENT

Community Development Director Carl de Simas

We have recently learned that we're required to adopt and/or revise the city's Commute Trip Reduction Plan and make any necessary amendments to our CTR ordinance, [Chapter 10.28 GHMC](#). The state CTR Law was passed in 1991, and codified in the Washington Clean Air Act, to address air pollution, petroleum-fuel consumption, and traffic congestion. WSDOT is the responsible state agency, and the Transportation Demand Management Technical Committee is responsible for review and approval of local programs. Our plan must be submitted no later than December 2024 and locally adopted no later than June 2025. WSDOT has provided [guidance and a template](#) for the program. Pierce County's [Ride Together](#) program will be offering guidance and assistance in the development of our plan as well. Happy commuting!

PLANNING

The online visioning survey closes Wednesday, February 7. To date we have received nearly 200 responses from the community weighing in on which development scenario (or combination of scenarios) they prefer. The final scenario will be used to determine the pattern of growth in Gig Harbor for the next twenty years.

The results of the survey will be posted on our [Comp Plan Update webpage](#) and will be the subject of discussion at the next public workshop, tentatively scheduled for March 7.

Changes to the Gig Harbor Municipal Code (GHMC) relating to site plan review requirements for changes of use will be heard at the Planning Commission Public Hearing on February 15. If approved, the change will reduce the review time and cost for local business owners seeking to open in Gig Harbor.

At its February 12 meeting, the city council will review two rezoning applications and the Final Plat for the subdivision on Edwards Drive. Please check the [city calendar](#) for more information about these projects.

BUILDING

Over this past reporting period, the Building Division has received applications for 16 permits.

We are excited to see the new Public Works Operations Center taking shape as finishes are being installed, including the beautiful trellis work that trims out the building very nicely.

Near to the new Operations Center, the new Maritime Storage site is full of activity as landscaping there has started as this project enters its home stretch.

CODE ENFORCEMENT

- Coordinated effort with GHPD to identify and address homeless encampment. GHPD found camp unoccupied. Code Compliance process has begun by informing private property owner of nuisance and working toward abatement and cleanup of camp.
- Notice of Violation issued for public nuisance property involving unlawful entry into an abandoned building, overgrown vegetation, and graffiti removal.
- Alleged health code violation. Turned over to Tacoma-Pierce County Health Department
- Site development activities not adhering to development standards. Letter for property inspection requested.
- Abandoned vehicle inquiry.
- Landlord/Tenant issue. Referred to statewide legal services program for tenants.
- 26 signs removed from ROW in between routine inspections.
- Ongoing case management.
- Code amendment updates. Ordinance being prepared to bring to council.
- Public Nuisance Request. Case was reviewed and discussed. Code Compliance process determined to be incorrect process for this issue. Referred to adult protective services and follow up with GHPD.
- Public Nuisance Request for wind chimes. Neighbor noise dispute.

COURT

Court Administrator Stacy Colberg

Jury Trials: The following case is set for jury trial on February 29. Jury trials are open to the public.

City vs. Brandon Hatch	Assault 4th - DV
------------------------	------------------

Caseload: The annual caseload statistics for 2023 have been published by the Administrative Office of the Courts. The Pierce County courts of limited jurisdiction caseload numbers are shown in the chart below.

The 2023 Gig Harbor Municipal Court caseload increased by 46% from 2022 but is still down significantly from pre-pandemic times. For example, in 2019 the Gig Harbor Municipal Court total caseload was 1,327, more than double from 2023. The biggest increase in case filings in 2023 is civil infractions.

Cases Filed - 2023 Annual Report

	Traffic	Non Traffic	DUI/ Phy Control	Other Traffic	Non Traffic	Civil Protection Orders	Civil (3)	Small Claims	Felony Complaints	Parking	Total
.Pierce 1 D	23,587	595	964	1,062	1,152	794	10,752	880	0	6,894	46,680
...Edgewood M	404	3	4	5	12	0	0	0	0	0	428
...University Place M	114	40	18	23	97	0	0	0	0	0	292
.Pierce 1 D Total	24,105	638	986	1,090	1,261	794	10,752	880	0	6,894	47,400
.Bonney Lake M	630	23	48	187	255	0	1	0	0	103	1,247
.Buckley M	789	1	36	59	29	0	0	0	0	0	914
.Du Pont M (LKM)	2,156	0	6	16	21	0	0	0	0	2	2,201
.Eatonville (ETN) M	134	14	2	19	18	0	0	0	0	1	188
.Fife M	156	1	30	63	375	0	12	0	0	32,916	33,553
.Fircrest M	1,246	1	5	115	46	0	0	0	0	195	1,608
.Gig Harbor M	278	9	21	66	146	0	0	0	0	136	656
.Lakewood M	1,374	178	134	203	1,073	0	0	0	0	15,878	18,840
.Milton M	265	5	19	128	129	0	0	0	0	33	579
.Orting M	385	2	13	41	48	0	0	0	0	13	502
.Puyallup M	4,653	32	311	491	801	0	0	0	0	36,744	43,032
.Roy M	104	0	0	8	0	0	0	0	0	1	113
.Ruston M	841	1	6	119	12	0	0	0	0	305	1,284
.S. Prairie (SHP) M	15	0	0	1	0	0	0	0	0	0	16
.Steilacoom (CST) Lakewood	261	2	8	29	31	0	0	0	0	8	339
.Sumner M	459	13	14	79	90	0	0	0	0	331	986
.Tacoma M	1,274	25	119	149	815	0	0	0	0	14,856	17,238
.University Place Lakewood	3	1	0	0	0	0	0	0	0	0	4
.Wilkeson M	76	0	0	8	4	0	0	0	0	0	88

FINANCE

Finance Director Dave Rodenbach

Levy Lid Lift Update: During the January 25 study session, the city council reconsidered the amount to request from voters via levy lid lift. The council settled on an amount of \$1.10 per \$1,000 of assessed valuation. The LID lift will be placed on the April 23 general election ballot. This amount will raise an additional \$2.0 million per year and, coupled with the 0.1% Public Safety Tax, should be sufficient for several years of operational budgets.

HUMAN RESOURCES

Human Resources Director Shannon Costanti

ADVANCE YOUR CAREER

Are you looking to grow in your career? There are a variety of opportunities currently available throughout the city. [Take a look](#) and apply today! If you know someone who would be a great fit, please be encouraged to tell them about it!

POSITION	TYPE	STATUS
Police Officer - Entry Level	FT	Continuous
Police Officer - Exceptional Entry	FT	Continuous
Police Officer - Lateral Entry	FT	Continuous
Police Services Specialist	FT	Closed - selection pending

ITS

Information Technology Services Manager Keith Smith

Facilities Security: We continue to work with our vendor, Security Solutions Northwest, to deploy cameras and door controls to facilities around the city for the new security badge system.

Public Works Operations Center: We are working with Public Works staff and contractors on technology installations and configurations in preparation for occupancy of the building.

POLICE

Police Chief Kelly Busey

Jail Contract: We renewed our ongoing contract with the Kitsap County Jail for housing of misdemeanor inmates. For the second year in a row, there was no price increase in our daily rate.

Volunteer Hours: In 2023, our COPS Volunteers put in a combined 1389 hours in support of the police department. Our volunteers really augment the police department by running errands, assisting in the front office, performing disabled parking enforcement, and virtually anything else we ask of them.

Police Services Specialist: We are in the background portion of the hiring process to replace the vacancy created when Debra Yerry retired in January. We hope to have news in the upcoming weeks.

Police Officer Hiring: Unfortunately, one of our recent hires was unable to complete his field training program. We wish him the best in future endeavors. Two weeks ago, we brought lateral Police Officer Alexa Ejde to our department. She comes to us from the Seattle Police Department and is already off to a good start.

Good Arrest: We recently experienced an uptick in vehicle prowls in the city. Additionally, Kitsap County and Tacoma report similar crimes. In one of the Kitsap incidents, a firearm was stolen from within a vehicle. Our Detectives identified the suspect as one who was recently released from serving a prison term for theft and burglary crimes. After some excellent investigation tactics, our Detectives located the suspect and took him into custody without incident. During the interview, he provided information for us to recover the stolen firearm and he admitted to several other thefts. Without capture, he certainly would have committed countless other crimes in our city and beyond.

PUBLIC WORKS

[Public Works Director Jeff Langhelm](#)

Skansie Brothers Park Apple Tree: Due to significant rot, the apple tree at Skansie Park was cut down on January 17, and a new silver maple was planted last week. Operations will bring in a stump grinder in the future to grind down the stump.



Eddon Boat Bathrooms: A few weeks ago, an insulated water pipe above the women's bathroom at Eddon Boat Park burst, soaking drywall and insulation in the bathrooms. ServePro came and removed the waterlogged materials, and a contractor will be hired to obtain building permits and replace the wet insulation and drywall. In the meantime, the bathrooms are closed. A temporary portable restroom is in place.

Adam Tallman Trail: During a rainy period in December, a platform that had been installed in Adam Tallman Park floated over and deposited itself on the paved trail. The city has been in touch with Rush, who owns the land the park is on, and who installed the platform. They will work on demolishing and removing the platform.

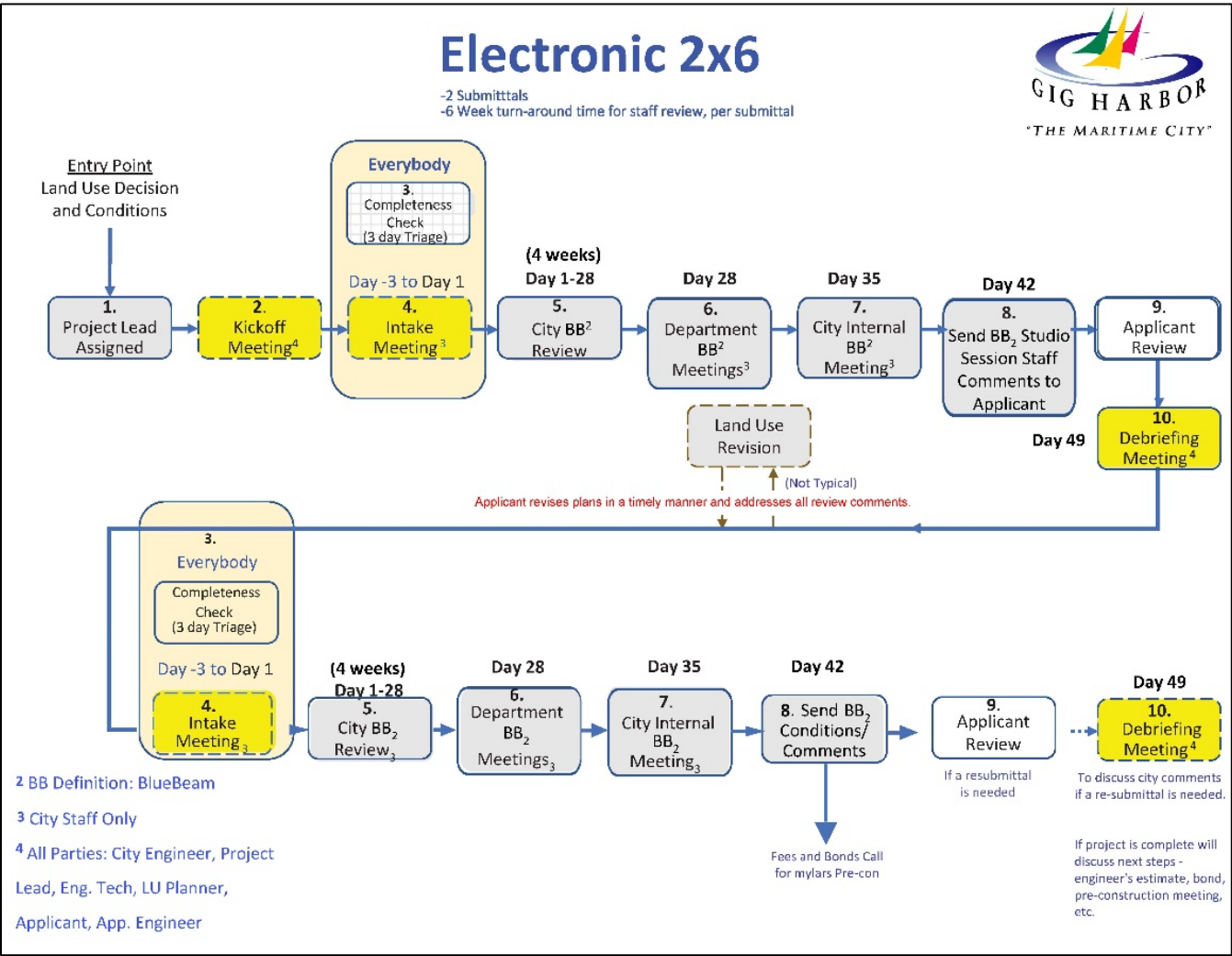


Damaged Art at Austin Estuary: Public Works staff has been in contact with the artist who carved the Our Fisherman, Our Guardian sculpture that was damaged on January 22 or 23. The artist will provide the city with a timeline and an estimated cost for repair.

DNR Lease for Maritime Pier: Public Works staff is working on renewal of the lease for a portion of the tidelands at Maritime Pier. After staff and the city's attorney review the lease, it will be placed on a city council agenda in the near future.

Wastewater Division Updates: (1) Kudos to Jim and Nancy for submitting the city's required annual biosolids reports to both the EPA and Department of Ecology on February 1. The biosolids management, including reporting, requires a significant amount of time and attention to prepare. (2) Staff is preparing to begin an extensive two-week digester solids sampling plan. Results from this sampling will be provided to the contracted engineering firm that is performing the wastewater treatment plant digester upgrade project. (3) Staff has begun to make site visits to all food service establishments to discuss their responsibility in the removal and handling of their fats, oils, and grease (FOG) from the public sanitary sewer system. The goal is to visit all food service establishments within the city by the end of March.

Civil Engineering Permit Review: The Engineering Division has received the civil permit application for the Summit Point project (a residential subdivision off 112th). The applicant requested to use Engineering’s expedited civil review permit process (electronic “2x6”). This process commits the applicant and the city to very strict timelines for review and resubmittal with the intent of providing a reliable timeframe by both parties for permit review. We are excited to offer this option to reduce the time it takes to issue a civil construction permit.

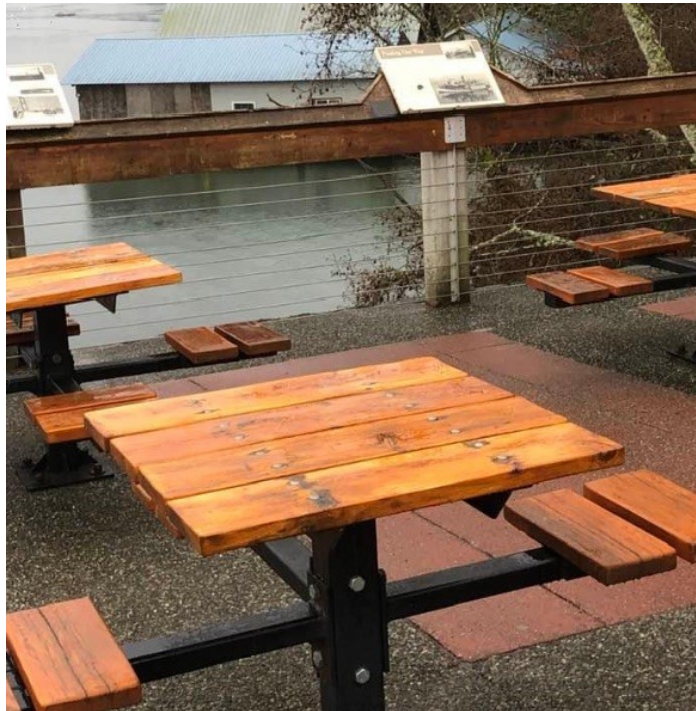


Annual Stormwater Report to Ecology: It’s that time of year again for our stormwater program’s annual report to the Department of Ecology. Michael Abboud, along with support from Mandy Chapman, develops and submits these reports each March. These reports gather all sorts of data to demonstrate to the state that the city is complying with the requirements of our Phase II Municipal Stormwater Permit.

Successful EV Charging Station Grant: Shout out to Chloe Wiser for successfully securing the award of \$48,000 from the Washington Electric Vehicle Charging Program! This grant provides payment for the city fleet EV charging stations.

Well #3: Staff and our consultant have successfully installed and began operating the budgeted variable frequency drive (VFD) at Well #3. The VFD provides many operational benefits, including direct control of pump volumes and lower start-up demands on the motor and associated electrical system.

Parks and Grounds Maintenance: (1) Staff has started the large task of resurfacing and repairing various park benches and tables. This has included the tables with benches located at the Old Ferry Landing Park (see photo below). (2) Staff has started trimming street trees along Borgen Blvd and Harbor Hill Drive. This trimming will keep streetlights projecting onto the ground and will remove branches from the path of large vehicles.





**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: February 12, 2024

SUBJECT: Resolution 1305 Calling for a Special Election to be Held in the City on April 23, 2024, for the Purpose of Authorizing a Single-Year, Permanent Property Tax Levy Lid Lift Starting in 2025 to Provide for the Continual Provision of Public Safety, Streets and Park Maintenance, and Other Governmental Services; Setting Forth the Ballot Title Therefore; and Requesting that the Pierce County Auditor Place the Proposition on the April 23, 2024, Ballot

SUBMITTED BY: City Administrator Katrina Knutson

DEPARTMENT: Administration

PHONE: (253) 851-6127

SUGGESTED MOTION: Move to approve Resolution 1305 and authorize the mayor to execute a professional services contract with a communications firm to relay facts and information regarding the levy lid lift to the community in an amount not to exceed \$30,000.

BACKGROUND INFORMATION:

At the January 25 study session, council gave staff direction to prepare a resolution placing a levy lid lift ballot measure on the special election of April 23. Council directed staff to prepare a ballot measure seeking a rate of \$1.10 per \$1,000. This would be a \$0.40 increase over the current \$0.70 rate.

In preparation for this resolution, staff has prepared a web page detailing the effects of the levy lid lift and answering key questions from the community: <https://www.gigharborwa.gov/872/2024-Levy-Lid-Lift-Special-Election>

The city attorney has prepared a draft ballot statement to accompany the ballot title provided for by resolution:

Gig Harbor proposes a single-year, permanent levy lid lift to increase property taxes above the statutorily constrained 1% limitation starting in 2025. The levy lid lift authorized by this proposition would apply in 2025 after which the 2025 levy amount would be used to calculate subsequent property tax rates consistent with the limitations provided for by law. The proposed increase would be used to provide for the provision of public safety, streets and park maintenance, and other governmental services at levels which meet the city's and community's expectations but which the city's current revenue is unable to sustain. If approved, this proposition would provide for an increase of \$0.40 per \$1,000 of assessed valuation resulting in an authorized rate of \$1.10 per \$1,000 of assessed valuation. This adds approximately \$300.00 per year to the annual property tax bill for an example home valued at \$750,000.

Staff is also proposing to contract with JayRay to provide communications support to help inform the community about the levy lid lift and the city's current budget shortfall.

FISCAL CONSIDERATION: If enacted by the voters, the levy lid lift would provide additional general fund revenue that would be accounted for in the city's 2025-26 Budget.

The \$30,000 expenditure for communication outreach is not identified in the current city budget, but funding is currently available in the general fund.

ATTACHMENTS:

1. Resolution 1305
2. Levy Lid Lift Presentation

STRATEGIC PLAN PRIORITY: Ensure sustainable future for public services and facilities.

RESOLUTION 1305

A RESOLUTION OF THE CITY OF GIG HARBOR, WASHINGTON, CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY ON APRIL 23, 2024, FOR THE PURPOSE OF AUTHORIZING A SINGLE-YEAR, PERMANENT PROPERTY TAX LEVY LID LIFT STARTING IN 2025 TO PROVIDE FOR THE CONTINUAL PROVISION OF PUBLIC SAFETY, STREETS AND PARK MAINTENANCE, AND OTHER GOVERNMENTAL SERVICES; SETTING FORTH THE BALLOT TITLE THEREFORE; AND REQUESTING THAT THE PIERCE COUNTY AUDITOR PLACE THE PROPOSITION ON THE APRIL 23, 2024, BALLOT

WHEREAS, the City Council of the City of Gig Harbor, Washington desires to provide for the continual provision of public safety, streets and park maintenance, and other governmental services; and

WHEREAS, in order to sustain the foregoing at levels which meet the city's and community's expectations, the city is in need of additional funds to supplement existing city general fund revenue which is applied for these purposes; and

WHEREAS, the city's current regular property tax levy is \$0.70 per \$1,000 of assessed value, instead of the statutorily authorized amount of \$1.60 per \$1,000 of assessed value; and

WHEREAS, RCW 84.55.050 provides for the levy of regular property taxes in an amount exceeding the limitations specified in RCW Chapter 84.55 if such increased levy is authorized by a ballot proposition approved by a majority of the voters at an election held within the taxing district (a "levy lid lift"); and

WHEREAS, the city council has therefore determined to submit a proposition to the voters authorizing a single-year, permanent lid lift at a rate not to exceed \$1.10 per \$1,000 of assessed valuation at a special election to be held on April 23, 2024.

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

Section 1. Call for Election on April 23, 2024. The Pierce County Auditor is hereby requested to place upon the special election ballot in the City of Gig Harbor on April 23, 2024, a proposition for the purpose of submitting to the qualified electors of the city, for their approval or rejection, a proposition approving a single-year, permanent increase in the city's regular property tax levy exceeding the limit factor provided in RCW 84.55.050, for collection in 2025, in order to provide for the provision of public safety, streets and park maintenance, and other governmental services within the city. Said question shall be in substantially the form set forth in Section 2 below and shall authorize the city to levy a single year, permanent increase to the City's existing tax levy

by \$0.40 per \$1,000 of assessed value, to a total regular property tax levy rate of \$1.10 per \$1,000 of assessed valuation for collection beginning in 2025. The levy amount for 2025 shall be used to calculate subsequent levy limits.

Section 2. Ballot Title and Proposition. The ballot title and proposition to be submitted to the voters shall be in substantially the following form:

**CITY OF GIG HARBOR PROPOSITION NO. 1
SINGLE -YEAR, PERMANENT LEVY LID LIFT**

This proposition pertains to a single year, permanent increase to the city's property tax levy to be used on public safety, streets and park maintenance, and other governmental services. This proposition would increase the city's regular property tax rate by \$0.40 to a total authorized rate of \$1.10 per \$1,000 of assessed value for collection in 2025 and annually thereafter. The 2025 levy would be used for subsequent levy limits.

Should this proposition be approved?

___ YES
___ NO

Section 3. Changes. The mayor and city attorney are authorized to make such minor adjustments to the wording of such proposition as may be recommended by the Pierce County Auditor, as long as the intent of the proposition remains clear and consistent with the intent of this resolution as approved by the city council.

Section 4. Local Voters' Pamphlet. The city attorney is directed to prepare and submit the explanatory statement for the ballot proposition as required. The arguments for and against the ballot proposition shall be prepared by the committees appointed by the city council pursuant to RCW 29A.32.280.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 12th day of February, 2024.

Tracie Markley
Mayor

Attest:

Joshua Stecker, CMC
City Clerk

2024 LEVY LID LIFT

City of Gig Harbor

What is a Levy Lid Lift?

- Property taxes are “levied” against your real property.
- Rate is initially based upon assessed value for 2025.
- Rate is \$ per thousand as determined by Pierce County Assessor.
- Rate is capped at a maximum amount by state law – a “lid.”

How are Property Taxes Used?

- General Fund
- Daily Operations (Public Safety/Police, Infrastructure Maintenance, Court, Parks, Personnel, etc.)
- Different than “Enterprise Funds” (Sewer, Water, Stormwater)

Who Pays City Property Tax?

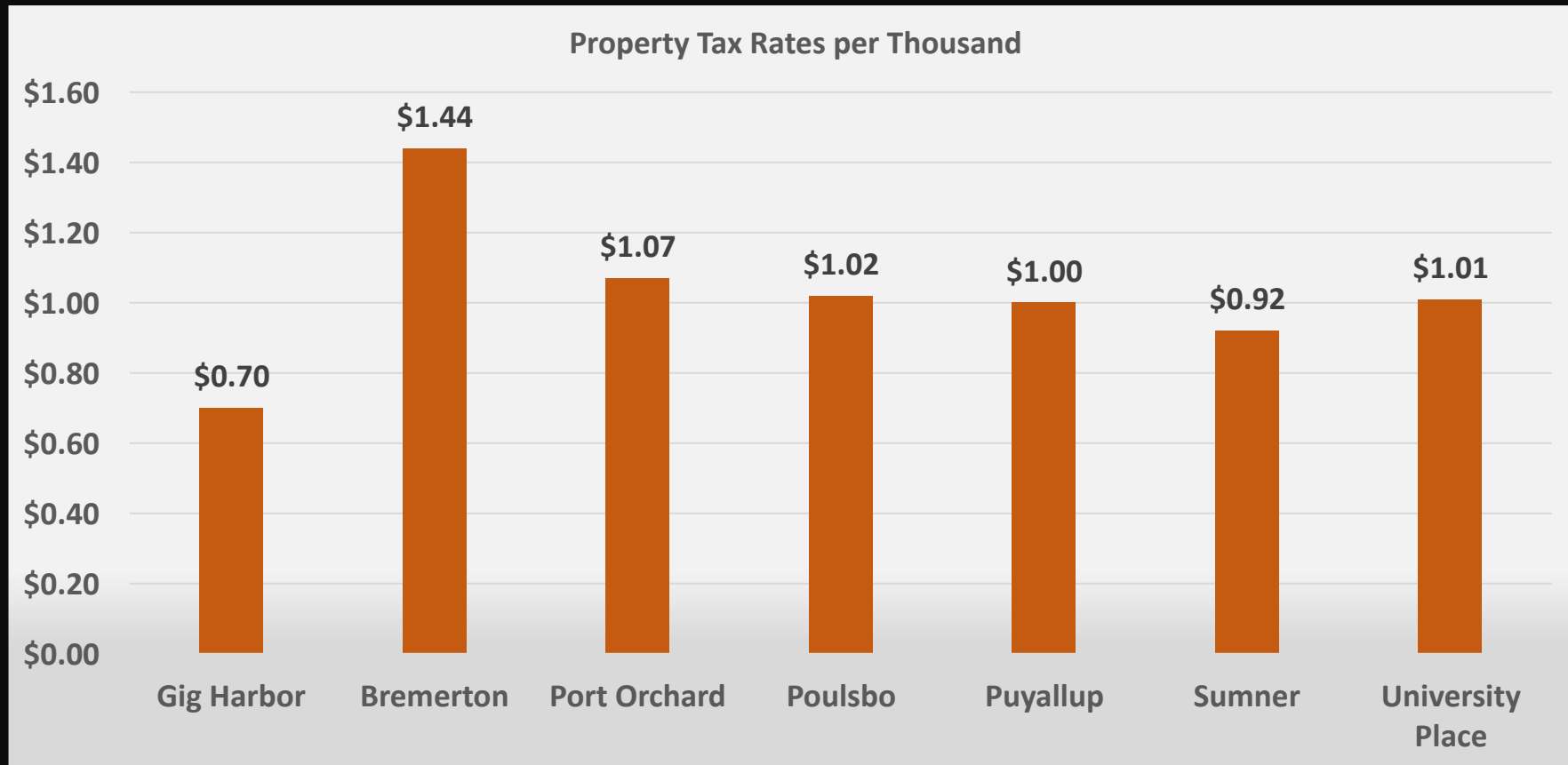
- Landowners Within City Limits
- Not Unincorporated Pierce County

Levy Rates (per thousand)

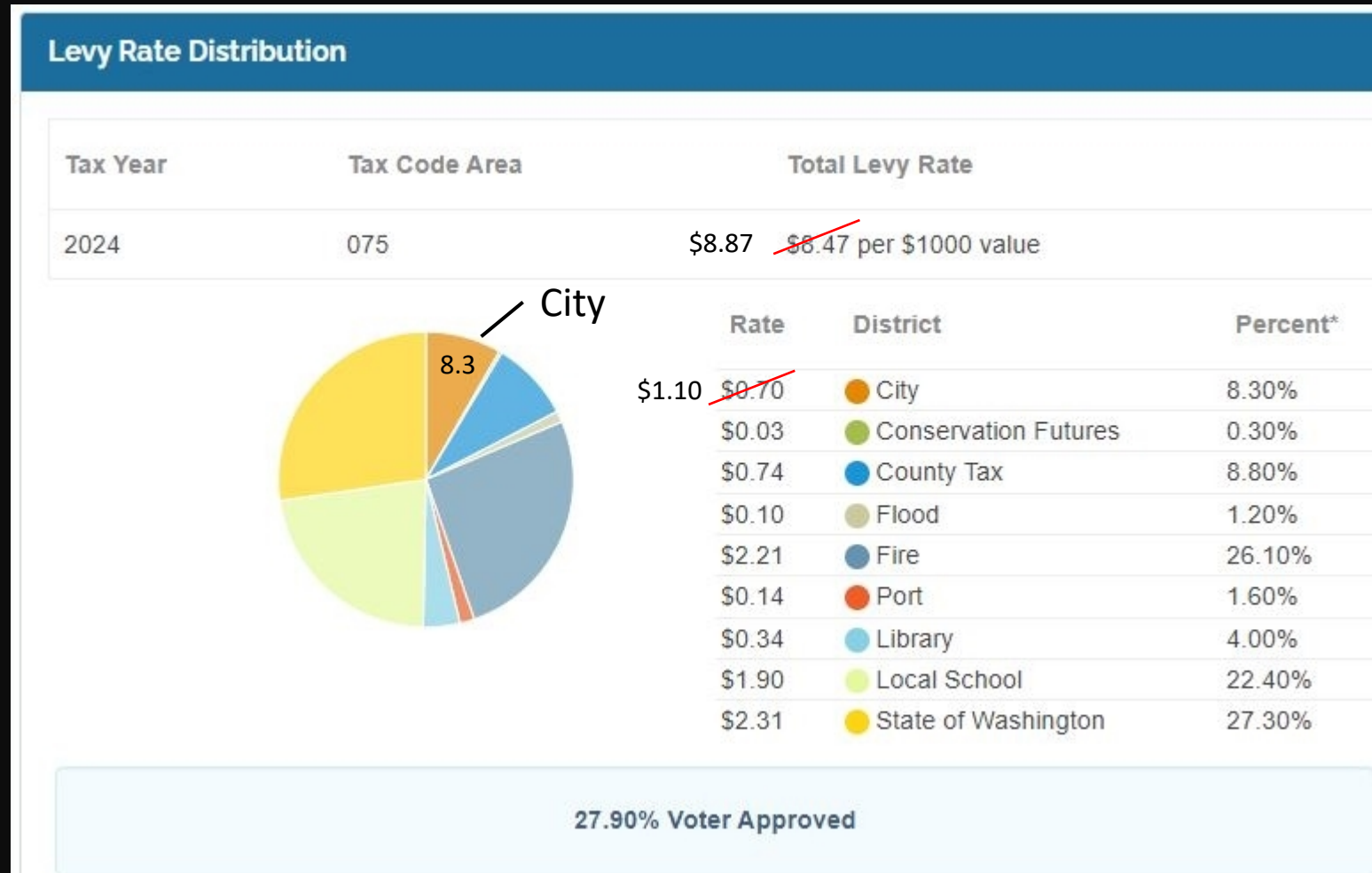


Last Gig Harbor lid lift was in 1980

What Do Other Cities Pay?



Where Do My Property Taxes Go?



This is the only portion proposed to increase by 57%

The Outlook

Conclusion

A structural imbalance remains between cities' revenue options and cities' obligations to fund critical services for residents. This imbalance means it is critical to continue to advocate for greater diversity in funding sources.

We also need the state to recognize both the intrinsic value of the services cities provide to Washington's residents and the economic value cities provide to the state's budget, and partner with cities to invest in infrastructure and city services.

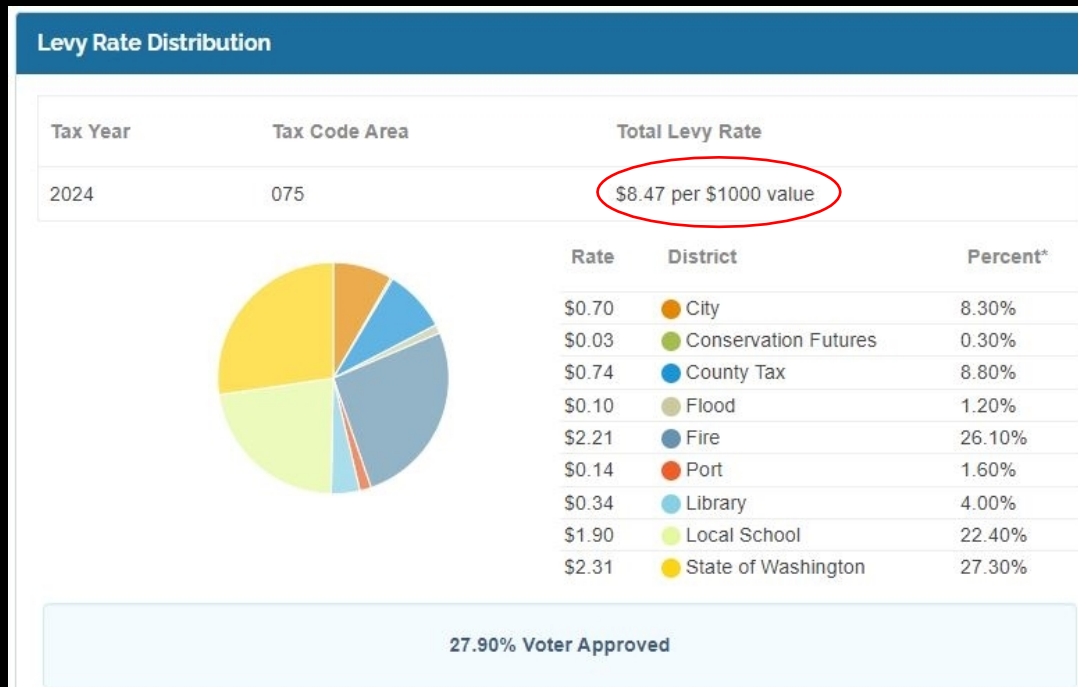
Source: Association of Washington Cities 2/2024

COMPARISON

City Residence

Assessed Value = \$756,200

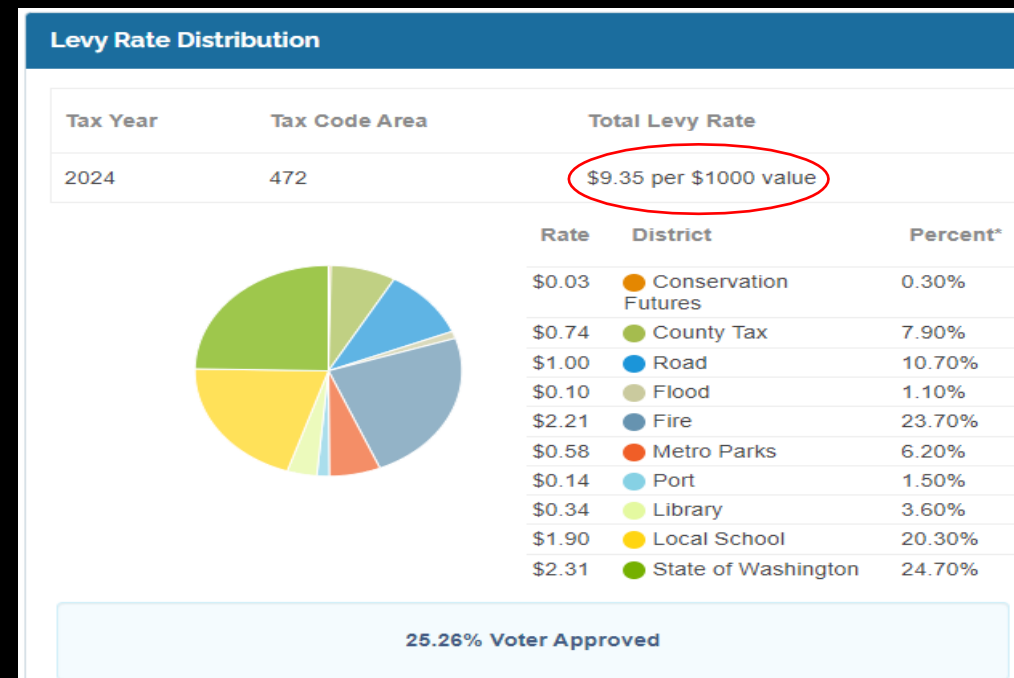
2024 Property Taxes = \$6,404



County Residence

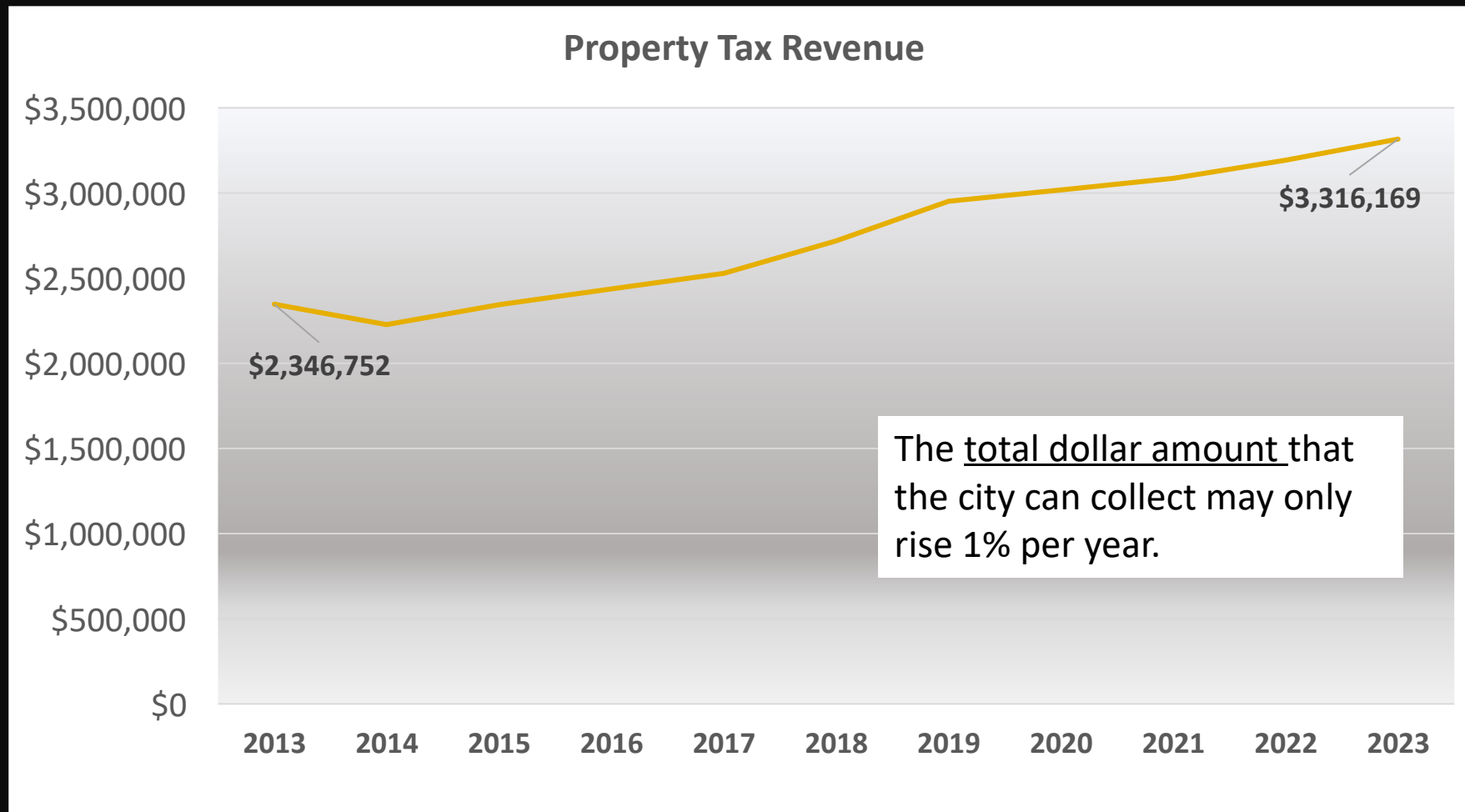
Assessed Value = \$754,200

2024 Property Taxes = \$7,196

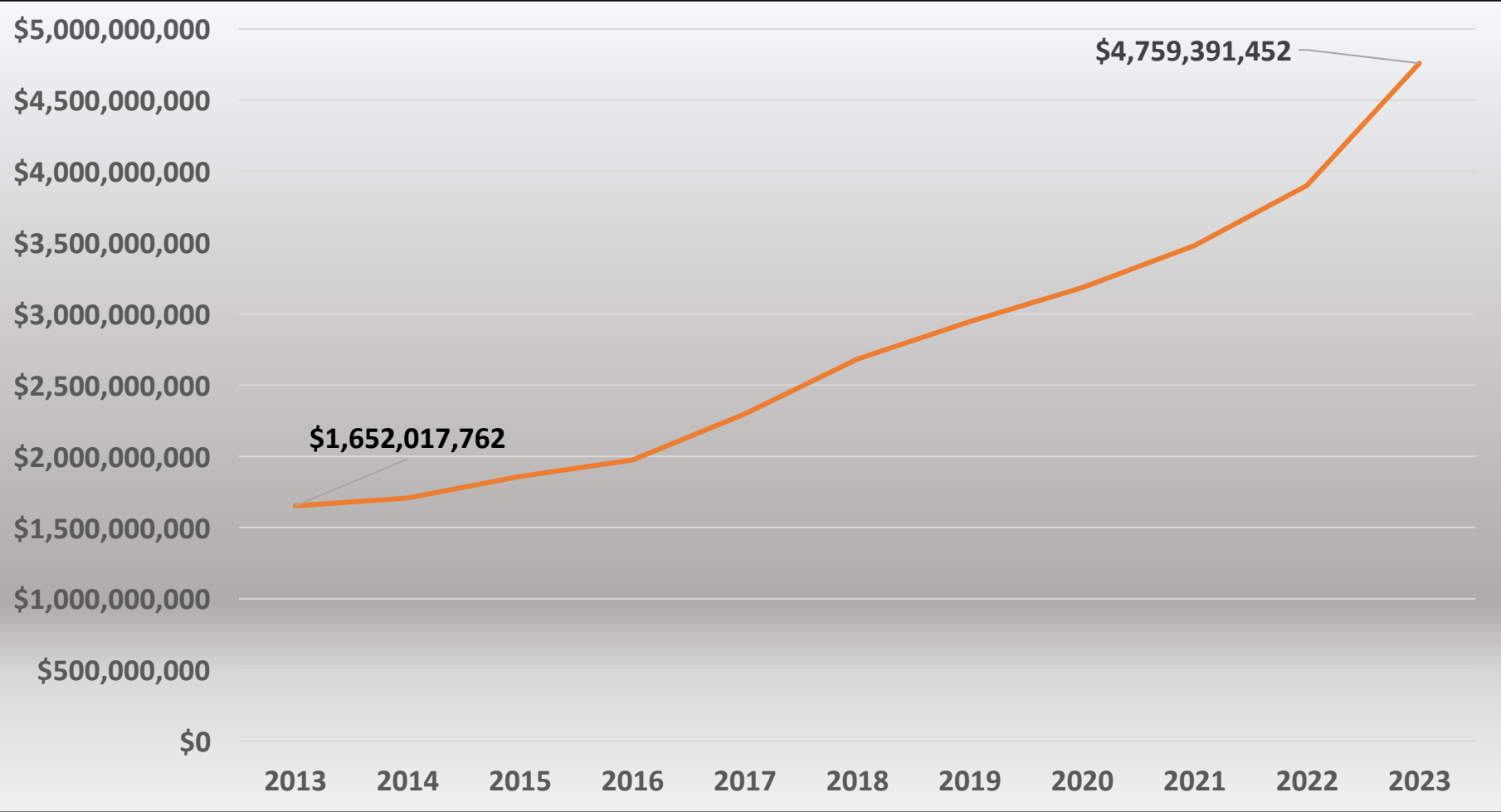


A small number of city residents also pay PenMet Parks levy.

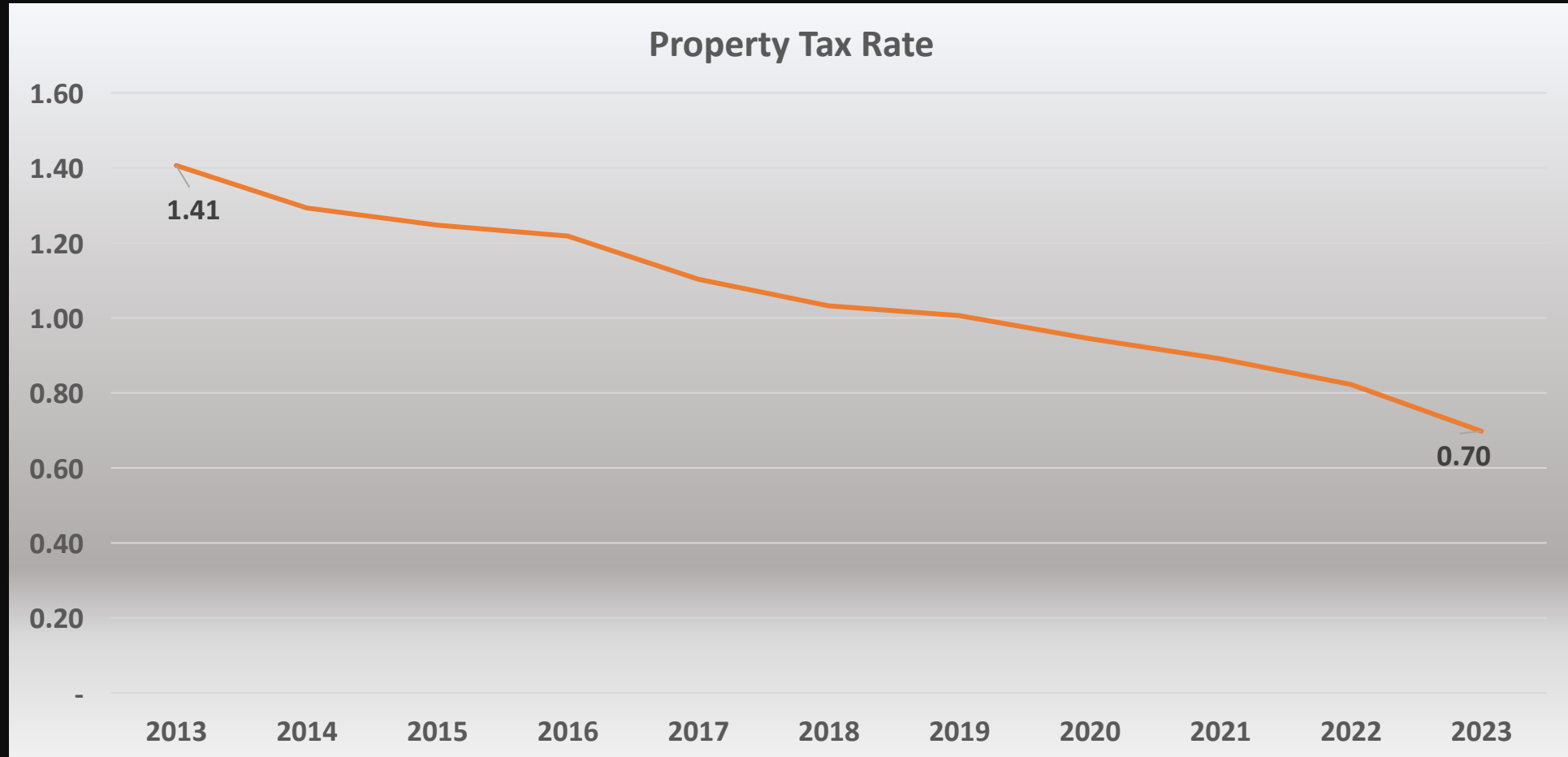
Increases Limited to 1% Total Revenue per Year



Assessed Value



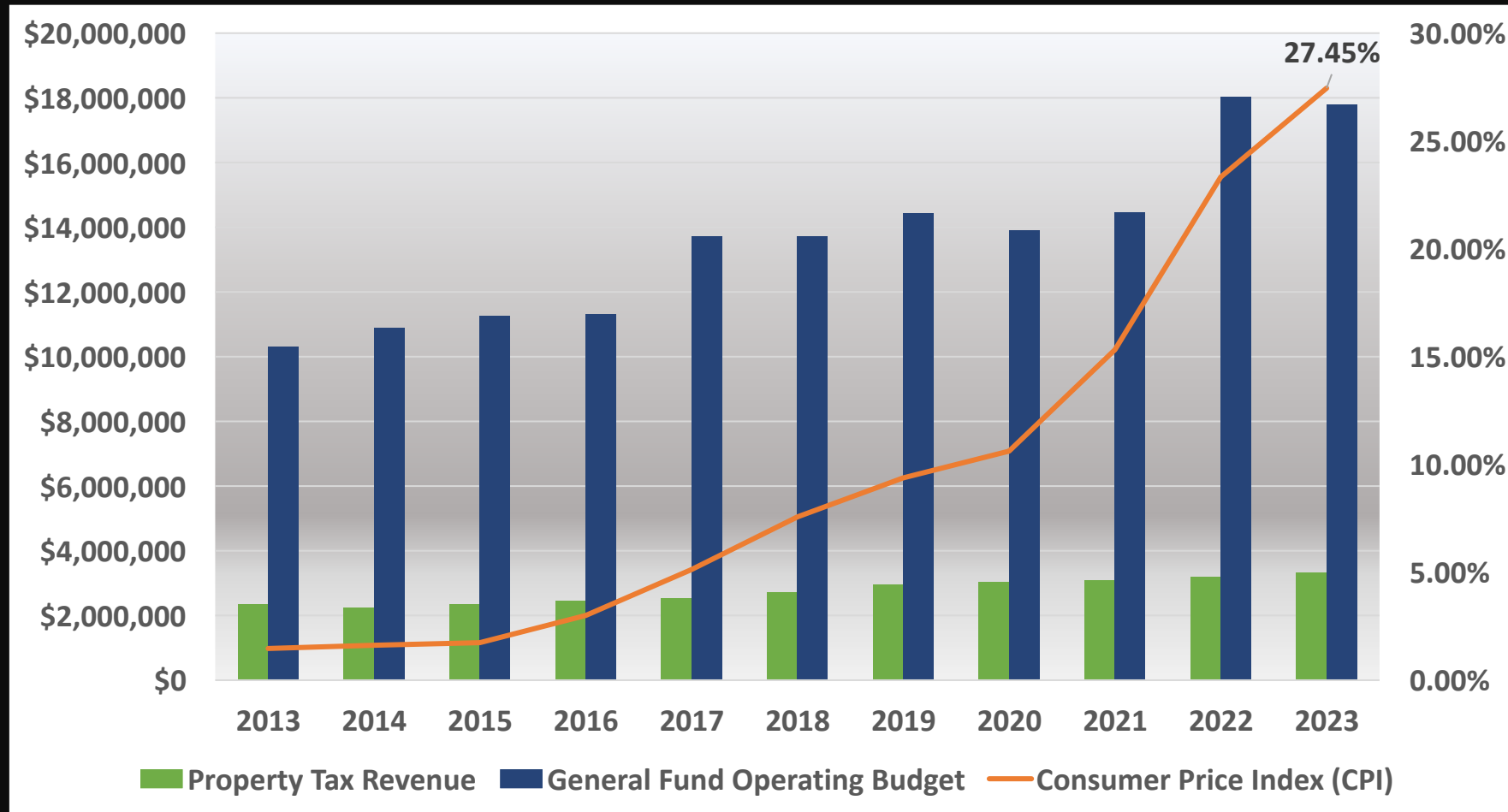
Levy Rate Over Time



Property Tax Revenue vs Budget



Property Tax Revenue vs Budget (vs CPI over time)

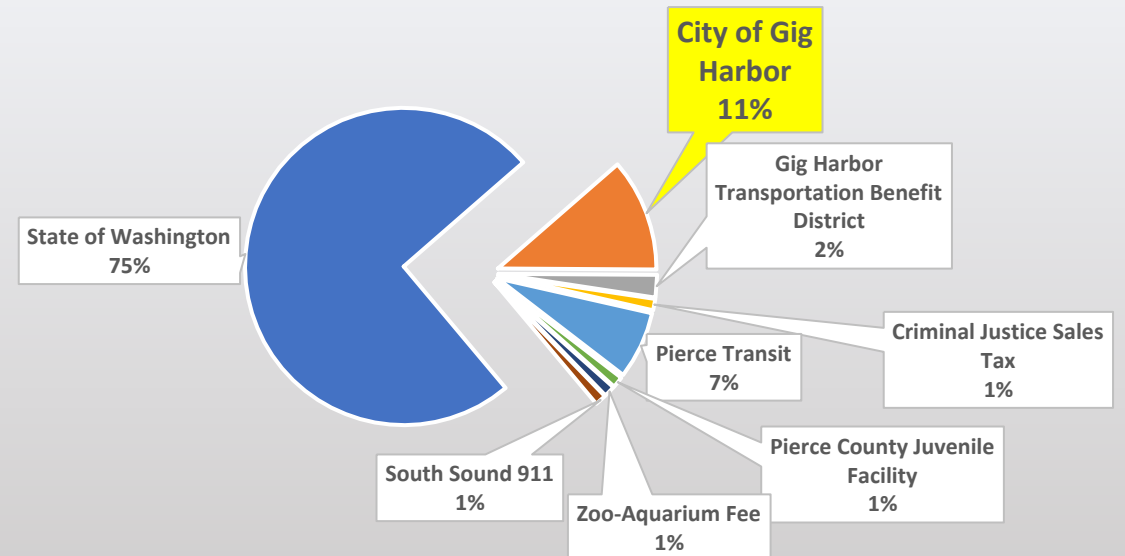


Other Major Revenue Sources

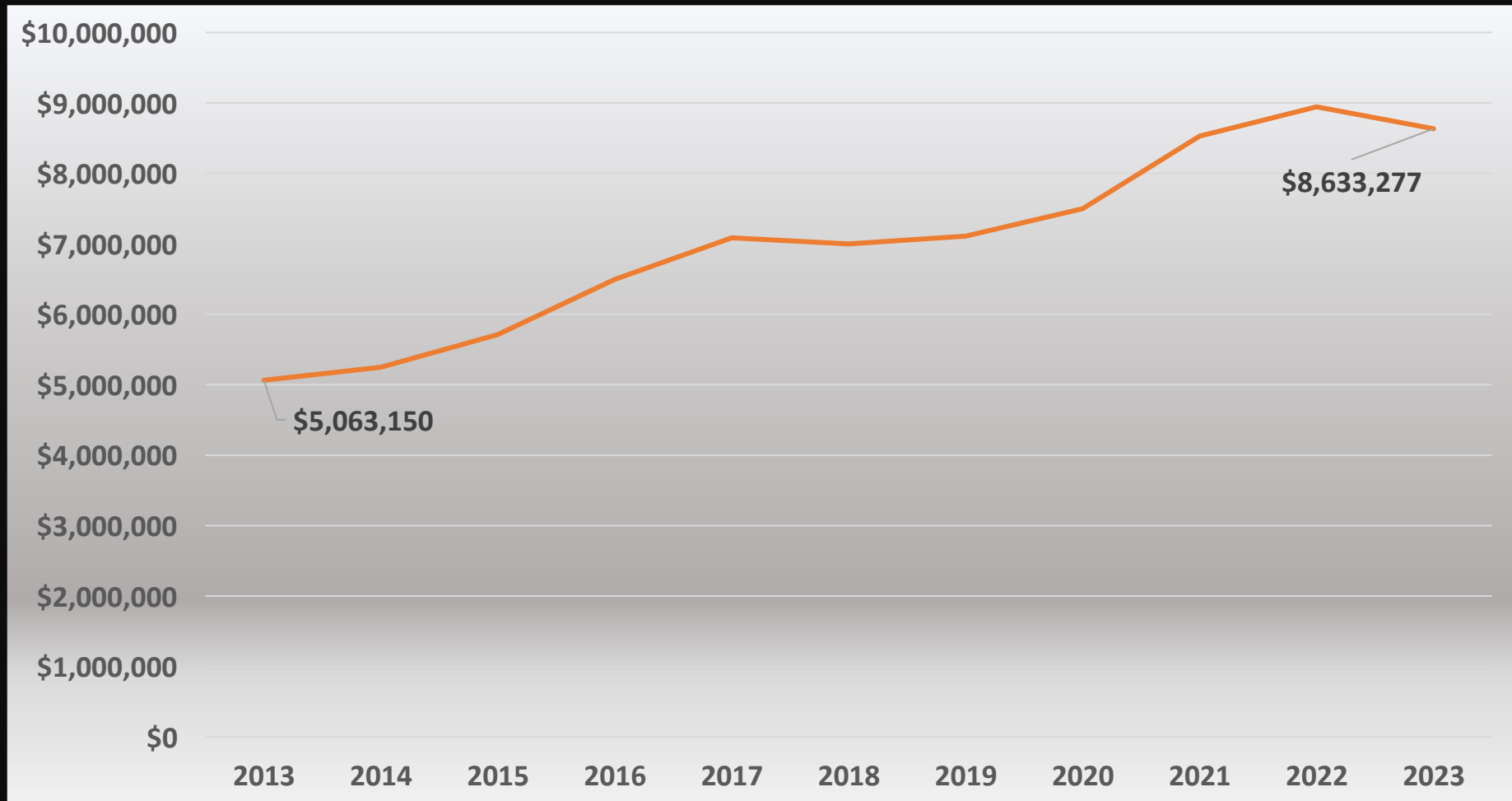
- Sales Tax
- Development Fees (Permit Fees)

Sales Tax – 8.7%

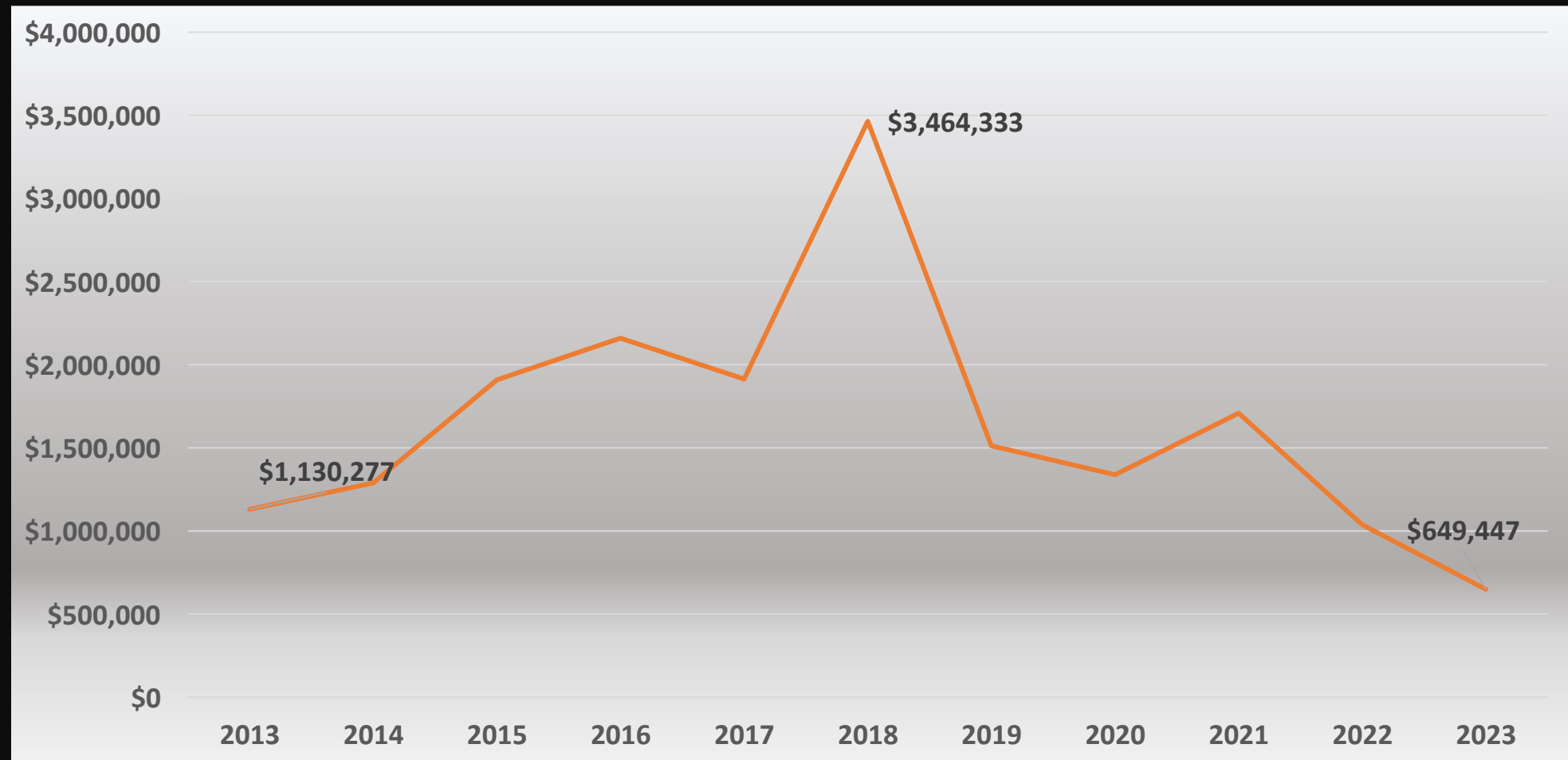
Agency		Rate
State of Washington		6.50%
City of Gig Harbor	15% to Pierce County	1.00%
Gig Harbor Transportation Benefit District	Transportation Projects Only	0.20%
Criminal Justice Sales Tax		0.10%
Pierce Transit		0.60%
Pierce County Juvenile Facility		0.10%
Zoo-Aquarium Fee		0.10%
South Sound 911		0.10%
Total Sales/Use Tax Rate		8.70%



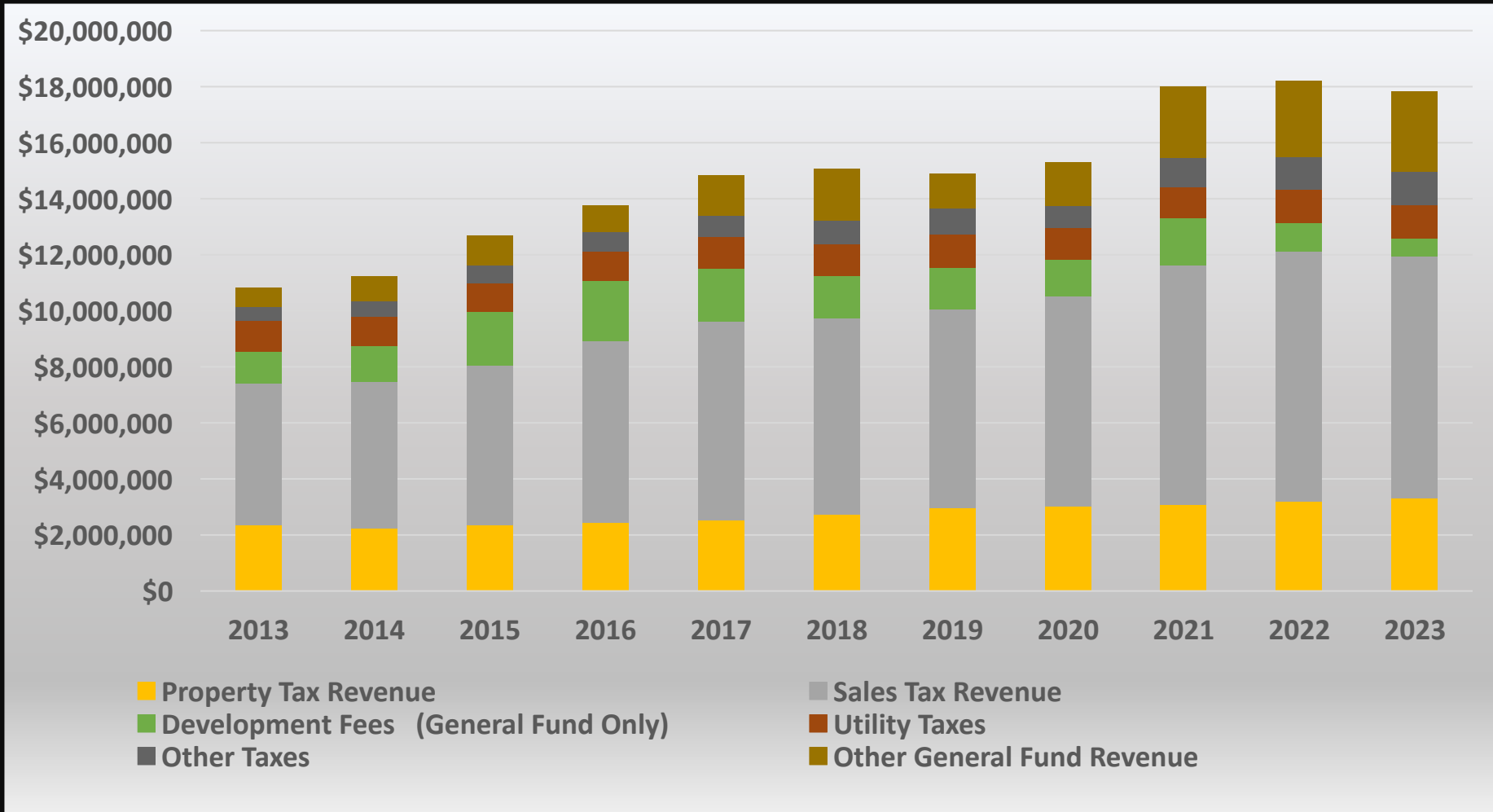
Sales Tax Revenue



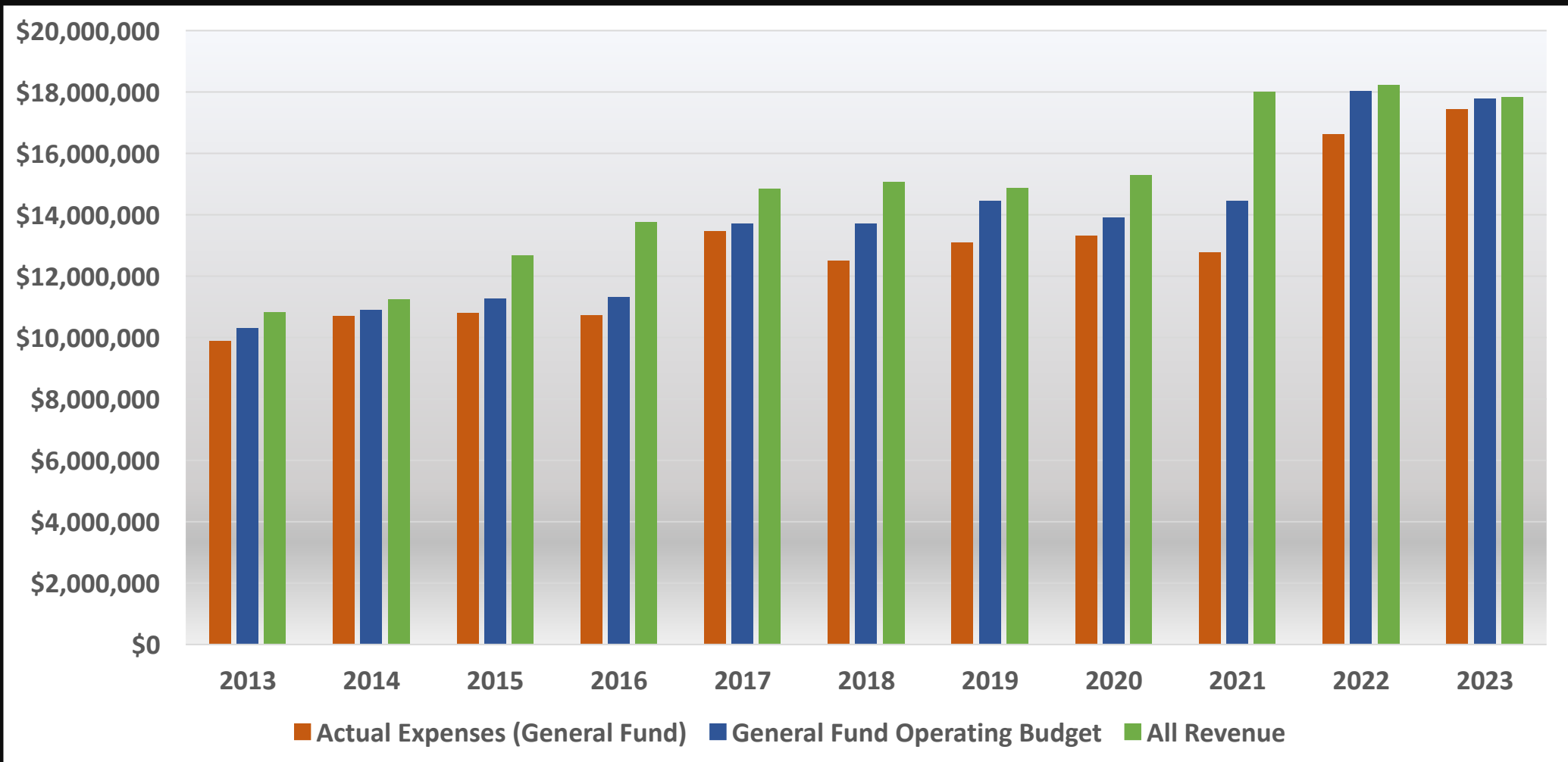
Development Fees



All Revenue



Actual Expenses vs Budget vs Total Revenue



What Has Changed Since 2013?

- Population has Increased 65%. (7,913 to 13,060)
- 19 miles of paved roads have been added.
- 24 acres of parks have been added.
- 10 miles of storm water and 13 miles of water main have been added.
- Cost of Living has Increased 27.5%.

What Efficiencies has the City Implemented?

- Ten General Fund Positions Frozen – Saving \$1.5 Million.
- Projects Deferred (Cushman Trail Phase 5, Climate Plan, etc.).
- Process Improvements (i.e., Lean Kaizen).

But What About...?

- Conservation Properties (North Harborview)
- Sports Complex
- Business and Occupation Tax (B & O)

If Lid Lift is Approved, How Much Would I Pay?

- \$750,000 Residence
- 2024 Taxes = \$6,353
- 2025 Taxes = \$6,653
- Total Increase \$ 300 per year (\$25/month)

Senior and Disabled Exemptions

- Apply via Pierce County Assessor
- Frozen Property Value
- Pay No Voter-Approved Taxes
- Age 61+ or disabled at any age
- Property Owner – Primary Residence Only
- Maximum Gross Income (2023) minus Medical Expenses $\leq$ \$64,000 per year

Questions?



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: February 12, 2024

SUBJECT: Selection of "For" and "Against" Committees for Gig Harbor Proposition 1 on the April 23, 2024, Special Election

SUBMITTED BY: City Clerk Josh Stecker

DEPARTMENT: Administration

PHONE: (253) 853-7613

SUGGESTED MOTION: Move to nominate members to the "For" and "Against" Committees.

BACKGROUND INFORMATION: If council adopts Resolution 1305 at the February 12 meeting, its next step will be to appoint "For" and "Against" committee members. These appointees will be responsible for writing the "for" and "against" statements that appear in the Voters' Pamphlet for the election. Anyone is eligible to be appointed to these committees, including elected officials and city staff. However, no city resources may be used in support of either committee.

The appointees must be persons known to favor the measure to serve on the "For" committee and persons known to oppose the measure to serve on the "Against" committee. An email is required for each committee appointed for correspondence with the Voters' Pamphlet Coordinator.

Each committee shall consist of not more than three members; however, a committee may seek the advice of any other person or persons. Titles for committee member names will not be published in the local voters' pamphlet.

One committee member will be designated as the First Committee Person (Spokesperson). The first committee member shall be considered the spokesperson and shall be responsible for submitting the statement and communicating with the Elections Division. The committees are solely responsible for submitting their statements by email to the Elections Division in accordance with the specified timeline for that election. Statements for the Voters' Pamphlet are due by February 27. Rebuttal statements are due on March 1.

Staff have requested that individuals interested in serving on a committee [submit an online application](#). These applications will be collected until 5:00 p.m. on February 12 and provided to council prior to the meeting. Any person attending the meeting may also step forward to volunteer to be on a committee.

Councilmembers should nominate any and all individuals they feel merit consideration for appointment to either committee. Once nominations are concluded, council will vote on each nominee until all positions are filled. Once all positions are filled, council will be asked to vote on the spokesperson for each committee.

FISCAL CONSIDERATION: None.

ATTACHMENTS: None

STRATEGIC PLAN PRIORITY: Ensure sustainable future for public services and facilities.



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: February 12, 2024

SUBJECT: Ordinance 1519 Relating to Buildings and Construction; Adopting the 2021 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Fire Code, the International Existing Building Code, the International Wildland-Urban Interface Code, the International Energy Conservation Code and the Uniform Plumbing Code by Reference; Repealing Chapters 15.02 And 15.20, As Well as Making Certain Clean-Up Amendments, Amending Gig Harbor Municipal Code Sections: 15.06.020, 15.06.060, 15.08.060, 15.10.040, 15.10.060, 15.12.030, 15.14.040, 15.16.050, 15.18.070 and 15.22.065.

SUBMITTED BY: Building Official/Fire Marshal Paul Rice

DEPARTMENT: Community Development

PHONE: (253) 853-7632

SUGGESTED MOTION: None.

BACKGROUND INFORMATION: On March 15, 2024, the triennial update to the State Building Code (SBC) will go into effect. In accordance with state law, all local jurisdictions with responsibility for enforcing the SBC may amend the administrative provisions of the Code to coincide with local policies and procedures. Additionally, with the exception of the International Residential Code, amendments may be made to all other portions of the code that are more restrictive but not less.

In this update, the state is adopting the 2021 editions of the International Building, Residential, Fire, Mechanical, Fuel Gas, Wildland-Urban Interface, Existing Building by reference and Energy Conservation Codes promulgated by the International Code Council and the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials, with particular state amendments.

At the local level, most of the proposed changes address “housekeeping” type issues such as revised text locations, the deletion or revision of obsolete definitions and passages, as well as providing for consistency across the adopted codes. Additionally, the repeal of Chapter 15.02, Building Code Advisory Board, is proposed with all applicable Sections now referencing the Hearing Examiner process of appeal.

Following the first reading, the ordinance may be adopted by a super majority approval of council or brought back for second reading at the February 26 city council meeting.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. Ordinance 1519
-

STRATEGIC PLAN PRIORITY: Maintain small town character and historic preservation while growing responsibly.

ORDINANCE 1519

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE AND THE UNIFORM PLUMBING CODE BY REFERENCE; REPEALING CHAPTERS 15.02 AND 15.20, AS WELL AS MAKING CERTAIN CLEAN-UP AMENDMENTS, AMENDING GIG HARBOR MUNICIPAL CODE SECTIONS: 15.06.020, 15.06.060, 15.08.060, 15.10.040, 15.10.060, 15.12.030, 15.14.040, 15.16.050, 15.18.070 AND 15.22.065, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Washington State Legislature adopted the state building code, to be effective in all counties and cities in Washington (RCW 19.27.031); and

WHEREAS, the state building code is comprised of a number of published codes, which are adopted by reference in the 2021 editions; and

WHEREAS, the city needs to adopt the 2021 editions locally, for enforcement purposes; and

WHEREAS, the city may adopt local amendments to the building code, consistent with Chapter 19.27 RCW; and

WHEREAS, the city finds that the local amendments contained herein are desirable to protect the public;

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

Section 1. Chapter 15.02 Building Code Advisory Board is repealed in its entirety.

Section 2. Section 15.06.020 of the Gig Harbor Municipal Code is amended as follows:

15.06.020 State building code adoption.

The following codes, together with the specifically identified appendices and the amendments in the Washington Administrative Code (WAC) and as further amended in this title, are hereby adopted by reference:

A. The International Building Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix J, and as amended pursuant to Chapter 51-50 WAC;

B. The International Residential Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix Chapter G as amended pursuant to Chapter 51-51 WAC;

C. The International Mechanical Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix A, as amended pursuant to Chapter 51-52 WAC;

D. The International Fuel Gas Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., as amended pursuant to Chapter 51-52 WAC;

E. The International Fire Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix Chapters B, C, F, I and J, as amended pursuant to Chapter 51-54A WAC;

F. The Uniform Plumbing Code, ~~2018~~ 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, as amended pursuant to Chapter 51-56 WAC, including Appendix Chapters A, B, and I;

G. The International Existing Building Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix Chapter A;

~~H. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials;~~

~~I. H.~~ The International Energy Conservation Code, Commercial, ~~2018~~ 2021 Edition, as published by the International Code Council, and as amended pursuant to Chapter 51-11C WAC;

~~J. I.~~ The International Energy Conservation Code, Residential, ~~2018~~ 2021 Edition, as published by the International Code Council, and as amended pursuant to Chapter 51-11R WAC.

J. The International Wildland-Urban Interface Code, 2021 Edition, as published by the International Code Council, Inc., as amended pursuant to Chapter 51-55 WAC;

Section 3. Section 15.06.060 of the Gig Harbor Municipal Code is hereby amended as follows:

15.06.060 Definitions.

The following definitions shall apply when used in this title:

~~Building and Fire Safety Director~~ Building Official/Fire Marshal. Wherever the terms “building official,” “code official,” “fire code official,” “authority having jurisdiction,” or other reference to the chief code enforcement official is used in this title, it shall mean the ~~“building and fire safety director~~ Building Official/Fire Marshal” of the City of Gig Harbor.

Building and Fire Safety ~~Department~~ Division. Wherever the terms “building department,” “authority having jurisdiction,” “department of building safety,” “department of mechanical inspection,” “department of fire prevention,” “department of inspection,” or other reference to the department responsible for enforcement of the city building code is used in this title, it shall mean the building and fire safety ~~department~~ division of the City of Gig Harbor.

Section 4. Section 15.08.060 of the Gig Harbor Municipal Code is hereby amended as follows:

15.08.060 Amendment to IBC Section 113.4.

~~113.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

Section 113 Means of Appeals

113.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

113.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as ‘hearings examiner.’

113.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

113.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

113.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city’s currently adopted fee schedule.

Section 5. Subsection R109.1.6, Energy efficiency inspection, of Section 15.10.040 of the Gig Harbor Municipal Code is hereby amended as follows:

15.10.040 Amendment to IRC Section R109.1.

Section R109.1 of the IRC is amended as follows:

R109.1.6 Energy efficiency inspection. Inspections shall be made to determine compliance with the ~~International Energy Conservation Code, Residential, 2018 Edition (Chapter 51-11R WAC)~~ currently adopted Washington State Energy Code; and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

Section 6. Section 15.10.060 of the Gig Harbor Municipal Code is hereby amended as follows:

15.10.060 Amendment to IRC Section R112.

~~R112.1 General. The Building Code Advisory Board shall hear and decide appeals and make interpretations, all as described in Chapter 15.02 GHMC.~~

~~R112.2 Determination of substantial improvement in areas prone to flooding. When the building official makes a finding required in Section R105.3.1.1, the building official shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:~~

~~1. Improvements to a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions; and~~

~~2. Any alteration of a historic building or structure provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:~~

~~2.1 Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or~~

~~2.2 Determined by the Secretary of the U.S. Department of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or~~

~~2.3 Designated as historic under an approved state or local historic preservation program.~~

~~R112.2.2 Criteria for issuance of a variance for areas prone to flooding. A variance shall only be issued upon:~~

~~1. A showing of good and sufficient cause that the unique characteristics of the size, configuration and topography of the site render the elevation standards in Section R323 inappropriate.~~

~~2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.~~

~~3. A determination that granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~

~~4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.~~

~~5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.~~

~~113.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

Section 112 Board of Appeals, is renamed "Means of Appeals" and reads as follows:

112.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

112.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

112.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

112.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

112.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 6. Section 15.12.030 of the Gig Harbor Municipal Code is hereby amended as follows:

15.12.030 Amendment to IMC Section 409 114.

~~109.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

Section 114 Means of Appeals

114.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

114.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

114.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

114.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

114.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 7. Section 15.14.040 of the Gig Harbor Municipal Code is hereby amended as follows:

15.14.040 Amendment to IFGC Section 409 113.

~~109.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

Section 113 Means of Appeal

113.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

113.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

113.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

113.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

113.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 8. Section 15.16.050 of the Gig Harbor Municipal Code is hereby amended as follows:

15.16.050 Amendment to IFC Section 408 111

Section 111 Means of Appeals

~~108.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

111.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

111.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

111.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

111.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

111.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 9. Section 15.18.070 of the Gig Harbor Municipal Code is hereby amended as follows:

15.18.070 Amendment to IEBC Section 112.

Section 112 Means of Appeals

112.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter ~~15.02~~ GHMC.

112.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

112.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

112.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

112.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes

application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

112.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 10. Chapter 15.20 of the Gig Harbor Municipal Code is repealed in its entirety.

Section 11. New Section 15.22.065 amending UPC Section 107.0 is hereby added to the Gig Harbor Municipal Code as follows:

15.22.065 Amendment to UPC Section 107.0.

Section 107.0, Board of Appeals, is renamed "Means of Appeals" and reads as follows:

107.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

107.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

107.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

107.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

107.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 12. Severability. If any section, sentence, clause or phrase of this ordinance is 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, clause or phrase of this ordinance.

Section 13. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 14. Copies of Codes Filed with City Clerk. Pursuant to RCW 35A.12.140, copies of all of the codes adopted by reference in this ordinance have been filed with the City Clerk for use and examination by the public prior to adoption.

Section 15. Effective Date. This ordinance shall take effect on March 15, 2024.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 26th day of February, 2024.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: February 12, 2024

SUBJECT: Rezone of Pierce County Assessor Parcel Number 7650000020 from the Waterfront Millville (WM) District to the Waterfront Commercial (WC) District

SUBMITTED BY: Community Development Director Carl de Simas

DEPARTMENT: Community Development

PHONE: (253) 853-7628

SUGGESTED MOTION: Move to approve Resolution 1302 and Ordinance 1520.

BACKGROUND INFORMATION: The applicant is proposing a site-specific zoning district map amendment to rezone a site currently zoned Waterfront Millville (WM) to Waterfront Commercial (WC): The subject site is located at 3215 Harborview Drive, Pierce County Assessor Parcel Number 7650000020.

The development of the existing Marina and off-street parking area took place in April 1970, pre-dating the adoption of the State Shoreline Management Act (RCW 90.58) in 1971, and the City of Gig Harbor's original shoreline master program in 1975. Development on the site landward of the Ordinary High Water Mark (OHWM) was permitted through a Hearing Examiner decision dated June 21, 2018. The permitted work has not begun. A Shoreline Substantial Development Permit for the replacement of the existing Marina on-site was approved through a Hearing Examiner Decision dated October 19, 2023.

Consistent with current city code for processing a site-specific rezone, a public hearing before the city's hearing examiner was held on November 7, 2023. The hearing examiner is tasked with holding a public hearing and providing their recommendation of approval or denial to the city council. Staff presented findings that the project proposal is consistent with the criteria for approving a site-specific rezone set forth in Chapter 17.100.035 GHMC (Ordinance 1516).

The hearing examiner received testimony from the applicant, as well as from Mr. Thomas Wick (Exhibit B of Staff Report). However, Mr. Wick's testimony was in opposition to the interim zoning controls set forth in Ordinance 1516 rather than the project proposal itself.

Gig Harbor Municipal Code 19.01.003 provides that rezone requests are quasi-judicial matters, with the City Council acting as the decision-maker based on the information and record presented at the public hearing held by the Hearing Examiner on November 7, 2023. The Hearing Examiner held the public hearing and then provided the Council with a recommendation.

Because the public hearing on this matter was previously held by the hearing examiner, no additional public input will be accepted by council. The applicant and the applicable city department may provide a summary argument but are not allowed to introduce any

new evidence as the record has been closed.

The hearing examiner issued their written findings, conclusions, and recommendation on November 14, 2023 (Exhibit B). The hearing examiner recommends the city council approve the proposed rezone of Pierce County Assessor Parcel Number 7650000020 from Waterfront Millville (WM) to Waterfront Commercial (WC) subject to the following conditions:

1. The applicant shall obtain all necessary land use, civil, and building permits from the City prior to commencing any future uses or development of the site.

In accordance with Chapter 17.100.070, changes to zoning district boundaries on the city's official zoning map must be approved in the form of an ordinance. Ordinance 1520 would authorize the change to the zoning map in accordance with Resolution 1302, approving the applicant's rezone request application and affirming the hearing examiner's recommendation.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. Resolution 1302
 2. Ordinance 1520
 3. Hearing Examiner Recommendation
 4. Hearing Examiner Staff Report
 5. Parcel Re-Zoning Request Map
-

STRATEGIC PLAN PRIORITY: N/A

RESOLUTION 1302

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, APPROVING A REZONE OF A PARCEL CONSISTING OF APPROXIMATELY 0.58 ACRES FROM WATERFRONT MILLVILLE (WM) ZONING DISTRICT TO WATERFRONT COMMERCIAL (WC); PIERCE COUNTY ASSESSOR PARCEL NUMBER 7650000020

WHEREAS, the city received a complete application for the site specific rezone July 24, 2023 requesting a rezone of the subject parcel from Waterfront Millville (WM) to Waterfront Commercial (WC) File No. PL-REZ-23-0001; and

WHEREAS, the current comprehensive plan land use designation for Pierce County parcel number 7650000020 within the city is Waterfront and the current zoning district for this parcel is Waterfront Millville (WM); and

WHEREAS, the existing waterfront comprehensive plan land use designation anticipates a variety of mixed uses along the waterfront which are allowed under the City of Gig Harbor Shoreline Master Program and as more particularly defined under the zoning code; and

WHEREAS, the 0.58 acres subject to this rezone are currently being used for a commercial marina; a use which is consistent with Waterfront Commercial District (WC) zoning; and

WHEREAS, the WC zoning district is a zoning district which implements the Waterfront land use designation; and

WHEREAS, September 7, 2023, Ordinance 1516 was adopted providing interim zoning controls pertaining to site specific rezones and height restriction area variances, amending chapters 17.62, 17.100, and 19.01 of the Gig Harbor Municipal Code (GHMC); and

WHEREAS, the proposed rezone is a Type IV action as defined in GHMC 19.01.003(B) for site specific zoning map amendments; and

WHEREAS, a final decision for a Type IV application shall be rendered by the city council after a recommendation from the hearing examiner as per GHMC 19.01.003(A); and

WHEREAS, the hearing examiner held a public hearing on the site specific rezone on November 7, 2023; and

WHEREAS, following the November 7, 2023, public hearing, the hearing examiner provided their recommendation of approval of the proposed rezone from Waterfront Millville (WM) to Waterfront Commercial (WC) subject to one condition;

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

Section 1. Criteria. Zoning map amendments are addressed in Chapter 17.100 of the Gig Harbor Municipal Code. Applications for amendments to the zoning map (which include, but are not limited to, site specific rezones) may only be approved if all of the following criteria are satisfied:

- A. The application for the zoning map amendment must be consistent with and further the goals, policies and objectives of the comprehensive plan and Chapter 17.12.015 GHMC;
- B. The application for the zoning amendment must further or bear a substantial relationship to the public health, safety and general welfare;
- C. No substantial detrimental effect will be caused by the granting of the application for the amendment;
- D. The proponents of the application have the burden of proof in demonstrating that conditions have changed since the original zoning or original designation for the property on the zoning map.

Section 2. Findings. The city council considered the recommendation of the hearing examiner, and makes the following findings in relation to the criteria of approval in section 1 above:

- A. The comprehensive plan has designated this area Waterfront. The proposed WC zoning designation would further implement the Waterfront designation by expanding the types of commercial uses allowed on the subject site. Those commercial uses are generally consistent with the more intense use of waterfront areas noted in the intent of the Waterfront designation.

While the site-specific rezone application does not propose development of the site, approval of the site's proposed WC zoning designation creates the potential for permissible future use of land that is consistent with and furthers the goals of Chapter 2, Land Use, set forth in the comprehensive plan.

- B. Safety and public health will be addressed at the time of any proposed development through future development review, design review and environmental review under SEPA of a future project proposal, as applicable. City regulations related to sanitary sewer, stormwater, traffic and water

concurrency will be reviewed for consistency with regulatory provisions once permits for land use development are submitted to the city in the future, as will staff's review of the general welfare of the community resulting from any future proposed development.

- C. No substantial detrimental effect would be caused by the granting of this rezone request. The granting of this rezone request amends the zoning designation of the subject site in a manner which will continue to be consistent with the land use designation and surrounding uses. Any potential effect of future development of the site will be considered by staff in the review of permits for the site's development.
- D. In the proponent's narrative regarding the general criteria for approving zoning district map amendments (see Exhibit C of Hearing Examiner Staff Report), they note that the subject site's zoning-related circumstances and conditions changed due to changes in the areas adjacent to the subject parcel. In 2012, the parcel directly southeast of the subject parcel was established as Skansie Brothers Park bringing events and tourists to the property throughout the year. Additionally, the uses and zoning adjacent are generally consistent with those found in the WC zoning district. The intent statement listed in GHMC 17.50.010 reads "It is the intent of the waterfront commercial district to provide a wide range of uses and activities on the shoreline of Gig Harbor located within the area proximate to the downtown business district. The subject parcel is located adjacent to the Downtown Business (DB) zoning district with Retail and Restaurant uses, while WM zoned properties are predominantly located adjacent to R-1 zoning and single-family residences. The uses found on surrounding properties, and the changing character of the immediate area to a mix of visitor-serving uses support expanding the allowed uses of the subject site with a rezone from WM to WC.

Section 3. Approval of the application to amend the city's zoning map. The city council approves the zoning map amendment of Pierce County parcel 7650000020 from Waterfront Millville (WM) to Waterfront Commercial (WC), subject to the following condition:

1. The Applicant shall obtain all necessary land use, civil, and building permits from the city prior to commencing any future uses or development of the site.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 12th day of February, 2024.

Tracie Markley
Mayor

Attest:

Joshua Stecker, CMC
City Clerk

ORDINANCE 1520

AN ORDINANCE OF THE CITY OF GIG HARBOR, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GIG HARBOR; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the city received a complete application for the site-specific rezone July 24, 2023 requesting a rezone of the subject parcel from Waterfront Millville (WM) to Waterfront Commercial (WC); and

WHEREAS, the current comprehensive plan land use designation for Pierce County parcel number 7650000020 within the City is Waterfront and the current zoning district for this parcel is Waterfront Millville (WM); and

WHEREAS, the existing waterfront comprehensive plan land use designation anticipates a variety of mixed uses along the waterfront which are allowed under the City of Gig Harbor Shoreline Master Program and as more particularly defined under the zoning code; and

WHEREAS, the 0.58 acres subject to this rezone are currently being used for a commercial marina; a use which is consistent with Waterfront Commercial District (WC) zoning; and

WHEREAS, the WC zoning district is a zoning district which implements the Waterfront land use designation; and

WHEREAS, September 7, 2023, Ordinance 1516 was adopted providing interim zoning controls pertaining to site specific rezones and height restriction area variances, amending chapters 17.62, 17.100, and 19.01 of the Gig Harbor Municipal Code (GHMC); and

WHEREAS, the proposed rezone is a Type IV action as defined in GHMC 19.01.003(B) for site specific zoning map amendments; and

WHEREAS, a final decision for a Type IV application shall be rendered by the city council after a recommendation from the hearing examiner as per GHMC 19.01.003(A); and

WHEREAS, the hearing examiner held a public hearing on the site specific rezone on November 7, 2023; and

WHEREAS, following the November 7, 2023, public hearing, the hearing examiner provided their recommendation of conditional approval of the proposed amendment from Waterfront Millville (WM) to Waterfront Commercial (WC) subject to one condition; and

WHEREAS, the city council approved the rezone application under Resolution 1302 on February 12, 2024, and

WHEREAS, the change to the official zoning map must be adopted by ordinance as per GHMC 17.100.070;

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

Section 1. Rezone. Pierce County Assessor parcel number 7650000020 is hereby rezoned from Waterfront Millville (WM) to Waterfront Commercial (WC).

Section 2. Zoning Map. The community development director is hereby instructed to effectuate the necessary changes to the Official Zoning Map of the City in accordance with the zoning established by section 1.

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

Section 4. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 12th day of February, 2024.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk

BEFORE THE CITY OF GIG HARBOR HEARING EXAMINER

IN RE:) HEARING NO. PL-REZ-23-0001
PLEASURECRAFT MARINA REZONE,)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW AND
) RECOMMENDATION TO CITY
) COUNCIL

APPLICANT: Richard Shaw
P. O. Box 490
Gig Harbor, Washington 98335

AGENT: Reuben Schutz
1201 Pacific Avenue, suite 2100
Tacoma, Washington 98402

SITE LOCATION: 3215 Harborview Drive. Assessor's Parcel No. 7650000020.

PLANNER: Jeremy Hammar

APPLICANT'S REQUEST:

The Applicant proposes a site-specific rezone amendment to change the site's zoning from Waterfront Millville (WM) to Waterfront Commercial (WC).

SUMMARY OF DECISION:

The Hearing Examiner recommends that the proposed amendment to the site's zoning from WM to WC be **approved** subject to the conditions recommended by City Staff.

DATE OF DECISION: November 14, 2023.

BACKGROUND

The application before the City Council is a fairly simple one: The Applicant's property at 3215 Harborview Drive is currently zoned Waterfront Millville (WM). This zoning district is intended to allow lower intensity waterfront uses favoring residential and marina use. The Applicant seeks to amend the site's zoning to Waterfront Commercial (WC). The WC zoning designation would continue to restrict the property's use to waterfront-related purposes but of a more commercial nature, including the Applicant's proposed restaurant. The request has the support of City Staff and has not received any public opposition.

*Findings of Fact and Conclusions
of Law and Recommendation
to City Council - 1*

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CHEHALIS, WASHINGTON 98532
Phone: 360-748-3386/Fax: 748-3387

1 **PUBLIC HEARING**

2 The matter came before the Hearing Examiner for public hearing at approximately 1:30 p.m., on
3 Tuesday, November 7, 2023. The hearing took place remotely utilizing on the Zoom platform
4 with the City Staff serving as host. The City appeared through Jeremy Hammar, Senior Planner.
5 The Applicant appeared through its attorney, Reuben Schutz. Other City Staff and Applicant
6 representatives were also present. One member of the public was present, Thomas Wick.
7 Testimony was received from Mr. Hammar and from Mr. Wick. All testimony was taken under
8 oath and a verbatim recording of the proceedings was maintained.

9 The following exhibits were received in advance of the public hearing or during the public
10 hearing:

- 11 A. Staff Report dated October 31, 2023.
- 12 B. Master Planning Permit Application, dated July 7, 2023.
- 13 C. Written Statement of Criteria, dated July 31, 2023.
- 14 D. NOPH Certificate of Transmittal and Affidavit of Posting.
- 15 E. NOA Certificate of Transmittal and Affidavit of Posting.
- 16 F. Ordinance 1516.
- 17 G. The written comments of Thomas Wick.
- 18 H. Aerial photo of site.

19 **City's Presentation:**

20 Mr. Hammar's presentation on behalf of the City was relatively brief and relied heavily on his
21 written Staff Report dated October 31, 2023. In around April, 1970, the site was developed as a
22 marina and associated parking lot. Its development preceded adoption of the Shoreline
23 Management Act (Chapter 90.58 RCW) in 1971 as well as the City's original Shoreline Master
24 Program in 1975. The site has continued to operate as a marina since then although in 2018 the
25 City's then Hearing Examiner granted a Shorelines Substantial Development Permit to convert
the upland parking lot into retail and restaurant facilities. These approved facilities have not yet
been constructed. Then, only a few weeks ago, this Hearing Examiner approved a second
Shorelines Substantial Development Permit to allow the remodeling of the existing marina in a
manner consistent with current environmental regulations.

The project site is currently designated as "Waterfront" in the City's Comprehensive Plan. The
site's current zoning designation of Waterfront Millville is consistent with its Waterfront
designation in the Comprehensive Plan but the proposed amendment to Waterfront Commercial
would be equally consistent with its Waterfront designation in the Plan. In other words, the
proposed zoning amendment to Waterfront Commercial would have no negative impact upon its
consistency with its land use designation in the Comprehensive Plan.

25 *Findings of Fact and Conclusions
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1 The decision whether to amend the project's zoning designation involves a four-pronged test:

- 2 1. The application for the zoning district map amendment must be consistent with
3 and further the goals, policies and objectives of the Comprehensive Plan and GHMC
4 17.12.015.
- 5 2. The application for the zoning district map amendment must further or bear a
6 substantial relationship to the public health, safety and general welfare.
- 7 3. No substantial detrimental effect will be caused by the granting of the application
8 for the amendment.
- 9 4. The proponents of the application have the burden of proof in demonstrating that
10 conditions have changed since the original zoning or original designation for the property
11 on the zoning district map.

12 Mr. Hammar reviewed these four requirements and detailed the staff's findings that the Applicant
13 has met its burden of proving that all four requirements have been met. More specifically:

- 14 1. The proposed rezoning to Waterfront Commercial is consistent with the property's
15 designation of "Waterfront" in the City's Comprehensive Plan and furthers the goals and
16 policies of the Plan.
- 17 2. The amendment bears substantial relationship to the public health, safety and
18 general welfare. Safety and public health needs will be addressed in future development
19 review including SEPA review. City regulations will ensure concurrency with
20 requirements for sanitary and storm sewer, traffic and water, etc.
- 21 3. No substantial detrimental effect will be caused as the proposed amendment will
22 allow the site to continue to be consistent with its designation in the Comprehensive Plan
23 while future development will be conditioned to ensure that there is no substantial
24 detrimental effect.
- 25 4. The Applicant has adequately met its burden of proving that the proposed
amendment is the result of changed conditioned since the site's original zoning. In
particular, the development of the Skansie Brother Park in 2012 on adjoining property
resulted in a notable change to the waterfront area including substantially increased
usage. The City also notes that the property is adjacent to the Downtown Business (DB)
zoning district across the street with retail and restaurant uses. Stated slightly differently,
the subject property is now largely surrounded by higher intensity uses justifying the
site's zoning amendment from WM to WC to allow greater commercial opportunity while
retaining its waterfront characteristics.

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1 Mr. Hammar added that there has been no public opposition to the requested rezone in advance
2 of the public hearing. Just prior to the commencement of the hearing, City Staff received a
3 lengthy written comment from Thomas Wick (Exhibit G). Mr. Wick's comments do not express
4 opposition to the proposed rezone but rather express strenuous opposition to the
5 City's recent Ordinance 1516 changing the procedures for consideration of rezoning requests.
6 Mr. Wick's comments and testimony will be discussed more fully below. Apart from Mr. Wick's
7 comments (which, again, are not in opposition to the requested rezone) there has been no public
8 opposition to the application.

9 Mr. Hammar concluded his testimony by recommending that the proposed amendment be
10 approved subject only to the one condition found in the Staff Report at page 7:

11 "The Applicant shall obtain all necessary land use, civil, and building permits
12 from the City prior to commencing any future use or development of the site."

13 **Applicant's Presentation:**

14 At the conclusion of the City's presentation the Applicant's attorney, Reuben Schutz, spoke
15 briefly in support of the application. Mr. Schutz noted that there are no substantial differences
16 between the WM and WC zoning districts but that there are just enough differences to make the
17 requested rezone important. More specifically, the requested WC zoning designation would
18 allow for greater retail and restaurant opportunities as well as improved hours of operation.
19 While either zoning designation would carry out the intent of the City's Comprehensive Plan, the
20 WC zoning will allow for more flexible use consistent with the activities of the adjoining park
21 and the business activities across the street. Mr. Schutz asserts that the recent development of
22 the park, coupled with increased commercial activity nearby, is a more than sufficient
23 demonstration that conditions have changed since the site's original zoning, and that an
24 amendment to WC is in keeping with these changes.

25 **Public Testimony:**

As earlier noted, before the commencement of the public hearing City Staff received a lengthy
email from Thomas Wick (Exhibit G). Staff forwarded this email to the Hearing Examiner
shortly before the commencement of the hearing. The Hearing Examiner was able to review the
email in its entirety prior to the hearing. In his email, Mr. Wick does not object to the rezoning
sought by the Applicant but instead strenuously objects to the recent enactment of Ordinance
1516 which reestablishes site specific zoning requests as first coming before the Hearing
Examiner for a public hearing, followed by the Hearing Examiner's recommendations to City
Council. As the hearing got underway, the Hearing Examiner announced that while he had
reviewed Mr. Wick's email and had introduced it as Exhibit G into the record, Mr. Wick's issues
were outside the Hearing Examiner's authority. The Hearing Examiner is not empowered to

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1 question or overturn the legality of City ordinances. To the contrary, the Hearing Examiner must
2 accept the City's ordinances as presented and abide by them. Any challenge to the legality of a
City ordinance lies elsewhere.

3 At the commencement of the public testimony portion of the hearing, Mr. Wick asked to testify
4 and to read his lengthy email into the record. The Hearing Examiner respectfully declined,
noting that the email had been received in advance and fully read, and further, had been
5 introduced as an official exhibit to the record (Exhibit G). Thus, no benefit was served by
having the email read out loud. Mr. Wick persisted, stating that City Staff had promised him that
6 he would be entitled to read his email into the record. The Hearing Examiner again respectfully
declined for the same reasons. Mr. Wick also sought to read into the record a 2016 email having
7 to do with past procedures for zoning amendments. The Hearing Examiner again declined for
the same reasons, that is, that the legality of the City's recent ordinance is not before the Hearing
8 Examiner and the proffered 2016 email is not relevant to the pending rezoning request. Mr.
9 Wick concluded his testimony by reiterating that he has no objection to the Applicant's proposed
rezoning but, instead, strenuously objects to the City's recent enactment of Ordinance 1516. Mr.
10 Wick's comments were duly noted.

11 Apart from Mr. Wick, there were no members of the public present and there has been no public
opposition to the requested rezone.

12 ANALYSIS

13 As initially noted, the requested rezone is a fairly simple one resulting in a relatively minor
14 change to the site's zoning designation. But although the proposed zoning change is relatively
minor, it results in important changes to the intended use of the property such that the owner's
15 desired use for retail and restaurant activities is more consistent with its zoning designation. If
allowed, the proposed rezoning will not impair the project's zoning consistency with the City's
16 Comprehensive Plan but will allow for a fuller range of commercial activities consistent with
similar activities on adjoining properties. City Staff recommends approval of the rezoning and
17 there is no public opposition save for Mr. Wick's objection to the recent enabling ordinance. I
18 concur with City Staff that the request should be approved.

19 I therefore make the following:

20 FINDINGS OF FACT

21 1. Any Findings contained in the foregoing Background, Public Hearing or Analysis
22 Sections are incorporated herein by reference and adopted by the Hearing Examiner as his
Findings of Fact.

23 2. The Hearing Examiner has admitted documentary evidence into the record, heard
24 testimony, and taken this matter under advisement.

25 *Findings of Fact and Conclusions
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1 3. The Applicant seeks a site-specific zoning district map amendment to rezone property at
2 3215 Harborview Drive from its current zoning of Waterfront Millville (WM) to Waterfront
Commercial (WC).

3 4. The project site is located within the City's historic waterfront along Harborview Drive
4 The site contains 25,282 square feet. Commencing at Harborview Drive, the site slopes gently to
5 the east to Gig Harbor Bay. The upland portion is currently hardscape and, in 2018, received
6 Shorelines Substantial Development approval to convert existing parking into a restaurant/retail
7 facility. More recently, the site received Shorelines Substantial Development approval to
8 modernize the existing marina and bring it into compliance with current environmental
9 regulations.

10 5. City Staff has deemed the present application to be categorically exempt from SEPA
11 review.

12 6. Notice of the proposed application and public hearing was published in the Tacoma News
13 Tribune and mailed to all property owners within 300 feet of the subject site on October 24,
14 2023. Notice of public hearing was also posted on the site on October 24, 2023 (Exhibit D). No
15 comments have been received in response with the exception of that submitted by Thomas Wick
16 (Exhibit G) relating to challenges to the recent enactment of the enabling ordinance, Ordinance
17 1516.

18 Findings Relating to the Amendment's Consistency in the Comprehensive Plan.

19 7. The project site is designated as "Waterfront" in the City's Comprehensive Plan. As
20 noted in the Plan, the purpose of this land use designation is to provide for a variety of mixed
21 uses along the waterfront in a manner consistent with the City's Shoreline Master Program. The
22 Comprehensive Plan envisions that lower intensity waterfront uses such as residences and
23 marinas will be distinguished from higher intensity uses including commercial and retail
24 activities.

25 8. GHMC 17.12.015 recognizes three current zoning districts: (a) Waterfront Millville
(WM); (b) Waterfront Commercial (WC); and (c) Waterfront Residential (WR) as being
consistent with the "Waterfront" land use designation in the Comprehensive Plan. Thus, the
Applicant's request to rezone to WC is consistent with the City's Comprehensive Plan and the
project site's designation of "Waterfront" in the Plan.

Findings Relating to Compliance with Chapter 17.100 GHMC for Zoning Map Amendments.

9. Whenever the public health, safety, general welfare, modifications to the Comprehensive
Plan or good zoning practice requires, the City Council may amend, supplement, modify, repeal
or otherwise change regulations in the boundaries of the zoning districts in conformity with the
Comprehensive Plan. GHMC 17.100.010.

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1 10. Applications for amendment to the zoning map, including site-specific rezones, may only
2 be approved if all four criteria of GHMC 17.100.035.A-.D are satisfied.

3 11. Pursuant to GHMC 17.100.035, an Applicant has the burden of proving that all
4 requirements set forth in GHMC 17.100.035.1-.4 have been met. All four criteria must be
5 satisfied in order to approve the amendment:

6 **(1) The application for the zoning district map amendment must be
7 consistent with and further the goals, policies and objectives of the
8 Comprehensive Plan and GHMC 17.12.015.**

9 City Staff finds that the proposed amendment is consistent with the Comprehensive Plan for the
10 reasons stated above, that is, that GHMC 17.12.015 expressly recognizes that the WC zoning
11 designation is consistent with the site's land use designation as "Waterfront" in the
12 Comprehensive Plan.

13 City Staff further finds that the proposed amendment further the goals, policies and objectives of
14 the Comprehensive Plan and GHMC 17.12.015. The amended zoning would further implement
15 the project's waterfront designation by expanding the type of commercial uses allowed in an area
16 of the waterfront where commercial activity is currently occurring. Staff also finds that the
17 amendment would create the potential for permissible future use of land that is consistent with
18 and furthers the goals of Chapter 2, Land Use, in the Comprehensive Plan. The Hearing
19 Examiner concurs with these findings.

20 **(2) The application for the zoning district amendment must further or
21 bear a substantial relationship to the public health, safety and general
22 welfare.**

23 Staff notes that this requirement is largely addressed through future development review, design
24 review and environmental review under SEPA. During this further review, site use will be
25 reviewed for concurrency requirements for water, sewer, stormwater and traffic along with other
regulatory provisions for land use development. These future reviews will fully assure that the
zoning change will be consistent with the needs for public health, safety and general welfare.
The Hearing Examiner concurs.

**(3) No substantial detrimental effect will be caused by the granting of the
application for the amendment.**

City Staff finds that no substantial detrimental effect will be caused by the requested rezone. As
already noted, the request is consistent with the site's existing land use designation in the
Comprehensive Plan and any actual development will be carefully reviewed to assure
concurrency as well as compliance with all of other land use regulations. Staff also notes that

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there has been no public opposition to the application and that the proposed amendment would bring the project site into conformity with uses of adjoining and nearby properties. The Hearing Examiner concurs.

(4) The proponents of the application have the burden of proof in demonstrating that conditions have changed since the original zoning or original designation for the property on the zoning district map.

City Staff finds that the Applicant has adequately proven a change in circumstances since the site's original zoning. Most notably, in 2012 the parcel immediately southeast of the site was established as Skansie Brother Park. Its development has led to a substantially increased level of intensity in use of nearby properties including the subject site. In addition, the proposed change is consistent with the current zoning of properties across the street as Downtown Business (DB). All of this suggests that the envisioned use of this portion of the waterfront has evolved since the project site's original zoning, and that a WC zoning designation is a more appropriate one as a result of these changes. The Hearing Examiner concurs.

12. As noted in the Staff Report, the request has been reviewed by both the City Engineer and the Building Official and both find that the proposed amendment is generally consistent with the applicable provisions of City code.

13. City Staff recommends approval of the requested amendment subject to the one condition found on page 7 of the Staff Report. The Hearing Examiner concurs.

Having entered his Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the parties and the subject matter.
2. Any Conclusions of Law contained in the foregoing Background, Public Hearing, Analysis, or Findings of Fact are hereby incorporated by reference and adopted by the Hearing Examiner as his Conclusions of Law.
3. All notice requirements have been met.
4. All SEPA requirements have been met.
5. The requested amendment, as conditioned:
 - A. Is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan and GHMC 17.12.015;

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1 B. Bears a substantial relationship to the public health, safety and general
2 welfare.

3 C. No substantial detrimental effect will be caused by the granting of the
4 application for the amendment.

5 D. The Applicant has met its burden of proof demonstrating that conditions
6 have changed since the original zoning or original destination for the property on
7 the zoning district map.

8 6. The requested amendment should be **approved** subject to the condition set forth in the
9 Staff Report at page 7.

10 **RECOMMENDATION**

11 Now, therefore, the Hearing Examiner recommends approval of the proposed amendment from
12 Waterfront Millville (WM) to Waterfront Commercial (WC) subject to the following condition:

13 1. The Applicant shall obtain all necessary land use, civil, and building
14 permits from the City prior to commencing any future uses or development of the
15 site.

16 DATED this 14th day of November, 2023.



17 _____
18 Mark C. Scheibmeir
19 City of Gig Harbor Hearing Examiner
20
21
22
23
24



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
STAFF REPORT**

TO: Hearing Examiner
FROM: Planning Staff
DATE: October 31, 2023

RE: PL-REZ-23-0001

Pleasurecraft Marina Rezone
Public Hearing Date: November 7, 2023

I. GENERAL INFORMATION:

A. Owners: Richard Shaw
PO Box 490
Gig Harbor, WA 98335

C. Agent: Reuben Schutz
1201 Pacific Ave. Ste 2100
Tacoma, WA 98402

II. APPLICANT'S REQUEST:

The applicant is proposing a site-specific zoning district map amendment to rezone a site currently zoned Waterfront Millville (WM) to Waterfront Commercial (WC).

III. SITE DESCRIPTION:

A. Location: 3215 Harborview Drive. The site is located approximately Sec 06, Twn 21 N, R 02 , Qtr 34. Assessor's Parcel Numbers: 7650000020

B. Site Area/Acreage: 25,282 square feet

C. Existing Site Characteristics:

1. **Topography:** The site's uplands slope down gently from Harborview Drive on the west to Gig Harbor Bay on the east.
2. **Vegetation:** The upland portion of the site is hardscape.
3. **Wetlands and Critical Areas:** The site fronts Gig Harbor Bay, a critical fish and wildlife habitat area. Additionally, U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping identifies potential estuarine and marine wetlands along the Gig Harbor shoreline. No other wetlands or streams are mapped on or near the site.

D. Zoning:

1. **Subject parcel:** "WM" Waterfront Millville District & Historic District Overlay
2. **Adjacent zoning and current use:**
 - a. **North:** Gig Harbor Bay
 - b. **South:** "DB" Downtown Business
 - c. **West:** "WM" Waterfront Millville
 - d. **East:** "WC" Waterfront Commercial

E. Utilities / Road Access: The site is accessed from Harborview Drive abutting on the southwest. The property is serviced by City of Gig Harbor water.

IV. APPLICABLE CODES AND POLICIES:

A. Comprehensive Plan: The site is designated as a "Waterfront" area by the city's Comprehensive Plan. The purpose of this land use category is to provide for a variety of mixed uses along the waterfront which are allowed under the City of Gig Harbor Shoreline Master Program and as more particularly defined under the zoning code. Generally, the lower intensity waterfront areas would favor residential and marinas while the more intense waterfront areas would provide for higher density residential and commercial/retail uses.

B. Gig Harbor Municipal Code (GHMC):

The subject parcel is zoned WM. The applicant proposes a site-specific rezone of the subject site; the proposal would amend the site's existing

WM zoning designations to the Waterfront Commercial (WC) zoning designation. The following code chapters apply to this proposal:

- a. 17.12 Zoning Map and District Boundaries
- b. 17.100 Amendments
- c. 19.01 Types of Project Permit Applications

C. Ordinance 1516:

On September 7, 2023, City Council adopted interim zoning controls pertaining to site specific rezones, amending portions of chapter 17.100, and 19.01. The ordinance is included as Exhibit F.

V. BACKGROUND INFORMATION

The development of the existing Marina and off-street parking area took place in April 1970, pre-dating the adoption of the State Shoreline Management Act (RCW 90.58) in 1971, and the City of Gig Harbor's original shoreline master program in 1975. Development on site landward of the OHWM was permitted through the Hearing Examiner decision dated June 21, 2018, the work permitted has not begun. A Shoreline Substantial Development Permit for the replacement of the existing Marina on-site was approved through a Hearing Examiner Decision dated October 19, 2023.

VI. ENVIRONMENTAL REVIEW:

Pursuant to WAC 197-11-800(6)(c) the application categorically exempt from a SEPA threshold determination.

VII. PUBLIC NOTICE & INPUT:

The legal notice of the proposed action and scheduled hearing (Notice of Public Hearing, "NOPH") was published in the Tacoma News Tribune and mailed to all property owners within 300 feet of the subject site on October 24, 2023. The NOPH was also posted on the subject site on October 24, 2023. No comments have been received at the time of this staff report. The Declaration of Mailing, Publishing and Posting are included with this staff report as Exhibit D.

A Notice of Application (NOA) was published in the Tacoma News Tribune, posted on the subject site, and mailed to owners of property within 300 feet of the site on August 7, 2023. The Declaration of Mailing, Publishing and Posting are included with this staff report as Exhibit E. The City received no comments in response to the NOA.

VIII. STAFF ANALYSIS AND FINDINGS:

A. Planning Staff

1. Comprehensive Plan: The site is designated as a “Waterfront” area by the city’s Comprehensive Plan. The purpose of this land use category is to provide for a variety of mixed uses along the waterfront which are allowed under the City of Gig Harbor Shoreline Master Program and as more particularly defined under the zoning code. Generally, the lower intensity waterfront areas would favor residential and marinas while the more intense waterfront areas would provide for higher density residential and commercial/retail uses.

The proposed site-specific zoning map amendment does not include any development, land improvements, or activity upon the subject site, but intends to change the site’s current zoning designation in a manner consistent with the site’s Waterfront Land use designation.

2. Gig Harbor Municipal Code:

a. 17.12.015 Land use designation and zoning district consistency table

The City’s land use designation and zoning district consistency table is set forth in GHMC 17.12.015. This table identifies those Gig Harbor comprehensive plan land use map designations with corresponding GHMC Title 17 implementing zoning districts.

The aforementioned table identified the following implementing zoning districts which are found as consistent with the subject site’s Waterfront land use designation:

1. Waterfront Millville (WM)
2. Waterfront Commercial (WC)
3. Waterfront Residential (WR)

The applicant’s proposed site-specific rezone application intends to change the site’s current WM zoning designation and to WC, an implementing zoning district of the Waterfront land use designation.

b. 17.100.035 General criteria for zoning district map amendment

The applicant has submitted a written address of the criteria for zoning district map amendment approval; this narrative is included as Exhibit C to this staff report. Staff's analysis of the criterion set forth in GHMC 17.100.035 is provided below.

Applications for amendments to the zoning district map (which include, but are not limited to, site specific rezones) may only be approved if all of the following criteria are satisfied:

1. *The application for the zoning district map amendment must be consistent with and further the goals, policies and objectives of the comprehensive plan and GHMC 17.12.015;*

The Comprehensive Plan has designated this area Waterfront. The proposed WC zoning designation would further implement the Waterfront designation by expanding the types of commercial uses allowed on the subject site. Those commercial uses are generally consistent with the more intense use waterfront areas noted in the intent of the Waterfront designation.

While the site-specific rezone application does not propose development of the site, approval of the site's proposed WC zoning designation creates the potential for permissible future use of land that is consistent with and furthers the goals of Chapter 2, Land Use, set forth in the Comprehensive Plan.

The proposal to rezone this property from WM to WC is generally consistent with and furthers the goals and policies of the city's Comprehensive Plan.

2. *The application for the zoning district amendment must further or bear a substantial relationship to the public health, safety and general welfare;*

Safety and public health will be addressed at the time of any proposed development through future development review, design review and environmental review under SEPA of a future project proposal, as applicable. City regulations related to sanitary and storm sewer, traffic and water concurrency will be reviewed for consistency with regulatory provisions once permits for land use development are submitted to the city in the future, as will staff's review of the

general welfare of the community resulting from any future proposed development.

3. *No substantial detrimental effect will be caused by the granting of the application for the amendment;*

No substantial detrimental effect would be caused by the granting of this rezone request. As is described throughout this staff report, the granting of this rezone request amends the zoning designation of the subject site in a manner which will continue to be consistent with the land use designation. Any potential effect of future development of the site will be considered by staff in the review of permits for the site's development.

4. *The proponents of the application have the burden of proof in demonstrating that conditions have changed since the original zoning or original designation for the property on the zoning district map.*

In the proponent's narrative regarding the general criteria for approving zoning district map amendments (see Exhibit C), they note that the subject site's zoning-related circumstances and conditions changed due to changes in the areas adjacent to the subject parcel. In 2012, the parcel directly southeast of the subject parcel was established as Skansie Brother Park bringing events and tourists to the property throughout the year. Additionally, the uses and zoning adjacent are generally consistent with those found in the WC zoning district. The intent statement listed in GHMC 17.50.010 reads "It is the intent of the waterfront commercial district to provide a wide range of uses and activities on the shoreline of Gig Harbor located within the area proximate to the downtown business district. The subject parcel is located adjacent to the Downtown Business (DB) zoning district with Retail and Restaurant uses, while WM zoned properties are predominantly located adjacent to R-1 zoning and single-family residences. The uses found on surrounding properties, and the changing character of the immediate area to a mix of visitor-serving uses support expanding the allowed uses of the subject site with a rezone from WM to WC.

B. Operations and Engineering

The City Engineer has reviewed the subject request and has found the proposed development to be generally consistent with the applicable provisions of the Code.

C. Fire Marshal/Building Official

The Building Official has reviewed the subject request and has found the proposed development to be generally consistent with the applicable provisions of the Code.

IX. CONCLUSIONS:

Based on the submitted information and the analysis contained above, staff concludes the following:

A. Amendments:

Based upon the findings of fact previously addressed in Section VIII of this staff report, the proposed amendment to the zoning district map is consistent with the criteria set forth in GHMC 17.100.035.

X. RECOMMENDATIONS:

Should the requested site-specific rezone permit be approved, staff recommends the imposition of the following special conditions of approval:

A. Rezone Special Conditions:

1. The applicant shall obtain all necessary land use, civil, and building permits from the city prior to commencing any future use or development of the site.

Project Planner: Jeremy Hammar, Senior Planner

Jeremy Hammar

Date:

10-31-23

The following exhibits are included for your review of the development application:

- A. Staff Report dated October 31, 2023
- B. Master Planning Permit Application, dated July 7, 2023
- C. Written Statement of Criteria, dated July 31, 2023
- D. NOPH Certificate of Transmittal and Affidavit of Posting

- E. NOA Certificate of Transmittal and Affidavit of Posting
- F. Ordinance 1516

Administrative Appeal: There is no administrative appeal for this decision. Any appeal of this decision shall be in accordance with RCW 36.70C.

Property Tax Valuation: Affected property owners may request a change in property tax valuation notwithstanding any program of revaluation by contacting the Pierce County Assessor-Treasurer.

Permit Documents: The complete project permit file, including official decision, findings, conclusions, and conditions of approval, if any, is available for review at the City of Gig Harbor Planning Department, 3510 Grandview Street, Gig Harbor, WA 98335. Additional permit information can also be found at permitportal.cityofgigharbor.net by entering the above permit numbers. Questions regarding the above stated decision should be made to Jeremy Hammar, Senior Planner at jhammar@gigharborwa.gov or 253-851-6170.



OFFICE USE ONLY

SUBMITTED: 07.07.2023CASE NO.: PL-REZ-23-0001**MASTER PLANNING PERMIT APPLICATION**

Check all permits you are applying for in the boxes provided. Submit this application form, the applicable materials listed in the corresponding checklist and fee.

☐ Major Site Plan Review	☐ Preliminary Short Plat	☐ Shoreline Substantial Development Permit	☐ Land Clearing
☐ Minor Site Plan Review	☐ Final Short Plat	☐ Shoreline Variance	☐ Nonconforming Review
☐ Administrative Design Review	☐ Preliminary Plat	☐ Shoreline Conditional Use Permit	☐ Perf. Based Height Exception
☐ Alternative Design Review	☐ Preliminary Plat Revision	☐ Shoreline Exemption	☐ Temporary Trailer / Use
☐ Alternative Landscape Plan	☐ Final Plat	☐ Shoreline Revision	☐ Administrative Interpretation
☐ Binding Site Plan	☐ Plat Alterations/Vacation	☐ Flood Hazard	☒ Rezone
☐ Variance	☐ Preliminary PRD/PUD	☐ Critical Area Variance	☐ Height Restriction Area Amendment
☐ Conditional Use Permit	☐ Final PRD/PUD	☐ Reasonable Use Exception	☐ Comp. Plan Amendment
☐ SEPA	☐ Final PRD/PUD Amendment	☐ Critical Area Review	☐ Zoning Text Amendment
☐ Tree Removal	☐ Boundary Line Adjustment	☐ Master Sign Plan	☐ Zoning Verification Letter
☐ Change in Use	☐ Short Term Rental		

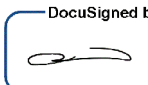
Project Name:	Pleasure Craft Marina Site-Specific Rezone
Project Address:	3215 Harborview Dr.
Tax Assessor Parcel Number(s): <i>Attach full legal description</i>	7650000020

APPLICANT/AGENT ☒ Primary Contact for Application			
Name:	Reuben Schutz	Phone:	253-620-6442
Street:	1201 Pacific Ave. Ste 2100	Fax:	253-620-6565
City/State/Zip:	Tacoma, WA 98402	Email:	rschutz@gth-law.com

PROPERTY OWNER(S) ☒ Applicant ☐ Primary Contract for Application			
Name:	Richard H. Shaw	Phone:	
Street:	P.O. Box 490	Fax:	
City/State/Zip:	Gig Harbor, WA 98335-0490	Email:	Westshaw@aol.com

Property Owner(s)

I do hereby affirm and certify, under penalty of perjury, that I am the sole owner of the herein described property and that the foregoing statements and answers are in all respects true and correct on my information and belief as to those matters, I believe it to be true.

Signature by Property Owner:  DocuSigned by:
 257D686A5E7C44C... Date: 6/22/2023

PROJECT DESCRIPTION (PROVIDE DETAILED SUMMARY)		
See attached Ex. A.		
UTILITIES		
Water Supply (name of utility provider):		Sewage Disposal (name of utility provider):
N/A		N/A
Access (Name of road or street from which access is or will be gained):		
CRITICAL AREA INFORMATION		
Wetlands on site ☐ Yes ☐ No	Slopes exceeding 15% ☐ Yes ☐ No	Streams ☐ Yes ☐ No
Existing Land Use: Describe (or illustrate separately) all existing use structures and all critical areas within 300 feet of property lines. See attached Exhibit A		
Fee Deposits: "I acknowledge that I have applied for a permit which requires a deposit for future services to be rendered, as required by section F of the City's adopted Fee Schedule. I understand that, as the applicant, I (we) shall bear all of the costs of these services and will be billed the act costs in excess of the deposit. If the actual costs are below the deposit, I will be refunded the difference." _____(Initials)		
Consolidated Permit Processing: "As the applicant, I (we) elect to have all planning permits submitted concurrently and associated with our project processed collectively under the highest numbered permit procedure per GHMC 19.01.002(B) ." _____(Initials)		

Exhibit A

Richard Shaw is the owner of the property located at 3215 Harborview Dr. in Gig Harbor (Property). He is seeking a site-specific zoning map amendment under GHMC 17.100.

The property at issue is currently zoned Waterfront Millville (WM) and the change would be to Waterfront Commercial (WC). The Property is adjacent to the WC zone and the amendment would simply extend the zone to this parcel. Because the application is for an extension of an existing district boundary, the minimum area requirements under GHMC 17.100.020 are met. The application should be approved based on the following:

1. The Property is located in downtown Gig Harbor adjacent to Skansie Brothers Park. Here is an image of the Property:



2. The Property is currently zoned WM. A commercial marina is located on the Property and a restaurant has been fully permitted..

3. The intent of the WM zone is:

[T]o provide a wide range of uses and activities on the shoreline of Gig Harbor located within the area between Rosedale Street and Stinson Avenue. This district serves primarily as a medium intensity, mixed use waterfront district with an emphasis on medium density residential, marine-dependent and marine-related uses. Uses which enhance the historic fishing village atmosphere and which are harmonious with surrounding residential areas are encouraged.¹

4. The uses to the north and west of the Property are all commercial/retail uses (marina, restaurants, and retail shops). There are no residential uses in the immediate vicinity of the Property.

5. The zone directly adjacent to the South of the Property is WC. The intent of WC is:

[T]o provide a wide range of uses and activities on the shoreline of Gig Harbor located within the area proximate to the downtown business district. Development should be water-oriented and maintain the scale of existing structures. Highest priority will be accorded to those uses that are water-dependent. Other uses that provide a high degree of physical access to the waterfront have the next priority. Those activities that are not water-dependent but maintain or enhance views and the character of the area may also be permitted.²

6. Both WM and WC zones implement the Waterfront designation under the Gig Harbor Comprehensive Plan.³

7. The primary difference between the WM and WC zones is that in the WM zone there is an emphasis on medium density residential uses, and uses that are harmonious with residential areas are encouraged. In contrast, in the WC zone there is an emphasis on commercial uses that are water dependent or that provide physical access to the waterfront and/or water views.

8. An extension of the WC zone to the Property is warranted because the general criteria for a zoning map amendment under GHMC 17.100.035 are met:

¹ GHMC 17.48.010 (emphasis added).

² GHMC 17.50.010 (emphasis added).

³ GHMC 17.12.015.

- a. The application for the zoning map amendment is consistent with and furthers the goals, policies, and objectives of the Comprehensive Plan and GHMC 17.12.015.

The zone change request is consistent with GHMC 17.12.015 because the land use designation for the Property is Waterfront, and WC implements that designation.

The proposed zone change is also consistent with the Comprehensive Plan. It is the intent under the plan that in the Waterfront land use designation area “the lower intensity waterfront areas would favor residential and marinas while the more intense use waterfront areas would provide for higher density residential and commercial/retail uses.”⁴ Under the development regulations, the WC zone implements the “more intense use waterfront areas” with an emphasis on commercial and retail uses. The WM zone implements the “lower intensity waterfront areas” with an emphasis on residential uses and commercial uses that are harmonious with residential uses.

The Property contains a higher intensity use (commercial marina) and is approved for another (the restaurant). It is surrounded by commercial and retail uses, and there are no residential uses in the immediate vicinity that could be negatively impacted by the marginally higher intensity uses of the WC zone. An extension of the WC zone to the Property is consistent with plan goals and policies.

- b. The application for the zoning district amendment furthers or bears a substantial relationship to public health, safety, and general welfare.

The requested zone change bears a substantial relationship to public health, safety, and general welfare because it is consistent with the comprehensive plan and the intent of the Waterfront land use designation. The comprehensive plan is the clearest written expression of public policy and the public interest for land use decisions. The rezone would maintain the required consistency between the comprehensive plan and the zoning.

One of the main differences between the current WM zoning and the proposed WC is that the WC allows restaurants outright while the WM allows them with a conditional use permit. In 2018, the City’s hearing Examiner approved a conditional use permit and various other approvals for a restaurant on the site. Thus, the City has already decided that the more intense restaurant commercial use does “fit” on the property in the area. In

⁴ Comprehensive Plan p. 2-9.

granting that approval, some of the flexibility allowed by the WC zone has already been found appropriate here.

Another key difference is that the WC allows small scale retail sales while the WM does not. A small-scale retail use here would allow more full use of the partially developed site and could be served by the underused parking already in place. It could add to the downtown experience of residents and visitors, and add tax revenues to the benefit of the public, all without adversely affecting any nearby residences. The Examiner found that the restaurant would not adversely affect the character of the area and neither would a small retail use. Such a use could complement the area, especially considering the high volume of visitors at the adjacent City park.

This proposal advances the public health, safety, and general welfare because it allows the potential for a limited additional use to a site already approved for commercial use in a way that expands opportunity and benefits without adverse effects on others.

- c. No substantial detrimental effect will be caused by the granting of the application for the amendment.

The proposed zone change would simply extend the WC zone one property to the north. This would not cause any detrimental effect. The uses allowed in the WM and WC zones are largely similar. One difference is that retail uses are allowed in WC and not in WM. However, multiple retail uses already exist directly across the street from the Property. Moreover, the Property is adjacent to Skansie Brothers Park and is part of the walkable waterfront commercial area. Locals and tourists already use retail services in this location.

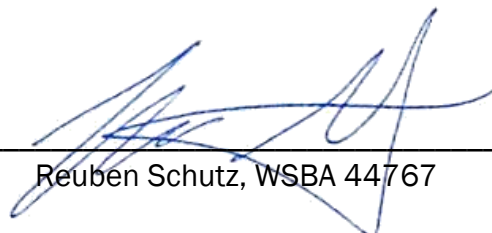
- d. Conditions have changed since the original zoning or original designation for the Property on the zoning district map.

The WM zone was adopted in 1991.⁵ Since that time, the area adjacent to and around the Property has changed. There are now more commercial/retail uses in the immediate area. Retail uses are located directly across the street and to the north of the Property, including at the intersection of Harborview Dr. and Dorotich St. Moreover, in 2012 Skansie Brothers Park was established adjacent to the Property, drawing tourists and shoppers. These changes have effectively extended the purpose and intent of the WC zone to the Property.

⁵ Ordinance No. 598.

9. This application for a site-specific zoning map amendment is exempt from SEPA under WAC 197-11-800(6)(c) and GHMC 19.04.003, as (i) the Property is in an urban growth area in a City planning under RCW 36.70A.040, (ii) the proposed rezone is consistent with and does not require an amendment to the comprehensive plan, and (iii) the applicable comprehensive plan was previously subjected to environmental review and analysis that adequately addressed the impacts of the rezone.⁶

Dated this 31st day of July, 2023



Reuben Schutz, WSBA 44767

⁶ Ordinance No. 686 (A final EIS that assessed the probably environmental impacts of among other things the Waterfront land use designation that is implemented by WM and WC was issued in 1994.)



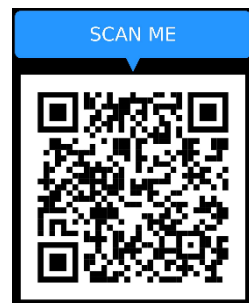
"THE MARITIME CITY"

COMMUNITY DEVELOPMENT
PLANNING DIVISION

CITY OF GIG HARBOR

NOTICE OF PUBLIC HEARING

PLEASURE CRAFT MARINA SITE-SPECIFIC REZONE



Permit Number(s): PL-REZ-23-0001

Date of Notice: October 24, 2023

Applicant: Richard H. Shaw, 1191 NW Shaw Island Way, Bremerton, WA 98335

Agent: Reuben Schutz, 1201 Pacific Ave, Ste 2100, Tacoma, WA 98402

Project Location: 3215 Harborview Dr., Site is located on the northeast side of Harborview Dr., at the intersection with Rosedale Street. Sec 05, Tw 21, R 02, QTR 34. Parcel Number - 7650000020

Project Description: The applicant is proposing a rezone of the site currently zoned Waterfront Millville (WM) to Waterfront Commercial (WC).

SEPA Threshold Determination: A Threshold Determination is not required for this proposal

PUBLIC HEARING DATE: Hearing Examiner, **November 7th, 2023, at 1:30 pm,**
Virtual Hearing

Interested persons are invited to attend the public hearing and provide testimony on this proposal. The hearing will be conducted in the manner prescribed by Gig Harbor Municipal Code Chapter [19.05](#).

Documents pertinent to this application are available for review and inspection at the City of Gig Harbor Planning Division, 3510 Grandview Street, Gig Harbor, WA 98335, during normal business hours, Monday through Friday or on the City's [Permit Portal](#). A copy of the staff report on this proposal will be available at least seven days prior to the hearing.

Questions regarding the above stated application should be made to Jeremy Hammar, Senior Planner, City of Gig Harbor Community Development Department, 3510 Grandview Street, Gig Harbor, WA 98335, or by calling (253)851-6170. Additional permit information can also be found at www.cityofgigharbor.gov by clicking "[Permit Portal](#)" and entering the above permit numbers "My Portal".



CERTIFICATION OF PUBLIC NOTICE

=====

DECLARATION OF MAILING

I, Cindy Andrews (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On October 23, 2023, I mailed, (emailed), a true and correct copy of the **NOTICE OF PUBLIC HEARING**

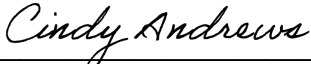
Project Name: **PLEASURE CRAFT MARINA SITE-SPECIFIC REZONE**

Project Location: **3215 HARBORVIEW DR.**

Permit Number(s): **PL-REZ-23-0001**

to the individuals/agencies identified on the attached transmittal form by United States Postal Service, inter-office routing, or electronic mail, as specified on the attached.

SIGNED at Gig Harbor, Washington, this 24 day of October 2023



DECLARANT (signature)

City of Gig Harbor
Transmittal Form

Routing for: NOA SEPA **NOPH** NOPM NOD Notice Date: October 24, 2023

Project: PLEASURE CRAFT MARINA SITE-SPECIFIC REZONE

PL-REZ-23-0001

Planner: JEREMY HAMMAR

Routed to: ☐ Public Works–Operations ☐ Building and Fire Safety
City Depts. ☐ Public Works–Engineering ☐ Other _____

SEPA Agencies: ☐ Washington Department of Ecology, SEPA Register
(NOA, SEPA) ☐ Washington Department of Commerce, attn: Review Team
Electronic Mail ☐ Pierce Transit Land Use Review, attn: Kelly Haden, Monica Adams
☐ Washington State Department of Fish & Wildlife, attn: SEPA Desk
☐ Washington State Department of Natural Resources, attn: SEPA Center
☐ Washington State DAHP, attn: Gretchen Kaehler
☐ Puyallup Tribe of Indians Historic Preservation, attn: Judy Wright
☐ Puyallup Tribe Cultural Resources, attn: Brandon Reynon/Jeffrey Thomas
☐ PenMet Parks, attn: Elaine Sorenson
☐ Pierce County Fire District Number 5, attn: Eric Watson/Eric Waters
☐ Suquamish Tribe, attn: Dennis Lewarch
☐ Peninsula School District, attn: Vicki Smith
☐ Pierce County Planning and Land Services
☐ Washington State Department of Transportation, attn: Dale Severson / SEPA Reviews
☐ Squaxin Island Tribe, attn: Rhonda Foster
☐ Muckleshoot Tribe, attn: Laura Murphy
☐ Washington Department of Corrections, attn: Eric Heinitz
☐ Puget Sound Partnership, attn: Marsha Engel

Other Parties: ☒ Applicant/Owner/Agent (NOA **NOPH** NOPM, SEPA, NOD) MDNS)
1st Class Mail ☐ DRB (NOA for Non-residential, Multi-family, Subdivisions, Public Projects)
☐ Parks Commission via Terri Reed (NOA)
☒ Property Owners within 300 feet of site: attached list (NOA, SEPA, **NOPH**,
NOPM, NOD for Type II permits only)
☐ Parties of Record: attached list (**NOPH**, NOPM, NOD)
☐ Pierce County (NOA for Plats adjacent to City Limits)
☐ Pierce County Assessor-Treasurer (NOD)
☐ WA Transportation Secretary (NOA for Plats adj. to State ROW, or within 2
miles of Airport—approximately any plats south of Pioneer/Wollochet
interchange)

☐ TACOMA NEWS TRIBUNE



"THE MARITIME CITY"

COMMUNITY DEVELOPMENT
PLANNING DIVISION

CITY OF GIG HARBOR

NOTICE OF PUBLIC HEARING

PLEASURE CRAFT MARINA SITE-SPECIFIC REZONE



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Virtual Hearing

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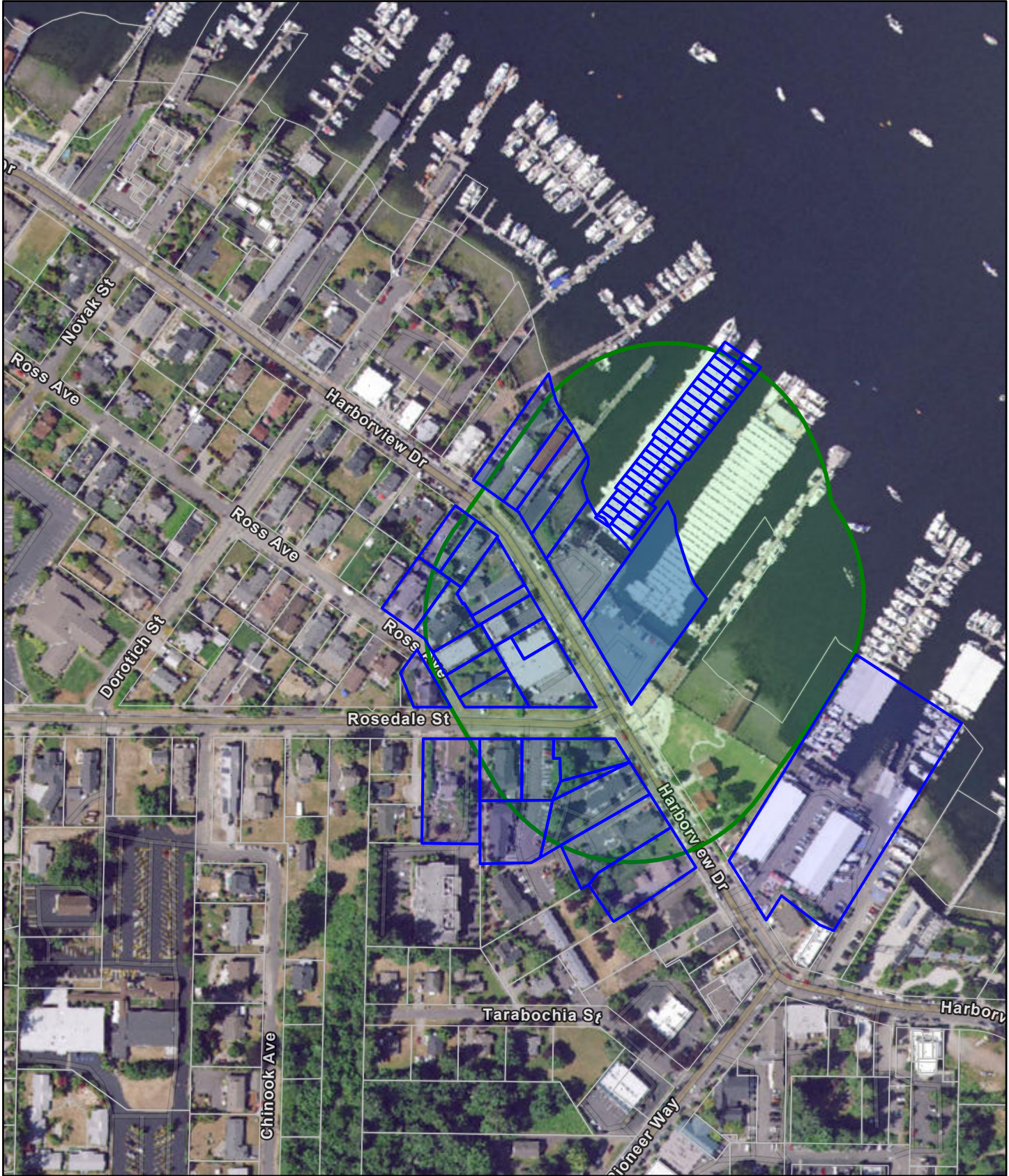
A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost; copies will be provided at the requestor's cost.

Interested persons may comment on the above stated application or may request a copy of the decision on this application. **Requests for notification, written comments, including any written comments addressing the findings required for a decision, must be submitted to the Planning Division no later than 5:00 PM on November 6th, 2023.**

Questions regarding the above stated application should be made to Jeremy Hammar, Senior Planner, City of Gig Harbor Community Development Department, 3510 Grandview Street, Gig Harbor, WA 98335, or by calling (253)851-6170. Additional permit information can also be found at www.cityofgigharbor.gov by clicking "[Permit Portal](#)" and entering the above permit numbers "My Portal".

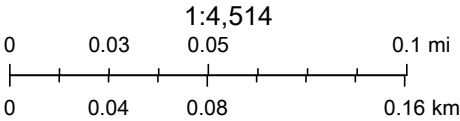


Project Web Map



10/16/2023, 9:11:48 AM

 Parcel Boundary



Maxar, Esri Community Maps Contributors, WA State Parks GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

TaxParcelNumber	TaxpayerName	Delivery_Address	City_State Zipcode
Parcel: 4363000360	HANLEY GLADYS I TTEE	4340 BORGEN BLVD APT 1113	GIG HARBOR, WA 98332
Parcel: 7650000090	TANGNEY CHASE M & TARA H	6903 FORD DR NW	GIG HARBOR, WA 98335-6453
Parcel: 4363000280	STROUD JEFFREY G & ANN M	8219 WARREN DR NW	GIG HARBOR, WA 98335-6039
Parcel: 4363000190	GRAFF RICHARD G	1305 38TH AVENUE CT NW	GIG HARBOR, WA 98335-7738
Parcel: 0221053013	SEHER ASSET MANAGEMENT LLC	2810 MARSHALL AVE STE 8	TACOMA, WA 98421
Parcel: 4363000220	WRIGHT DANIEL H & SHERAL L	6713 RAINIER AVE	GIG HARBOR, WA 98335-1918
Parcel: 4363000450	SKARAN ANDREW O & AMBER L	1916 50TH STREET CT NW	GIG HARBOR, WA 98335
Parcel: 4363000390	KNAPP LINDA L	3601 10TH ST NW	GIG HARBOR, WA 98335-7844
Parcel: 4363000011	EWALD ANTHONY J & ERIN R	8808 66TH AVE NW	GIG HARBOR, WA 98332-8431
Parcel: 5970000020	GIG HARBOR MARINA INC	3323 HARBORVIEW DR	GIG HARBOR, WA 98332-2126
Parcel: 0221053014	SEHER ASSET MANAGEMENT LLC	2810 MARSHALL AVE STE 8	TACOMA, WA 98421
Parcel: 4363000070	ESTEB MICHAEL J & SUSAN	2118 SULLIVAN DR NW	GIG HARBOR, WA 98335-7743
Parcel: 4363000160	MYERS CHRISTOPHER W & JILL L TTEE	2606 71ST AVENUE CT NW	GIG HARBOR, WA 98335-8429
Parcel: 4363000250	BUCK SPENCER	2110 21ST AVENUE CT NW	GIG HARBOR, WA 98335-7955
Parcel: 4363000040	JORGENSEN MARC A	PO BOX 1396	GIG HARBOR, WA 98335-3396
Parcel: 0221053075	LOPEZ RAMON & DELFINA	3226 HARBORVIEW DR	GIG HARBOR, WA 98332-2182
Parcel: 4363000420	ANDERSON MARTI S & STORKMAN JAM	13715 51ST AVE NW	GIG HARBOR, WA 98332-9142
Parcel: 4363000480	WILBERT INVESTMENTS LLC	PO BOX 678	GIG HARBOR, WA 98335-0678
Parcel: 0221082222	MP4 INC	PO BOX 1399	GIG HARBOR, WA 98335-3399
Parcel: 0221082102	JERM ENTERPRISES LLC	6202 24TH ST NW	GIG HARBOR, WA 98335-7505
Parcel: 0221053112	UNKNOWN CONVERSION PARTY	UNKNOWN PARTY ADDRESS	UNKNOWN CITY, WA
Parcel: 0221082147	MP4 INC	PO BOX 1399	GIG HARBOR, WA 98335-3399
Parcel: 4363000100	WIDNEY JAMES H & CONSTANCE E	11206 28TH STREET CT NW	GIG HARBOR, WA 98335-5856
Parcel: 7650000080	TANGNEY CHASE M & TARA H	6903 FORD DR NW	GIG HARBOR, WA 98335-6453
Parcel: 4363000340	WORRELL PATRICK F & WORRELL SUSAN	22915 N HANK RAYMOND DR	SUN CITY, AZ 85375-1525
Parcel: 4363000170	MCVITTIE LAWRENCE H TTEE	4915 NE 42ND AVE	PORTLAND, OR 97218
Parcel: 0221053045	ZUSY JAMES L & GRACIELA L	7420 FORD DR NW	GIG HARBOR, WA 98335-6479
Parcel: 0221053090	LOPEZ RAMON & DELFINA	3226 HARBORVIEW DR	GIG HARBOR, WA 98332-2182
Parcel: 5970000010	SEHER ASSET MANAGEMENT LLC	2810 MARSHALL AVE STE 8	TACOMA, WA 98421
Parcel: 4363000430	LA FAMIGLIA LLC	PO BOX 871	GIG HARBOR, WA 98335-0871
Parcel: 4363000310	NIESZ TIM J	PO BOX 2419	GIG HARBOR, WA 98335-4419
Parcel: 4363000370	BERG NORMAN D & SHEILA M	2618 116TH AVENUE CT NW	GIG HARBOR, WA 98335-5800
Parcel: 4363000130	HULL KIRK B	3812 SNYDER LN	GIG HARBOR, WA 98335-1160

Parcel: 7650000061	PUGH EDWARD N JR & CYNTHIA M	3311 ROSS AVE	GIG HARBOR, WA 98332-1841
Parcel: 4363000230	ZEMATIS LYNNE W	PO BOX 25	MANCHESTER, WA 98353-0025
Parcel: 4363000200	PETERSON DOUGLAS & JEANNE	2118 LYBECKER DR NW	GIG HARBOR, WA 98332-9514
Parcel: 4363000020	CHOLERTON MICHAEL T & BRENN A	8406 GOODMAN DR NW	GIG HARBOR, WA 98332-9566
Parcel: 4363000400	BROOKSTIN LLC	5223 W OLD STUMP DR NW	GIG HARBOR, WA 98332-7802
Parcel: 5970000521	SMITH TERRY G & BETTY LOU	3317 ROSS AVE	GIG HARBOR, WA 98332-1841
Parcel: 0221082221	HARBORVIEW PARTNERS LLC	705 S 9TH ST STE 205	TACOMA, WA 98405-4622
Parcel: 4363000460	MITTON JOAN E TTEE OF JOAN E MITT	6202 24TH ST NW	GIG HARBOR, WA 98335-7505
Parcel: 4363000320	GILCHRIST NICHOLAS & LAURA	8502 88TH STREET CT NW	GIG HARBOR, WA 98332-6774
Parcel: 4363000080	PLATT JOHN & PATRICIA	2303 56TH ST NW	GIG HARBOR, WA 98335-1388
Parcel: 0221082144	SCHLICK LYNN M	PO BOX 2	WAUNA, WA 98395-0002
Parcel: 4363000260	WOODSTOCK CHARLES A	6803 CASCADE AVE	GIG HARBOR, WA 98335-1912
Parcel: 4363000150	THIELMANN STEVEN P & JANENEE H	1911 50TH ST NW	GIG HARBOR, WA 98335-2416
Parcel: 5970000440	SWANSON WILLIAM & SHERI	PO BOX 1848	GIG HARBOR, WA 98335
Parcel: 0221082021	SOUTH PUGET SOUND PROPERTIES LLC	13817 NE 20TH ST	BELLEVUE, WA 98005
Parcel: 0221082092	MP4 INC	PO BOX 1399	GIG HARBOR, WA 98335-3399
Parcel: 4363000410	TURNLEY JOHN R & LORRAINE I	2801 64TH ST	GIG HARBOR, WA 98335-1333
Parcel: 4363000490	THIMMESCH JOHN H & SHARYN M	33219 E LAKE HOLM DR SE	AUBURN, WA 98092-5959
Parcel: 4363000050	LA FAMIGLIA LLC	PO BOX 871	GIG HARBOR, WA 98335-0871
Parcel: 4363000110	KING CATHERINE	PO BOX 633	GIG HARBOR, WA 98335
Parcel: 4363000350	THOMSON CHRISTOPHER B & JULIA L	7 MARBLE BEACH DR NW	GIG HARBOR, WA 98332-8502
Parcel: 4363000290	MCVITTIE LAWRENCE H TTEE	4915 NE 42ND AVE	PORTLAND, OR 97218
Parcel: 4363000180	HAMILTON STELLA R	1519 WEATHERSWOOD DR NW	GIG HARBOR, WA 98335-7827
Parcel: 7650000040	FRENCH QUARTER PROPERTY LLC	7801 RELIANCE LN UNIT A	GIG HARBOR, WA 98335-1196
Parcel: 4363000380	BOYER DAVID & ANITA	7112 FORD DR NW	GIG HARBOR, WA 98335-6482
Parcel: 0221082059	MALKOC ESAD & OLGA ET AL	5080 DUNDAS ST	BURNABY, BC V5B 1A3
Parcel: 0221053036	ZUSY JAMES L & GRACIELA L	7420 FORD DR NW	GIG HARBOR, WA 98335-6479
Parcel: 4363000120	BAYEUR DONALD C & MYRTINA M	5106 S FIFE ST	TACOMA, WA 98409-6409
Parcel: 4363000060	OATES JOSEPH M & BARBARA A	7609 87TH AVE SW	LAKEWOOD, WA 98498-4901
Parcel: 4363000300	SUMNER CAPITAL INVESTORS LLC	5312 PACIFIC HWY E	FIFE, WA 98424-2602
Parcel: 4363000240	MILGARD JAMES A	PO BOX 2358	GIG HARBOR, WA 98335-4358
Parcel: 5970000430	WILTBANK SUZANNE E	3310 HARBORVIEW DR	GIG HARBOR, WA 98332-2126
Parcel: 4363000210	RUTT TRACY & ELISA A	PO BOX 277	USK, WA 99180
Parcel: 0221053021	WINTER RONALD F & MILLICENT S	3317 ROSEDALE ST	GIG HARBOR, WA 98335-1813

Parcel: 0221082042	KLENAK PETER R	3208 50TH STREET CT # D205	GIG HARBOR, WA 98335
Parcel: 4363000030	WILBERT INVESTMENTS LLC	PO BOX 678	GIG HARBOR, WA 98335-0678
Parcel: 4363000470	BRAY JOHN C & CHRISTINE C	11212 28TH STREET CT NW	GIG HARBOR, WA 98335-5856
Parcel: 4363000090	HIGASHI CLIFFORD Y	16618 STAVIS BAY RD NW	SEABECK, WA 98380-9514
Parcel: 4363000330	ALLEN JOHN E TTEE & ALLEN KATHLEEN	934 7TH CT	FOX ISLAND, WA 98333
Parcel: 7650000070	BURR GANET	3303 ROSS AVE	GIG HARBOR, WA 98332-1841
Parcel: 4363000270	STEVENSON RICHARD & WENDY	10908 MOORELANDS ST NW	GIG HARBOR, WA 98335-5831
Parcel: 7650000020	SHAW RICHARD H	PO BOX 490	GIG HARBOR, WA 98335-0490
Parcel: 4363000010	ALFORD DARIUS M	4203 ROSEDALE ST UNIT 14 A	GIG HARBOR, WA 98335
Parcel: 0221082010	JERM ENTERPRISES LLC	6202 24TH ST NW	GIG HARBOR, WA 98335-7505
Parcel: 4363000440	PETERS GREGG M TTEE OF GREGG M PE	1127 7TH COURT	FOX ISLAND, WA 98333-9607

Routing for: NOA SEPA **NOPH** NOPM NOD **Notice Date: October 24, 2023**

PL-REZ-23-0001
Planner: JEREMY HAMMAR

SEPA Agencies: ☐ Washington Department of Ecology, SEPA Register
(NOA, SEPA) ☐ Washington Department of Commerce, attn: Review Team
Electronic Mail ☐ Pierce Transit Land Use Review, attn: Kelly Haden, Monica Adams
☐ Washington State Department of Fish & Wildlife, attn: SEPA Desk
☐ Washington State Department of Natural Resources, attn: SEPA Center
☐ Washington State DAHP, attn: Gretchen Kaehler
☐ Puyallup Tribe of Indians Historic Preservation, attn: Judy Wright
☐ Puyallup Tribe Cultural Resources, attn: Brandon Reynon/Jeffrey Thomas
☐ PenMet Parks, attn: Elaine Sorenson
☐ Pierce County Fire District Number 5, attn: Eric Watson/Eric Waters
☐ Suquamish Tribe, attn: Dennis Lewarch
☐ Peninsula School District, attn: Vicki Smith
☐ Pierce County Planning and Land Services
☐ Washington State Department of Transportation, attn: Dale Severson / SEPA Reviews
☐ Squaxin Island Tribe, attn: Rhonda Foster
☐ Muckleshoot Tribe, attn: Laura Murphy
☐ Washington Department of Corrections, attn: Eric Heinitz
☐ Puget Sound Partnership, attn: Marsha Engel

Page 178 of 808

☒ TACOMA NEWS TRIBUNE

CERTIFICATION OF PUBLIC NOTICE

=====

DECLARATION OF PUBLISHING

I, Cindy Andrews declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

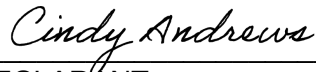
On October 10, 2023, I sent a true and correct copy of the **NOTICE OF PUBLIC HEARING** for publication in the **October 24, 2023**, edition of the Tacoma News Tribune for the following:

Project Name: **PLEASURE CRAFT MARINA SITE-SPECIFIC REZONE**

Project Location: **3215 HARBORVIEW DR.**

Permit Number(s): **PL-REZ-23-0001**

SIGNED at Gig Harbor, Washington, this 10, day of October 2023



DECLARANT (signature)



"THE MARITIME CITY"

COMMUNITY DEVELOPMENT
PLANNING DIVISION

CITY OF GIG HARBOR

NOTICE OF PUBLIC HEARING

PLEASURE CRAFT MARINA SITE-SPECIFIC REZONE



Permit Number(s): PL-REZ-23-0001

Date of Notice: October 24, 2023

Applicant: Richard H. Shaw, 1191 NW Shaw Island Way, Bremerton, WA 98335

Agent: Reuben Schutz, 1201 Pacific Ave, Ste 2100, Tacoma, WA 98402

Project Location: 3215 Harborview Dr., Site is located on the northeast side of Harborview Dr., at the intersection with Rosedale Street. Sec 05, Tw 21, R 02, QTR 34. Parcel Number - 7650000020

Project Description: The applicant is proposing a rezone of the site currently zoned Waterfront Millville (WM) to Waterfront Commercial (WC).

SEPA Threshold Determination: A Threshold Determination is not required for this proposal

PUBLIC HEARING DATE: Hearing Examiner, **November 7th, 2023, at 1:30 pm,**
Virtual Hearing

Interested persons are invited to attend the public hearing and provide testimony on this proposal. The hearing will be conducted in the manner prescribed by Gig Harbor Municipal Code Chapter [19.05](#).

Documents pertinent to this application are available for review and inspection at the City of Gig Harbor Planning Division, 3510 Grandview Street, Gig Harbor, WA 98335, during normal business hours, Monday through Friday or on the City's [Permit Portal](#). A copy of the staff report on this proposal will be available at least seven days prior to the hearing.

Questions regarding the above stated application should be made to Jeremy Hammar, Senior Planner, City of Gig Harbor Community Development Department, 3510 Grandview Street, Gig Harbor, WA 98335, or by calling (253)851-6170. Additional permit information can also be found at www.cityofgigharbor.gov by clicking "[Permit Portal](#)" and entering the above permit numbers "My Portal".



THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS Order Number: IPL0143325 Order Status: Submitted Classification: Legals & Public Notices Package: TAC - Legal Ads Final Cost: \$96.38 Payment Type: Account Billed User ID: IPL0021041	PREVIEW FOR AD NUMBER IPL01433250
ACCOUNT INFORMATION CITY OF GIG HARBOR IP 3510 GRANDVIEW ST GIG HARBOR, WA 98335-1214 253-851-8136 noemail@mcclatchy.com CITY OF GIG HARBOR	
TRANSACTION REPORT Date October 10, 2023 2:27:17 PM EDT Amount: \$96.38	
SCHEDULE FOR AD NUMBER IPL01433250 October 24, 2023 The News Tribune (Tacoma) Print	

**CITY OF GIG HARBOR
NOTICE OF PUBLIC HEARING
PLEASURE CRAFT MARINA
SITE-SPECIFIC REZONE**

Permit Number(s): PL-REZ-23-0001

Date of Notice: October 24, 2023

Applicant: Richard H. Shaw, 1191
NW Shaw Island Way, Bremerton, WA
98335

Agent: Reuben Schutz, 1201 Pacific
Ave, Ste 2100, Tacoma, WA 98402

Project Location: 3215 Harborview
Dr., Site is located on the northeast
side of Harborview Dr., at the intersec-
tion with Rosedale Street. Sec 05, Tw
21, R 02, QTR 34.

Parcel Number - 7650000020

Project Description: The applicant is
proposing a rezone of the site cur-
rently zoned Waterfront Millville (WM)
to Waterfront Commercial (WC).

SEPA Threshold Determination:

A Threshold Determination is not re-
quired for this proposal

PUBLIC HEARING DATE: Hearing
Examiner, **November 7th, 2023,**
at 1:30 pm, Virtual Hearing

Interested persons are invited to at-
tend the public hearing and provide
testimony on this proposal. The hear-
ing will be conducted in the manner
prescribed by Gig Harbor Municipal
Code Chapter 19.05.

Documents pertinent to this appli-
cation are available for review and
inspection at the City of Gig Harbor
Planning Division, 3510 Grandview
Street, Gig Harbor, WA 98335, during
normal business hours, Monday
through Friday or on the City's Per-
mit Portal. A copy of the staff report
on this proposal will be available at

least seven days prior to the hearing. A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost; copies will be provided at the requestor's cost.

Interested persons may comment on the above stated application or may request a copy of the decision on this application. **Requests for notification, written comments, including any written comments addressing the findings required for a decision, must be submitted to the Planning Division no later than 5:00 PM on November 6th, 2023.**

Questions regarding the above stated application should be made to Jeremy Hammar, Senior Planner, City of Gig Harbor Community Development Department, 3510 Grandview Street, Gig Harbor, WA 98335, or by calling (253)851-6170. Additional permit information can also be found at www.cityofgigharbor.gov by clicking "Permit Portal" and entering the above permit numbers "My Portal".

W000000000

Oct 24 2023

<< Click here to print a printer friendly version >>

Reviewed
10/26/23

RECEIVED

By C. ANDREWS at 4:40 pm, Oct 26, 2023

CERTIFICATION OF PUBLIC NOTICE

DECLARATION OF POSTING

I, Danny L. Snore (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

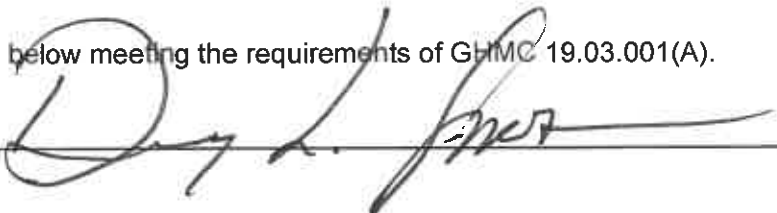
On OCT 26, 2023 I caused to be posted the notice board for the Notice of Public Hearing on the following:

Project Name: **PLEASURE CRAFT MARINA SITE-SPECIFIC REZONE**

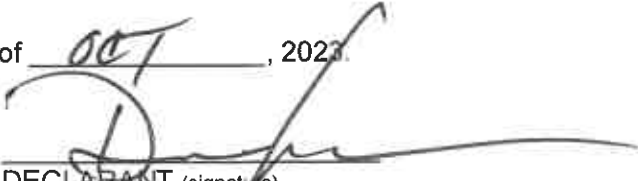
Project Location: 3215 Harborview Dr.

Permit Number(s): **PL-REZ-23-0001**

at the locations indicated below meeting the requirements of GDMC 19.03.001(A).

- ☒ 
- ☒ _____

SIGNED at Gig Harbor, Washington, this 26th day of OCT, 2023.


DECLARANT (signature)

CERTIFICATION OF PUBLIC NOTICE

=====

DECLARATION OF MAILING

I, Cindy Andrews (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On August 7, 2023, I mailed, (emailed), a true and correct copy of the **NOTICE OF APPLICATION**

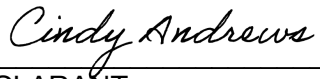
Project Name: **PLEASURE CRAFT MARINA SITE-SPECIFIC REZONE**

Project Location: **3215 HARBORVIEW DR.**

Permit Number(s): **PL-REZ-23-0001**

to the individuals/agencies identified on the attached transmittal form by United States Postal Service, inter-office routing, or electronic mail, as specified on the attached.

SIGNED at Gig Harbor, Washington, this 7th day of August 2023



DECLARANT (signature)

City of Gig Harbor
Transmittal Form

Routing for: **NOA** SEPA NOPH NOPM NOD Notice Date: August 7, 2023
Project: PLEASURE CRAFT MARINA SITE- SPECIFIC REZONE

Planner: PL-REZ-23-0001
~~Robin Bolster-Grant~~ | *Jeremy Hammar*

Routed to: ☒ Public Works—Operations ☒ Building and Fire Safety
City Depts. ☒ Public Works—Engineering ☐ Other _____

SEPA Agencies: ☐ Washington Department of Ecology, SEPA Register
(NOA, SEPA) ☐ Washington Department of Commerce, attn: Review Team
Electronic Mail ☐ Pierce Transit Land Use Review, attn: Kelly Haden, Monica Adams
☐ Washington State Department of Fish & Wildlife, attn: SEPA Desk
☐ Washington State Department of Natural Resources, attn: SEPA Center
☐ Washington State DAHP, attn: Gretchen Kaehler
☐ Puyallup Tribe of Indians Historic Preservation, attn: Judy Wright
☐ Puyallup Tribe Cultural Resources, attn: Brandon Reynon/Jeffrey Thomas
☐ PenMet Parks, attn: Elaine Sorenson
☐ Pierce County Fire District Number 5, attn: Eric Watson/Eric Waters
☐ Suquamish Tribe, attn: Dennis Lewarch
☐ Peninsula School District, attn: Vicki Smith
☐ Pierce County Planning and Land Services
☐ Washington State Department of Transportation, attn: Dale Severson / SEPA Reviews
☐ Squaxin Island Tribe, attn: Rhonda Foster
☐ Muckleshoot Tribe, attn: Laura Murphy
☐ Washington Department of Corrections, attn: Eric Heinitz
☐ Puget Sound Partnership, attn: Marsha Engel

Other Parties: ☒ Applicant/Owner/Agent (NOA, NOPH, NOPM, SEPA, NOD) MDNS)
1st Class Mail ☐ DRB (NOA for Non-residential, Multi-family, Subdivisions, Public Projects)
☐ Parks Commission via Terri Reed (NOA)
☒ Property Owners within 300 feet of site: attached list (NOA, SEPA, NOPH, NOPM, NOD for Type II permits only)
☐ Parties of Record: attached list (NOPH, NOPM, NOD)
☐ Pierce County (NOA for Plats adjacent to City Limits)
☐ Pierce County Assessor-Treasurer (NOD)
☐ WA Transportation Secretary (NOA for Plats adj. to State ROW, or within 2 miles of Airport—approximately any plats south of Pioneer/Wollochet interchange)
☐ TACOMA NEWS TRIBUNE



"THE MARITIME CITY"

COMMUNITY DEVELOPMENT
PLANNING DIVISION

CITY OF GIG HARBOR

NOTICE OF APPLICATION
August 7, 2023

PLEASURE CRAFT MARINA SITE- SPECIFIC REZONE
Type III Permit



Permit Number(s): PL-REZ-23-0001

Date Application was Submitted: July 11, 2023

Date of Notice of Complete Application: July 24, 2023

Name of Applicant: Richard H. Shaw, 1191 NW Shaw Island Way, Bremerton, WA 98335

Name of Agent: Reuben Schutz, 1201 Pacific Ave, Ste 2100, Tacoma, WA 98402

Project Location: 3215 Harborview Dr., Site is located on the northeast side of Harborview Dr., at the intersection with Rosedale Street. Sec 05, Tw 21, R 02, QTR 34. Parcel Number - 7650000020

Description of Proposed Project: The applicant is proposing a rezone of the site currently zoned Waterfront Millville (WM) to Waterfront Commercial (WC).

Project Permits Included with Application: Site Specific Rezone

Further Studies Being Required by Applicable Official: None at this time.

Other Required Permits Not Included in Application: None at this time.

Existing Environmental Documents which Evaluate Proposed Project:
None at this time.

Tentative Public Meeting or Public Hearing Date: A hearing date has not been scheduled for this application.

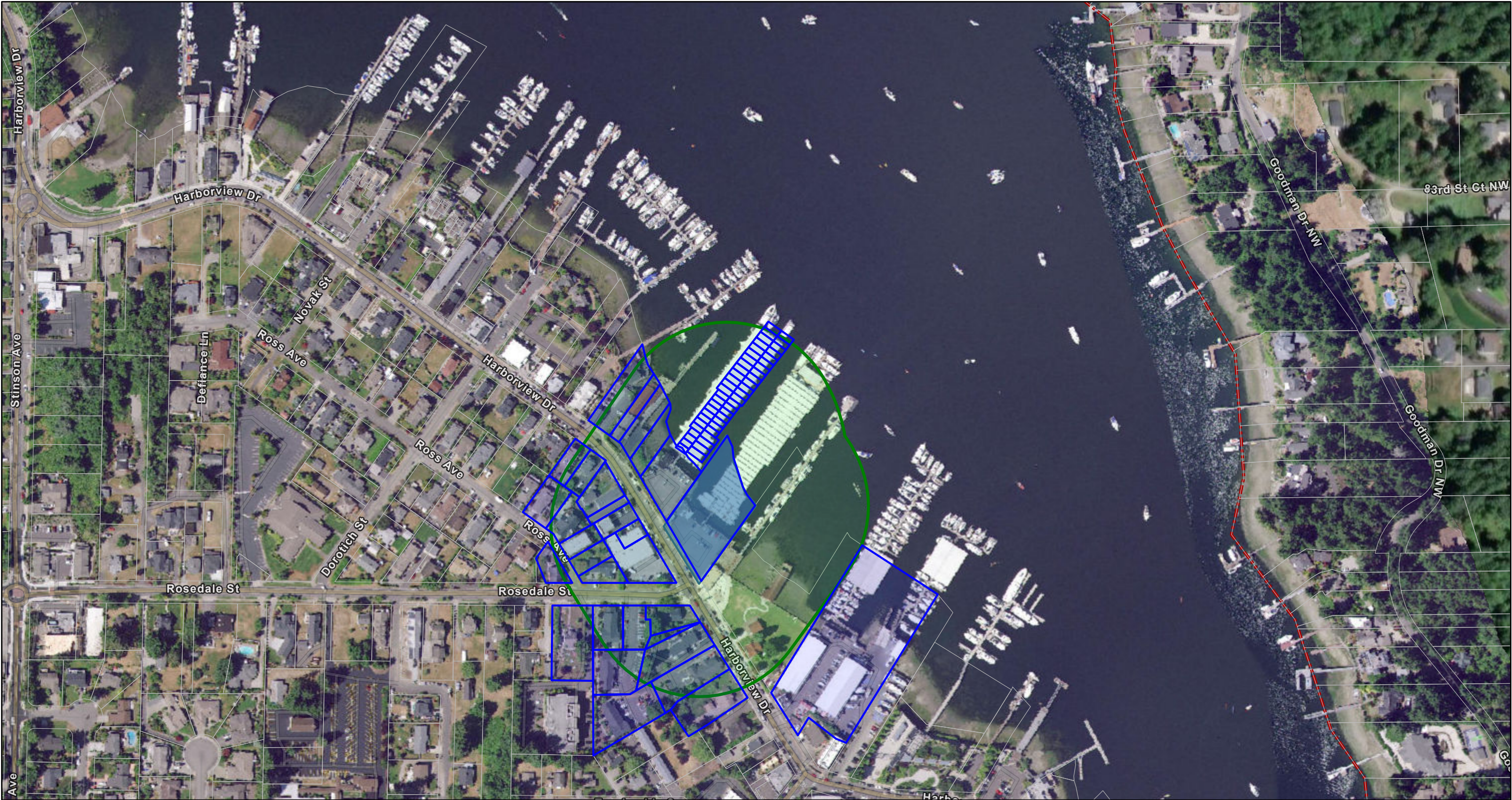
Documents pertinent to this application are available for review and inspection at the City of Gig Harbor Planning Division, 3510 Grandview Street, Gig Harbor, WA 98335, during normal business hours, Monday through Friday. An open record public hearing will be held on this project, at this time the hearing has not been scheduled. A copy of the staff report on this project proposal will be available seven days prior to the public hearing.

Interested persons may comment on the above stated application, or may request any notice of public hearing or a copy of the decision on this application, or participate in any public hearings. Requests for notification or written comments must be submitted to the Planning Division by no later than **August 21, 2023**. All public comments or requests must be received at the Planning Division by no later than 5:00pm on the last date of the comment period.

Questions regarding the above stated application should be made to Jeremy Hammar, Senior Planner, City of Gig Harbor Community Development Department, 3510 Grandview St., Gig Harbor, WA 98335, or by calling (253)851-6170. Additional permit information can also be found at www.cityofgigharbor.net by clicking "Permit Portal" and entering the above permit numbers.

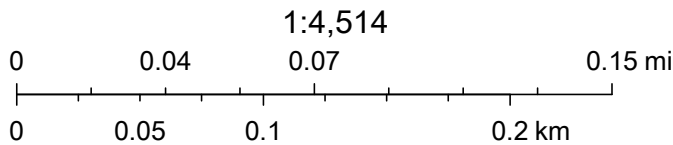


Project Web Map



7/25/2023, 8:00:42 AM

 Parcel Boundary



Maxar, Esri Community Maps Contributors, WA State Parks GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US

TaxParcelNumber	TaxpayerName	Delivery_Address	City_State Zipcode
Parcel: 5970000521	SMITH TERRY G & BETTY LOU	3317 ROSS AVE	GIG HARBOR, WA 98332-1841
Parcel: 4363000460	MITTON JOAN E TTEE OF JOAN E MITTON LIVING TRUST	6202 24TH ST NW	GIG HARBOR, WA 98335-7505
Parcel: 5970000010	SEHER ASSET MANAGEMENT LLC	2810 MARSHALL AVE STE 8	TACOMA, WA 98421
Parcel: 4363000380	BOYER DAVID & ANITA	7112 FORD DR NW	GIG HARBOR, WA 98335-6482
Parcel: 4363000290	MCVITTIE LAWRENCE H TTEE	4915 NE 42ND AVE	PORTLAND, OR 97218
Parcel: 4363000320	GILCHRIST NICHOLAS & LAURA	8502 88TH STREET CT NW	GIG HARBOR, WA 98332-6774
Parcel: 0221082010	JERM ENTERPRISES LLC	6202 24TH ST NW	GIG HARBOR, WA 98335-7505
Parcel: 0221053090	LOPEZ RAMON & DELFINA	3226 HARBORVIEW DR	GIG HARBOR, WA 98332-2182
Parcel: 4363000490	THIMMESCH JOHN H & SHARYN M	33219 E LAKE HOLM DR SE	AUBURN, WA 98092-5959
Parcel: 4363000110	KING CATHERINE	PO BOX 633	GIG HARBOR, WA 98335
Parcel: 0221053036	ZUSY JAMES L & GRACIELA L	7420 FORD DR NW	GIG HARBOR, WA 98335-6479
Parcel: 4363000050	LA FAMIGLIA LLC	PO BOX 871	GIG HARBOR, WA 98335-0871
Parcel: 0221082059	MALKOC ESAD & OLGA ET AL	5080 DUNDAS ST	BURNABY, BC V5B 1A3
Parcel: 4363000260	WOODSTOCK CHARLES A	6803 CASCADE AVE	GIG HARBOR, WA 98335-1912
Parcel: 4363000350	THOMSON CHRISTOPHER B & JULIA L	7 MARBLE BEACH DR NW	GIG HARBOR, WA 98332-8502
Parcel: 5970000430	WILTBANK SUZANNE E	3310 HARBORVIEW DR	GIG HARBOR, WA 98332-2126
Parcel: 4363000020	CHOLERTON MICHAEL T & BRENN A	8406 GOODMAN DR NW	GIG HARBOR, WA 98332-9566
Parcel: 4363000150	THIELMANN STEVEN P & JANENEE H	1911 50TH ST NW	GIG HARBOR, WA 98335-2416
Parcel: 7650000061	PUGH EDWARD N JR & CYNTHIA M	3311 ROSS AVE	GIG HARBOR, WA 98332-1841
Parcel: 4363000080	PLATT JOHN & PATRICIA	2303 56TH ST NW	GIG HARBOR, WA 98335-1388
Parcel: 4363000210	RUTT TRACY & ELISA A	PO BOX 277	USK, WA 99180
Parcel: 4363000440	PETERS GREGG M TTEE OF GREGG M PETERS TRUST & PET	1127 7TH COURT	FOX ISLAND, WA 98333-9607
Parcel: 4363000270	STEVENSON RICHARD & WENDY	10908 MOORELANDS ST NW	GIG HARBOR, WA 98335-5831
Parcel: 7650000090	TANGNEY CHASE M & TARA H	6903 FORD DR NW	GIG HARBOR, WA 98335-6453
Parcel: 5970000440	SWANSON WILLIAM & SHERI	PO BOX 1848	GIG HARBOR, WA 98335
Parcel: 0221082102	JERM ENTERPRISES LLC	6202 24TH ST NW	GIG HARBOR, WA 98335-7505
Parcel: 4363000030	WILBERT INVESTMENTS LLC	PO BOX 678	GIG HARBOR, WA 98335-0678
Parcel: 4363000090	HIGASHI CLIFFORD Y	16618 STAVIS BAY RD NW	SEABECK, WA 98380-9514
Parcel: 0221053112	UNKNOWN CONVERSION PARTY	UNKNOWN PARTY ADDRESS	UNKNOWN CITY, WA
Parcel: 4363000410	TURNLEY JOHN R & LORRAINE I	2801 64TH ST	GIG HARBOR, WA 98335-1333
Parcel: 4363000470	BRAY JOHN C & CHRISTINE C	11212 28TH STREET CT NW	GIG HARBOR, WA 98335-5856
Parcel: 4363000180	HAMILTON STELLA R	1519 WEATHERSWOOD DR NW	GIG HARBOR, WA 98335-7827
Parcel: 5970000020	GIG HARBOR MARINA INC	3323 HARBORVIEW DR	GIG HARBOR, WA 98332-2126

Parcel: 4363000240 MILGARD JAMES A
 Parcel: 0221082147 MP4 INC
 Parcel: 4363000300 SUMNER CAPITAL INVESTORS LLC
 Parcel: 4363000330 ALLEN JOHN E TTEE & ALLEN KATHLEEN R TTEE
 Parcel: 4363000010 ALFORD DARIUS M
 Parcel: 4363000060 OATES JOSEPH M & BARBARA A
 Parcel: 4363000420 ANDERSON MARTI S & STORKMAN JAMES A
 Parcel: 4363000190 GRAFF RICHARD G
 Parcel: 4363000360 HANLEY GLADYS I TTEE
 Parcel: 4363000250 BUCK SPENCER
 Parcel: 0221053075 LOPEZ RAMON & DELFINA
 Parcel: 7650000070 BURR GANET
 Parcel: 0221082222 MP4 INC
 Parcel: 4363000011 EWALD ANTHONY J & ERIN R
 Parcel: 0221082220 MP4 INC
 Parcel: 0221053021 WINTER RONALD F & MILLICENT S
 Parcel: 4363000220 WRIGHT DANIEL H & SHERAL L
 Parcel: 4363000160 MYERS CHRISTOPHER W & JILL L TTEE
 Parcel: 4363000450 SKARAN ANDREW O & AMBER L
 Parcel: 4363000390 KNAPP LINDA L
 Parcel: 4363000280 STROUD JEFFREY G & ANN M
 Parcel: 7650000020 SHAW RICHARD H
 Parcel: 4363000480 WILBERT INVESTMENTS LLC
 Parcel: 4363000120 BAYEUR DONALD C & MYRTINA M
 Parcel: 0221082221 HARBORVIEW PARTNERS LLC
 Parcel: 4363000040 JORGENSON MARC A
 Parcel: 0221082092 MP4 INC
 Parcel: 4363000230 ZEMATIS LYNNE W
 Parcel: 4363000170 MCVITTIE LAWRENCE H TTEE
 Parcel: 4363000400 BROOKSTIN LLC
 Parcel: 0221053014 SEHER ASSET MANAGEMENT LLC
 Parcel: 4363000340 WORRELL PATRICK F & WORRELL SUSAN L TTEE
 Parcel: 0221082042 KLENAK PETER R
 Parcel: 4363000310 NIESZ TIM J

PO BOX 2358
 PO BOX 1399
 5312 PACIFIC HWY E
 934 7TH CT
 4203 ROSEDALE ST UNIT 14 A
 7609 87TH AVE SW
 13715 51ST AVE NW
 1305 38TH AVENUE CT NW
 4340 BORGEN BLVD APT 1113
 2110 21ST AVENUE CT NW
 3226 HARBORVIEW DR
 3303 ROSS AVE
 PO BOX 1399
 8808 66TH AVE NW
 PO BOX 1399
 3317 ROSEDALE ST
 6713 RAINIER AVE
 2606 71ST AVENUE CT NW
 1916 50TH STREET CT NW
 3601 10TH ST NW
 8219 WARREN DR NW
 PO BOX 490
 PO BOX 678
 5106 S FIFE ST
 705 S 9TH ST STE 205
 PO BOX 1396
 PO BOX 1399
 PO BOX 25
 4915 NE 42ND AVE
 5223 W OLD STUMP DR NW
 2810 MARSHALL AVE STE 8
 22915 N HANK RAYMOND DR
 3208 50TH STREET CT # D205
 PO BOX 2419

GIG HARBOR, WA 98335-4358
 GIG HARBOR, WA 98335-3399
 FIFE, WA 98424-2602
 FOX ISLAND, WA 98333
 GIG HARBOR, WA 98335
 LAKEWOOD, WA 98498-4901
 GIG HARBOR, WA 98332-9142
 GIG HARBOR, WA 98335-7738
 GIG HARBOR, WA 98332
 GIG HARBOR, WA 98335-7955
 GIG HARBOR, WA 98332-2182
 GIG HARBOR, WA 98332-1841
 GIG HARBOR, WA 98335-3399
 GIG HARBOR, WA 98332-8431
 GIG HARBOR, WA 98335-3399
 GIG HARBOR, WA 98335-1813
 GIG HARBOR, WA 98335-1918
 GIG HARBOR, WA 98335-8429
 GIG HARBOR, WA 98335
 GIG HARBOR, WA 98335-7844
 GIG HARBOR, WA 98335-6039
 GIG HARBOR, WA 98335-0490
 GIG HARBOR, WA 98335-0678
 TACOMA, WA 98409-6409
 TACOMA, WA 98405-4622
 GIG HARBOR, WA 98335-3396
 GIG HARBOR, WA 98335-3399
 MANCHESTER, WA 98353-0025
 PORTLAND, OR 97218
 GIG HARBOR, WA 98332-7802
 TACOMA, WA 98421
 SUN CITY, AZ 85375-1525
 GIG HARBOR, WA 98335
 GIG HARBOR, WA 98335-4419

Parcel: 4363000070	ESTEB MICHAEL J & SUSAN	2118 SULLIVAN DR NW	GIG HARBOR, WA 98335-7743
Parcel: 4363000130	HULL KIRK B	3812 SNYDER LN	GIG HARBOR, WA 98335-1160
Parcel: 7650000040	FRENCH QUARTER PROPERTY LLC	7801 RELIANCE LN UNIT A	GIG HARBOR, WA 98335-1196
Parcel: 0221082144	SCHLICK LYNN M	PO BOX 2	WAUNA, WA 98395-0002
Parcel: 4363000200	PETERSON DOUGLAS & JEANNE	2118 LYBECKER DR NW	GIG HARBOR, WA 98332-9514
Parcel: 4363000430	LA FAMIGLIA LLC	PO BOX 871	GIG HARBOR, WA 98335-0871
Parcel: 0221053013	SEHER ASSET MANAGEMENT LLC	2810 MARSHALL AVE STE 8	TACOMA, WA 98421
Parcel: 4363000370	BERG NORMAN D & SHEILA M	2618 116TH AVENUE CT NW	GIG HARBOR, WA 98335-5800
Parcel: 0221053045	ZUSY JAMES L & GRACIELA L	7420 FORD DR NW	GIG HARBOR, WA 98335-6479
Parcel: 7650000080	TANGNEY CHASE M & TARA H	6903 FORD DR NW	GIG HARBOR, WA 98335-6453
Parcel: 0221082021	SOUTH PUGET SOUND PROPERTIES LLC & HANSEN GIG HA	13817 NE 20TH ST	BELLEVUE, WA 98005
Parcel: 4363000100	WIDNEY JAMES H & CONSTANCE E	11206 28TH STREET CT NW	GIG HARBOR, WA 98335-5856

CERTIFICATION OF PUBLIC NOTICE

=====

DECLARATION OF POSTING

I, _____ (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On _____, 2023 I caused to be posted the notice board provided by the city for the Notice of Public Hearing on the following:

Project Name: **PLEASURE CRAFT MARINA SITE-SPECIFIC REZONE**

Project Location: **3215 HARBORVIEW DR.,**

Permit Number(s): **PL-REZ-23-0001**

at the locations indicated below meeting the requirements of GHMC 19.03.001(A).

- ☒ _____
- ☒ _____

SIGNED at Gig Harbor, Washington, this ____ day of _____, 2023.

DECLARANT (signature)

CERTIFICATION OF PUBLIC NOTICE

=====

DECLARATION OF PUBLISHING

I, Cindy Andrews declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

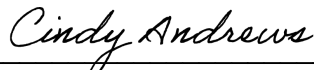
On July 19, 2023, I sent a true and correct copy of the **NOTICE OF APPLICATION** for publication in the **July 26, 2023**, edition of the Tacoma News Tribune for the following:

Project Name: **PLEASURE CRAFT MARINA SITE- SPECIFIC REZONE**

Project Location: **3215 Haraborview Dr.,**

Permit Number(s): **PL- REZ-23-0001**

SIGNED at Gig Harbor, Washington, this 24 day of JULY 2023



DECLARANT (signature)



"THE MARITIME CITY"

COMMUNITY DEVELOPMENT
PLANNING DIVISION

CITY OF GIG HARBOR

NOTICE OF APPLICATION
August 7, 2023

PLEASURE CRAFT MARINA SITE- SPECIFIC REZONE
Type III Permit



Permit Number(s): PL-REZ-23-0001

Date Application was Submitted: July 11, 2023

Date of Notice of Complete Application: July 24, 2023

Name of Applicant: Richard H. Shaw, 1191 NW Shaw Island Way, Bremerton, WA 98335

Name of Agent: Reuben Schutz, 1201 Pacific Ave, Ste 2100, Tacoma, WA 98402

Project Location: 3215 Harborview Dr., Site is located on the northeast side of Harborview Dr., at the intersection with Rosedale Street. Sec 05, Tw 21, R 02, QTR 34. Parcel Number - 7650000020

Description of Proposed Project: The applicant is proposing a rezone of the site currently zoned Waterfront Millville (WM) to Waterfront Commercial (WC).

Project Permits Included with Application: Site Specific Rezone

Further Studies Being Required by Applicable Official: None at this time.

Other Required Permits Not Included in Application: None at this time.

Existing Environmental Documents which Evaluate Proposed Project:
None at this time.

ORDINANCE 1516

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ADOPTING INTERIM ZONING CONTROLS PERTAINING TO SITE SPECIFIC REZONES AND HEIGHT RESTRICTION AREA VARIANCES, AMENDING CHAPTERS 17.62, 17.100, 19.01 OF THE GIG HARBOR MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, under the authority of RCW 35A.63.220 and RCW 36.70A.390, the City may impose interim regulations to be effective for a period of up to six months, and for six-month intervals thereafter; and

WHEREAS, Chapter 17.62 of the Gig Harbor Municipal Code (GHMC) describes the city's height restriction area (HRA), related standards, and sets forth the procedure for processing an application to amend the HRA; and

WHEREAS, upon careful review of Chapter 17.62 GHMC city staff has found an ambiguity in how the HRA map is adopted and how amendments to the map are processed; and

WHEREAS, current code adopts the HRA as an overlay on the city's HRA map and amendments thereto are processed as a Type III permit application, which provides the city's hearing examiner with the authority to make the final decision and, if approved, results in removal of the subject site from the HRA map; and

WHEREAS, upon review of the historical legislative record relative to Chapter 17.62 GHMC, city staff found that the HRA map was originally adopted as a zoning overlay on the city's zoning map; and

WHEREAS, a proposal to remove a site from an adopted zoning overlay should be considered a site-specific rezone, while a proposal to vary from the standards of the city's development regulations, unless otherwise specified, is typically processed as a variance in accordance with the provisions of Chapter 17.66 GHMC; and

WHEREAS, Chapter 19.01 GHMC sets forth the procedures for processing the city's defined permit application types; and

WHEREAS, site-specific rezones are currently categorized as a Type III permit application whereby the city's hearing examiner holds a public hearing and makes the final decision; and

WHEREAS, site-specific rezones are considered a quasi-judicial decision which is the purview of city council; and

WHEREAS, quasi-judicial decisions are considered a Type IV permit application whereby the city council conducts a public hearing and makes the final decision; and

WHEREAS, due the technical nature of a site-specific rezone, it would be proper for the city council to cede the hearing and receive a recommendation from the city's hearing examiner relative to a specific proposal; and

WHEREAS, the Gig Harbor City Council would like to make certain changes to the city's development regulations and administrative development regulations on an interim basis to provide city staff and the planning commission time to study these matters and make recommendations on permanent regulations relative to processing applications for site-specific rezones and height restriction area variances;

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

Section 1. The recitals set forth herein are hereby adopted as findings of fact.

Section 2. Section 17.62.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.020 Map-adopted Height restriction area map. The standards of this chapter shall be imposed as an overlay zone shown on the city's official height restriction area zoning map, which depicts the property subject to the height restrictions. The boundary for the height restriction area overlay shall be that which was published on the city's former height restriction area map last updated on October 4, 2016.¹ The process for amending the city's zoning map is set forth in Chapter 17.100 GHMC. The standards of this chapter are supplementary to the regulations contained in the underlying zones.

Section 3. Section 17.62.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.040 Amendment to height restriction area map Height restriction area variance. ~~Amendments to the height restriction area map are a Type III permit procedure. The procedures established under Chapter 17.100 GHMC and GHMC Title 19 for the consideration of amendments to the zoning district map shall be followed for amendments to the height restriction area map. The criteria for approval shall be as follows: Variances from the standards of this section shall be project specific and subject to the complete application requirements, permit application procedures, required findings and duration of approval requirements set forth in Chapter 17.66~~

¹ City Ordinance Number 1342

GHMC for general variances. In addition, the hearing examiner shall make findings of fact setting forth and demonstrating that the following circumstances exist:

- A. ~~That the~~The request to amend the height restriction area map furthers the goals, policies and objectives of the comprehensive plan;
- B. ~~The property or area proposed for exclusion from the height restriction area map site~~ does not currently possess a view of Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows;
- C. The gradient of the land within 100 feet of the property or area does not have a slope of five percent or greater toward Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows;
- D. ~~That views~~Views from adjacent properties will not be adversely affected.

Section 4. Section 17.100.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.100.010 Authority to amend. Whenever the public health, safety, general welfare, modifications to the comprehensive plan or good zoning practice requires, the city council may amend, supplement, modify, repeal or otherwise change these regulations and the boundaries of the districts in conformity with the comprehensive plan. ~~Site specific rezones are a Type III permit application and area wide rezones are a Type V permit application and shall be processed in accordance with Chapter 19.02 GHMC.~~

Section 5. Section 17.100.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.100.020 Manner of initiation. Changes in this title may be initiated in the following manner:

A. *Source.*

1. The city council upon its own motion may initiate changes in this title.
2. The planning commission upon its own motion may ~~initiate~~recommend to city council changes in this title.
3. Any individual, corporation or agency other than those listed above may initiate changes in this title. Amendments are processed as a ~~Type IV permit procedure~~ set forth in Chapter 19.01 GHMC and subject to the following:
 - a. ~~For an area-wide zoning map amendment~~, the initiating individual, corporation or agency must be the owners or owner of a majority of the land in the petition area; and
 - b. ~~For a site-specific zoning map amendment~~, the initiating individual, corporation or agency must be the property owner or authorized agent of the property owner; and
 - ~~b.c.~~ For an amendment to the text of this title, the initiating individual, corporation or agency must be an owner of real property within the city.

B. *Form.* An application for a change in the boundary of a district or the text of this title shall be filed with the planning department and shall be accompanied by such data and

information as are necessary to assure the fullest practicable presentation of the facts. It shall set forth reasons and justification for proposing a change.

C. Minimum Area. Except for the extension of existing district boundaries and amendments to zoning overlays, no change in any use district, classification or official zoning map shall be considered if it contains fewer than two acres, excluding public streets or alley rights-of-way.

D. Submittal Consideration. The city council shall not consider any proposed amendment to the zoning map that is substantially the same as any other proposed amendment submitted within the previous 12 months which was disapproved. (Ord. 710 § 97, 1996; Ord. 573 § 2, 1990).

E. Fees. Applications submitted by private individuals or groups, or private entities are subject to application and processing fees as set forth in the city's adopted fee schedule.

Section 6. Section 17.100.025 of the Gig Harbor Municipal Code is hereby repealed.

Section 7. Section 17.100.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.100.030 Public hearing and notification. Public hearings and notifications related thereto shall be accomplished in accordance with the procedures and requirements established pursuant to Chapter [19.05](#) GHMC. ~~The planning commission's action shall be a recommendation to the city council.~~

Section 8. Section 17.100.035 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.100.035 General criteria for zoning ~~district~~ map amendment. Applications for amendments to the zoning ~~district~~ map (which include, but are not limited to, site specific rezones) may only be approved if all of the following criteria are satisfied:

A. The application for the zoning ~~district~~ map amendment must be consistent with and further the goals, policies and objectives of the comprehensive plan and Chapter [17.12.015](#) GHMC;

B. The application for the zoning ~~district~~ amendment must further or bear a substantial relationship to the public health, safety and general welfare;

C. No substantial detrimental effect will be caused by the granting of the application for the amendment; and

D. The proponents of the application have the burden of proof in demonstrating that conditions have changed since the original zoning or original designation for the property on the zoning ~~district~~ map.

Section 9. A new section is hereby added to Chapter 17.100 to read as follows:

17.100.040 General criteria for zoning text amendment. The city council's approval, modification, deferral, or denial of an amendment application must be based on the following criteria:

A. The proposed amendment is consistent with the goals, objectives, and policies for the comprehensive plan; and

B. The proposed amendment is consistent with the intent and purpose of the subject chapter or this title, generally.

Section 10. Section 19.01.003 of the Gig Harbor Municipal Code is hereby amended to read as follows:

19.01.003 Project permit application framework.

A. Action Type.

	PROCEDURE FOR PROJECT PERMIT APPLICATIONS (TYPE I – IV)					LEGISLATIVE
	TYPE I	TYPE II	TYPE III	TYPE III-A	TYPE IV	TYPE V
Recommendation made by:	N/A	N/A	N/A	N/A	N/A; <u>hearing examiner for site specific rezones</u>	Planning commission
Final decision made by:	Director	Director	Hearing examiner	Hearing examiner	City council	City council
Notice of application:	No	Yes	Yes	Yes	Yes	No
Open record public hearing or open record appeal of a final decision:	No	Only if appealed, open record hearing before hearing examiner	Yes, before hearing examiner to render final decision	Yes, before hearing examiner to render final decision	No	Yes, before planning commission which makes recommendation to council
Closed record appeal/final decision:	No	No	No, only if site-specific rezoned appealed,	No	Yes, before council to render	Yes, or council could hold its own hearing

			then before council		final decision	
Judicial appeal:	Yes	Yes	Yes	Yes	Yes	Yes

B. Decisions.

TYPE I	TYPE II	TYPE III	TYPE III-A	TYPE IV	TYPE V
Final short plat	Preliminary short plat	Plat vacations and alterations	Preliminary plats/major preliminary plat revisions	Final plats	Comprehensive plan amendments
Minor site plan review	Major site plan review	Conditional use permit	Preliminary PRD/PUD	Final PRD/PUD	Development regulation amendments
Minor amendments to PUD/PRD	Alternative design review ¹	General variances, sign permit variances, <u>height restriction area variance</u>	Major amendment to PRD	<u>Site-specific rezone</u> ²	Zoning text amendments; area-wide zoning map amendments
Special use permits	Binding site plan	Shoreline substantial development, shoreline variance, shoreline conditional use			Annexations
Temporary trailers	Revisions to shoreline management permits ²	Major amendments to PUD			
Sign permits	Administrative variances	Amendment to height restriction area map			
Administrative design review ¹	Administrative interpretations	Mobile/manufactured home park or subdivision			

² A site-specific rezone may have only one public hearing to be conducted by the city's hearing examiner.

Land clearing	Shoreline permit exemptions ²	Performance-based height exception			
Home occupation permit	Short-term rental permit	Changes from one nonconforming use to another			
Alternative landscape plan		Site-specific rezone			
Nonconforming review		Critical area variances			
Minor preliminary plat revisions		Critical area reasonable use exceptions			
Boundary line adjustment					

Section 11. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance shall be transmitted to the Washington State Department of Commerce, as required by law.

Section 12. Hearing. In accordance with the requirements of state law, a public hearing on these interim regulations will be held within 60-days of adoption of this ordinance.

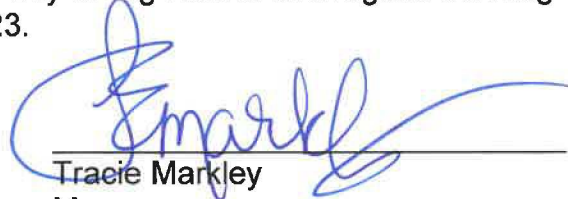
Section 13. Duration of Interim Zoning Control. The interim zoning control adopted herein shall be in effect for a period of 6-months, commencing on the effective date of this ordinance unless the city council shall adopt appropriate permanent development regulations which replace this interim ordinance, or unless the same is extended as provided in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the Gig Harbor City Council.

Section 14. Severability. If any section, sentence, clause, or phrase of this ordinance shall 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 15. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

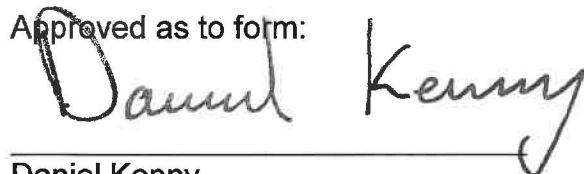
Section 16. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 7th day of September, 2023.



Tracie Markley
Mayor

Approved as to form:



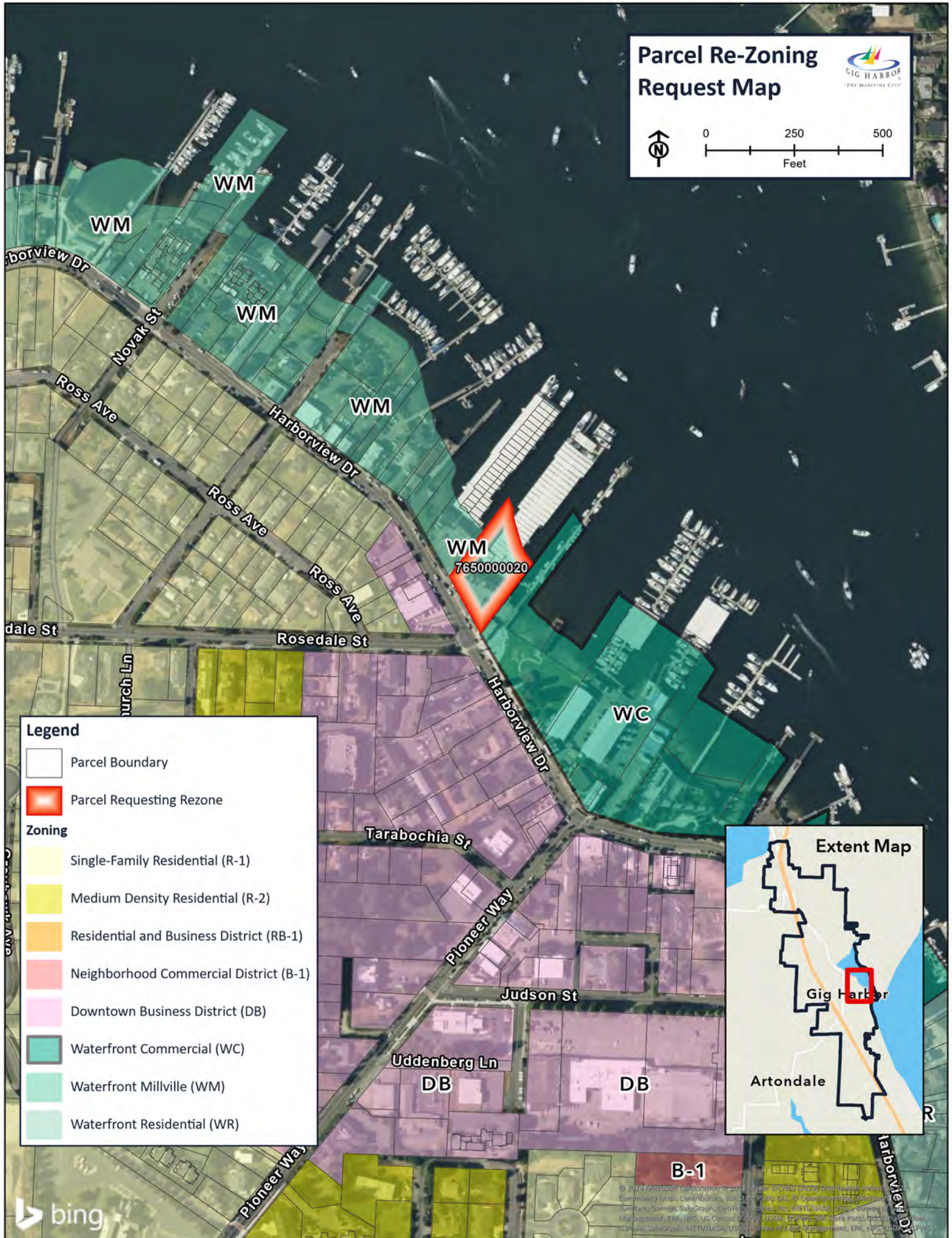
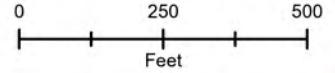
Daniel Kenny
City Attorney

Attest:



Joshua Stecker, CMC
City Clerk

Parcel Re-Zoning Request Map



Legend

-  Parcel Boundary
-  Parcel Requesting Rezone
- Zoning**
-  Single-Family Residential (R-1)
-  Medium Density Residential (R-2)
-  Residential and Business District (RB-1)
-  Neighborhood Commercial District (B-1)
-  Downtown Business District (DB)
-  Waterfront Commercial (WC)
-  Waterfront Millville (WM)
-  Waterfront Residential (WR)





**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: February 12, 2024

SUBJECT: Consideration for Removing Pierce County Assessor Parcel Numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040 from the Height Restriction Overlay District

SUBMITTED BY: Community Development Director Carl de Simas

DEPARTMENT: Community Development

PHONE: (253) 853-7628

SUGGESTED MOTION: Move to approve Resolution 1301 and Ordinance 1521.

BACKGROUND INFORMATION: The applicant is proposing to remove the subject parcels from the city's height restriction overlay district.

The subject parcels were created concurrently with the Cottages at Rosedale Village project, a residential community of 82 detached single-family dwellings on a single contiguous lot of approximately 25 gross acres approved through a major site plan (PL-SPR-16-0009); this application included several concurrent land use entitlements including a shoreline substantial development permit, a wetland permit, boundary line adjustment, alternative landscape plan, and short plat. Lots 1 and 2 were created through a short plat (PL-SPP-18-0002), Lots B, C, D, E and F were created through a boundary line adjustment (PL-BLA-16-0008). Another boundary line adjustment (PL-BLA-22-0003) revised the boundary line between Lot E and Lot F to create sufficient developable area for a future short plat. Lot F was subsequently short platted into two lots (PL-SPP-22-0001).

The subject site was annexed into the city in 1965 by Ordinance 82 (Exhibit J of Staff Report), however the zoning of the subject site and development regulations, including maximum structure height, at that time is unclear. The city adopted a new chapter, 17.62 Height Overlay District, through Ordinance 537 (Exhibit K of Staff Report) in 1988. The maximum height within the overlay area applied to residential structures with fewer than three units was 25 feet under the original ordinance. The recitals of the ordinance state:

It is in the interest of the public health, safety and welfare to make adjustments to the zoning regulations to provide greater flexibility in limited instances where the size or location of certain properties makes strict compliance unrealistic or extremely difficult.

The city adopted Ordinance 573 (Exhibit L of Staff Report) in 1990 which created an R-1 district, which included the subject site, and restricted all structures within the R-1 district to a maximum height of 16 feet, except as provided in Chapter 17.62.

The city then made changes to the height overlay district, now called the Height Restriction Area (HRA) through Ordinance 710 (Exhibit M of Staff Report) in 1996,

amending the maximum height of all structures within the HRA to 16 feet, except as otherwise provided in a planned unit development or planned residential development. This ordinance also created a procedure to amend the HRA map as a Type IV permit procedure.

The city then amended the procedure for an HRA amendment to Type III through Ordinance 1194 (Exhibit N of Staff Report) in 2010.

Interim Ordinance 1516 was adopted by the city council on September 7, 2023 and guides the processing of the proposal.

A public hearing was held on November 7, 2023. Staff presented findings that the project proposal is consistent with applicable regulations and is exempt from SEPA review. Staff's conclusions to the hearing examiner were that based on the submitted information and analysis contained in the staff report, the proposed amendment to the zoning district map is consistent with the criteria set forth in chapter 17.100.035 GHMC.

The hearing examiner received testimony from the applicant, as well as from Thomas Wick (Exhibit B). However, Mr. Wick's testimony was in opposition to the interim Ordinance 1516 rather than the project proposal itself.

On November 14, 2023, the hearing examiner issued their findings, conclusions, and recommendation (Exhibit C). The hearing examiner recommends approval to remove Pierce County Assessor Parcel Numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040 from the Height Restriction Overlay District, subject to two conditions:

1. The maximum allowable height of any structure must conform with the performance standards of the underlying zoning, Single-Family Residential (R-1). At the time of this decision the maximum allowable height is 35 feet.
2. A height survey must be performed before and after the construction of any structure.

In accordance with Chapter 17.100.070, changes to zoning district boundaries on the city's official zoning map must be approved in the form of an ordinance. The ordinance before you would authorize the change to the zoning map in accordance with Resolution 1301, approving the applicant's rezone request application and affirming the hearing examiner's recommendation.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. Resolution 1301
2. Ordinance 1521
3. Ordinance 1521 Exhibit A
4. Hearing Examiner Recommendation
5. Hearing Examiner Staff Report

6. Additional Exhibits from Public Hearing

STRATEGIC PLAN PRIORITY: N/A

RESOLUTION 1301

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, REMOVING PIERCE COUNTY ASSESSOR PARCEL NUMBERS 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, AND 0221068040 FROM THE HEIGHT RESTRICTION AREA OVERLAY DISTRICT

WHEREAS, the city received a complete application to amend the height restriction overlay district to exclude Pierce County parcel numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040; and

WHEREAS, the current Comprehensive Plan land use designation for Pierce County parcel numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040 within the city is Residential Low and the current zoning district for these parcels is Single-Family Residential (R-1); and

WHEREAS, Pierce County parcel numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040 are within the height restriction area overlay district; and

WHEREAS, the existing height restriction overlay district designation restricts structure heights to 16 feet; and

WHEREAS, the height restriction overlay district is a zoning district which implements the height restriction overlay; and

WHEREAS, September 7, 2023, Ordinance 1516 was adopted providing interim zoning controls pertaining to site specific rezones and height restriction area variances, amending chapters 17.62, 17.100, and 19.01 of the Gig Harbor Municipal Code (GHMC); and

WHEREAS, the proposed rezone is a Type IV action as defined in GHMC 19.01.003(B) for Site specific zoning map amendments; and

WHEREAS, a final decision for a Type IV application shall be rendered by the City Council after a recommendation from the Hearing Examiner as per GHMC 19.01.003(A); and

WHEREAS, the Hearing Examiner held a public hearing on the site specific rezone on November 7, 2023, and recommended approval; and

WHEREAS, following the November 7, 2023, public hearing, the hearing examiner provided their recommendation of approval of the proposed amendment removing Pierce County parcel numbers from the height restriction overlay district subject to two conditions;

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

Section 1. Criteria. Zoning map amendments are addressed in Chapter 17.100 of the Gig Harbor Municipal Code. Applications for amendments to the zoning map (which include, but are not limited to, site specific rezones) may only be approved if all of the following criteria are satisfied:

- A. The application for the zoning map amendment must be consistent with and further the goals, policies and objectives of the comprehensive plan and Chapter 17.12.015 GHMC;
- B. The application for the zoning amendment must further or bear a substantial relationship to the public health, safety and general welfare;
- C. No substantial detrimental effect will be caused by the granting of the application for the amendment;
- D. The proponents of the application have the burden of proof in demonstrating that conditions have changed since the original zoning or original designation for the property on the zoning map.

Section 2. Findings. The city council considered all the relevant records and makes the following findings in relation to the criteria of approval in Chapter 17.100.035 GHMC:

- A. The Comprehensive Plan has designated this area Residential Low. The proposed height restriction area overlay map amendment is consistent with the Comprehensive Plan as the height restriction overlay map amendment does not amend the land use or zoning designation. While the site-specific rezone application does not propose development of the site, approval of the site's proposed use for the lots within the project area is single-family residential. The subject lots will maintain the natural site character through the preservation of critical areas, their buffers, and the natural drainage way and increased height will not allow

any use that is not already permitted in the immediate vicinity or R-1 district.

- B. Ordinance 537 adopted the height restriction area overlay map in 1988, and stated that where strict compliance is unrealistic, it is in the interest of public health, safety and welfare to adjust zoning regulations to provide greater flexibility to building size or height. The proposed height restriction area overlay map amendment will provide flexibility for structure height and a range of housing design within the area. The added height and living area provided by the height restriction area overlay map amendment may allow room for larger families or intergenerational living arrangements.
- C. The conditions for the adjacent properties to the north, south, and east have not changed despite the change in topography for the subject site. Staff conducted a site visit on October 19, 2023 and confirmed that the adjacent properties to the south and east are uphill by at least 16 feet, the properties to the north are downhill of the subject site and have views of Gig Harbor Bay to the north. The properties to the west and southwest did not have views prior to development, and the change in topography for the subject site does not change this condition.

Any development on the subject site would not have an impact on the views for any of the adjacent properties. The height restriction area overlay map amendment does not allow any use or height allowance that is not already permitted elsewhere in the R-1 district. The applicant has provided photographs taken on site which demonstrate that the subject site does not have a view of Puget Sound, the Tacoma Narrows, or Mount Rainier. The subject site is also downhill of its immediate neighbors and would not obscure any views.

The proposed height restriction area overlay map amendment is not specific to a particular structure or design. The applicant will need to apply for engineering, stormwater, and building permits to allow construction.

- D. As discussed in the hearing examiner staff report, a number of changes have taken place since the original annexation and zoning of the subject sites in 1965 and 1990, respectively. The zoning of the subject sites in 1965 is unclear, and it does not appear there was a height restriction prior to the 1988 adoption of Ordinance 537, which restricted structure heights to 25 feet. In 1996, Ordinance 710 restricted all structures within the height restriction area overlay to 16 feet, with exceptions for planned

unit developments and planned residential developments; this ordinance also created a height restriction area overlay amendment procedure. In 2010, Ordinance 1194 amended the height restriction area overlay amendment procedure from a Type IV to a Type III procedure.

The initial application was deemed complete on April 11, 2023. The project was reviewed by staff and comments were sent on May 18, 2023. The applicant resubmitted their application materials on June 13, 2023. On August 9, 2023 staff deemed the application ready for a public hearing; subsequently scheduling and noticing a hearing for September 5, 2023. However, the Director noticed ambiguities with the HRA amendment process outlined in GHMC 17.62.040 and subsequently cancelled the hearing.

The Director found the height restriction area overlay amendment procedure adopted by Ordinance 710 to be improper. A proposal to remove a site from an adopted zoning overlay should be considered a site-specific rezone, subject to the amendment process in GHMC Chapter 17.100, and more specifically, the criteria within GHMC 17.100.035. Based on these findings, the Director proposed interim Ordinance 1516 which was adopted on September 7, 2023.

The intent of the height restriction area overlay district is *to establish standards for those properties located inside the Gig Harbor view basin where decreased building height shall be required. This is intended to be a limitation on height so as not to restrict views from adjacent properties* (GHMC 17.62.010). The application materials demonstrate that the subject parcels never were within a viewshed and do not have the potential to obstruct the view from lots in the vicinity (Exhibit A).

Additionally, the approved plat that created the Cottages at Rosedale included substantial changes to the topography of the subject and surrounding properties. The resulting topography substantially reduced any impact from building heights on surrounding views. Based on the original intent of the height restriction area overlay district, and subsequent changes to the topography affecting the subject site, staff finds that there has been a change in conditions since the original designation for the property which warrant an amendment to the height restriction area overlay district.

Section 3. Approval of the amendment to the city's zoning map. The city council approves the application to amend the city's zoning map removing Pierce County parcels 0221068037, 0221068036, 0221064172,

0221064173, 0221064174, 0221064177, 0221068039, and 0221068040 from the height restriction area overlay district subject to the following conditions:

1. The maximum allowable height of any structure must conform with the performance standards of the underlying zoning, Single-Family Residential (R-1). At the time of this decision the maximum allowable height is 35 feet.
2. A height survey must be performed before and after the construction of any structure.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 12th day of February, 2024.

Tracie Markley
Mayor

Attest:

Joshua Stecker, CMC
City Clerk

ORDINANCE 1519

AN ORDINANCE OF THE CITY OF GIG HARBOR, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GIG HARBOR; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the city received a complete application to amend the height restriction overlay district to exclude Pierce County parcel numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040; and

WHEREAS, the current comprehensive plan land use designation for Pierce County parcel numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040 within the city is Residential Low and the current zoning district for these parcels is Single-Family Residential (R-1); and

WHEREAS, Pierce County parcel numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040 are within the height restriction area overlay district; and

WHEREAS, the existing height restriction overlay district designation restricts structure heights to 16 feet; and

WHEREAS, the height restriction overlay district is a zoning district which implements the height restriction overlay; and

WHEREAS, September 7, 2023, Ordinance 1516 was adopted providing interim zoning controls pertaining to site specific rezones and height restriction area variances, amending chapters 17.62, 17.100, and 19.01 of the Gig Harbor Municipal Code (GHMC); and

WHEREAS, the proposed rezone is a Type IV action as defined in GHMC 19.01.003(B) for Site specific zoning map amendments; and

WHEREAS, a final decision for a Type IV application shall be rendered by the City Council after a recommendation from the hearing examiner as per GHMC 19.01.003(A); and

WHEREAS, the hearing examiner held a public hearing on the site specific rezone on November 7, 2023, and recommended approval; and

WHEREAS, following the November 7, 2023, public hearing, the hearing examiner provided their recommendation of approval of the proposed amendment

removing Pierce County parcel numbers from the height restriction overlay district subject to two conditions; and

WHEREAS, the city council approved the rezone application under Resolution 1301 on February 12, 2024; and

WHEREAS, the change to the official zoning map must be adopted by ordinance as per GHMC 17.100.070;

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

Section 1. Rezone. As shown on Exhibit A attached hereto and incorporated by this reference, including tax parcel numbers 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, 0221068039, and 0221068040, are hereby removed from the height restriction area overlay district.

Section 2. Zoning Map. The community development director is hereby instructed to effectuate the necessary changes to the official zoning map of the city in accordance with the zoning established by section 1.

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

Section 4. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 12th day of February, 2024.

Tracie Markley
Mayor

Approved as to form:

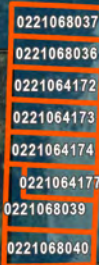
Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk



A horizontal number line with tick marks at 0, 100, 200, 300, 400, and 500. The word "Feet" is written below the line.



 Parcel Boundary
 Parcels to be Removed from Height Restriction Area
 Height Restriction Area

Gig Harbor

Artondale

BEFORE THE CITY OF GIG HARBOR HEARING EXAMINER

IN RE:) HEARING NO. PL-ZONE-23-0001
)
SHIRLEY AVENUE HEIGHT)
RESTRICTION AMENDMENT,) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW AND
) RECOMMENDATION TO CITY
) COUNCIL

APPLICANT: Gregory Zetterberg
202 Rose Place
Puyallup, Washington 98371

OWNER: Cottages at Rosedale Village, LLC
P. O. Box 2132
Tacoma, Washington 98401

AGENT: Gregory Zetterberg

SITE LOCATION: 8126 Shirley Avenue (Lot 1); 8118 Shirley Avenue (Lot 2); 8110 Shirley Avenue (Lot B); 8028 Shirley Avenue (Lot C); 8024 Shirley Avenue (Lot D); 8020 Shirley Avenue (Revised Lot E); 8016 Shirley Avenue (Revised Lot F); and 8004 Shirley Avenue (Revised Lot F).

PLANNER: Roxanne Robles

APPLICANT'S REQUEST:

The Applicant requests that the seven lots described above be removed from the Height Restriction Area (HRA) overlay district.

SUMMARY OF DECISION:

The Hearing Examiner recommends that the proposed amendment allowing the described lots to be removed from the HRA be **approved** subject to the conditions recommended by City Staff.

DATE OF DECISION: November 14, 2023.

BACKGROUND

In 1988, the City of Gig Harbor enacted Ordinance 537 establishing a Height Restriction Area (HRA) overlay over much of the City in order to protect views down to beautiful Gig Harbor

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1 Bay and across to Mr. Rainier. Although modified from time to time, the HRA overlay
2 continues to exist and, generally speaking, restricts the height of affected residences to 16 feet.
3 The subject properties lie at the far western end of the HRA overlay district. They have a zoning
4 designation of Single-Family Residential (R-1) and but for the HRA overlay would be subject to
5 a maximum height restriction of 35 feet. The Applicant, Gregory Zetterberg, who is acquiring
6 the properties from Cottages at Rosedale Village, seeks an amendment to the HRA overlay
7 district to eliminate its application to these seven lots.

8 The Applicant's reason for the requested amendment is that the current HRA overlay on these
9 lots serves no purpose as they are *lower in elevation* than adjoining properties to the east, while
10 adjoining properties to the west are even lower still. In short, constructing residences at the
11 normally allowed 35 feet will not impair any views of the harbor or of Mt. Rainier but will allow
12 for more interesting and aesthetically pleasing residences. City Staff concurs and recommends
13 that the HRA overlay district be amended to eliminate these seven lots from its impact. The
14 small amount of public comment has been mixed, with one letter in opposition and one in
15 support.

16 PUBLIC HEARING

17 The matter came before the Hearing Examiner for public hearing at approximately 2:00 p.m., on
18 Tuesday, November 7, 2023. The hearing took place remotely utilizing the Zoom platform with
19 the City Staff serving as host. The City appeared through Roxanne Robles, Senior Planner. The
20 Applicant, Gregory Zetterberg, represented himself. Other City Staff were also present. One
21 member of the public was present, Thomas Wick. Testimony was received from Ms. Robles,
22 Mr. Zetterberg and Mr. Wick. All testimony was taken under oath and a verbatim recording of
23 the proceedings was maintained.

24 The following exhibits were received in advance of the public hearing or during the public
25 hearing:

- 26 A. Hearing Examiner Staff Report dated October 31, 2023.
- 27 B. Hearing Examiner Staff Presentation.
- 28 C. Critical Areas and Shoreline Assessment Report and Conceptual Mitigation Plan
29 dated March 31, 2017, revised June 27, 2017.
- 30 D. Mitigated Determination of Non-Significance for PL-SEPA-16-0021 dated
31 November 22, 2017.
- 32 E. SHB No. 18-017 Andrew Clarke v. City of Gig Harbor and Norpoint
33 Communities, LLC.
- 34 F. Views from Subject Parcel.
- 35 G. Additional Views from Subject Parcel.
- 36 H. Adjacent Topography.
- 37 I. Slope Analysis Within 100 Feet.

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40 *to City Council - 2*

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- J. Ordinance 82 adopted 1965.
- K. Ordinance 537 adopted 1998.
- L. Ordinance 573 adopted 1990.
- M. Ordinance 710 adopted 1996.
- N. Ordinance 1194 adopted 2010.
- O. Ordinance 1516 adopted 2023.
- P. Application Narrative.
- Q. Legal Description.
- R. Owner Affidavit.
- S. Nisqually Indian Tribe Comment received May 9, 2023.
- T. Vendeland Comment dated April 26, 2023.
- U. Hoppen Comment dated April 21, 2023.
- V. Wick Email.
- W. City PowerPoint Demonstration.
- X. Applicant's Narrative and Schematic.

City's Presentation:

Mr. Robles presentation on behalf of the City followed her Staff Report of October 31, 2023, as well as her PowerPoint demonstration (Exhibit W). The HRA overlay district was first enacted in 1988 under Ordinance 537. It initially established a height limit of 25 feet which was then reduced to 16 feet in 1996 by Ordinance 710. That same ordinance allowed for amendment to the height restriction through a "Type IV" hearing process". The hearing process was changed to a "Type III" process in 2010, but, just recently, was returned to a Type IV process by enactment of Ordinance 1516.

The seven lots in question were annexed in 1962. The area was given a zoning designation of Low Density Residential (R-1) in 1990. Residences in the R-1 zone are allowed a maximum height of 35 feet except where the HRA overlay applies.

Ms. Robles PowerPoint demonstration includes a map identifying that portion of the City affected by the HRA overlay. As this map shows, the subject property lies on the far western edge of the HRA overlay district.

The seven lots in question along Shirley Avenue are part of a larger development known as the Cottages at Rosedale Village. That project underwent review and permitting commencing in about 2016 and involved intensive land use and environmental review and, ultimately, a hearing before the Shoreline Hearings Board. That project has since been constructed but the subject properties remain undeveloped, largely due to the height limitation.

Importantly, the development of the Cottages at Rosedale Village led to substantial earthmoving and altered the elevation of the project relative to surrounding properties. This fact becomes

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1 important later on in analyzing whether the requested amendment is the result of a change in
2 circumstances, as the Applicant and City rely upon this change to support the requested zoning
3 amendment.

4 As is amply demonstrated in aerial photos, site photos, videos, and survey maps (Exhibits F, G,
5 H, I and the City's PowerPoint demonstration) the subject properties are *significantly lower* in
6 elevation than properties immediately to the east, while properties west of the subject properties
7 are lower still. In other words, the height of residences on these properties will have no impact
8 on views of Gig Harbor Bay or across to Mt. Rainier, as properties immediately to the east are
9 sufficiently higher than the houses on these lots. Thus, the intended purpose of the HRA - the
10 protection of views of the Bay and of the mountain - is not met, and the HRA overlay offers no
11 benefit.

12 The decision whether to amend the project's inclusion in the HRA overlay involves a four
13 pronged test:

14 1. The application for the zoning district map amendment must be consistent with
15 and further the goals, policies and objectives of the Comprehensive Plan and GHMC
16 17.12.015.

17 2. The application for the zoning district map amendment must further or bear a
18 substantial relationship to the public health, safety and general welfare.

19 3. No substantial detrimental effect will be caused by the granting of the application
20 for the amendment.

21 4. The proponents of the application have the burden of proof in demonstrating that
22 conditions have changed since the original zoning or original designation for the property
23 on the zoning district map.

24 Ms. Robles reviewed these four requirements and detailed the Staff's findings that the Applicant
25 has met its burden of proving that all four requirements have been met. More specifically:

1. The proposed HRA map amendment is consistent with the Comprehensive Plan
for the reasons set forth in the Staff Report.

2. Ordinance 537 (Exhibit K) which adopted the HRA map in 1988 expressly
recognized that where strict compliance is unrealistic it is in the interest of public health, safety
and welfare to adjust the HRA overlay. Application of the overlay to these properties is
unrealistic and, further, impairs the properties fuller use consistent with their R-1 zoning
designation.

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1 3. Photos, surveys, videos and all other evidence amply demonstrates that
2 eliminating the HRA overlay from these properties will not have any detrimental effect to
surrounding properties, let alone a substantial detrimental effect.

3 4. Conditions have changed since the original HRA overlay was established over
4 this property in that the development of the Cottages at Rosedale altered the surrounding
5 topography and resulted in the HRA overlay having no beneficial impact with respect to these
properties.

6 **Applicant's Presentation:**

7 At the conclusion of the City's presentation the Applicant, Gregory Zetterberg, spoke in support
8 of his request. Mr. Zetterberg's testimony mirrored his written statement (Exhibit X) which
9 includes a schematic of proposed residences on these lots with and without the HRA overlay in
place. As the schematic demonstrates, the removal of the HRA overlay would allow for standard
10 size residences with typical roof pitches, thus providing greater visual interest and aesthetic
appeal. Mr. Zetterberg reiterates that these properties lie in a valley and the height of their
11 houses will not affect any adjoining or nearby properties. He requests that these properties be
removed from the HRA overlay to allow for their improved development.

12 **Public Testimony:**

13 Shortly before the commencement of the public hearing City Staff received a lengthy email from
14 Thomas Wick (Exhibit V). Staff forwarded this email to the Hearing Examiner shortly before
the commencement of the hearing. The Hearing Examiner was able to review the email in its
15 entirety prior to the hearing. In his email, Mr. Wick does not object to the rezoning sought by
the Applicant but instead strenuously objects to the recent enactment of Ordinance 1516 which
16 reestablishes site specific zoning requests as first coming before the Hearing Examiner for a
public hearing, followed by the Hearing Examiner's recommendations to City Council. As the
17 hearing got underway, the Hearing Examiner announced that, while he had reviewed Mr. Wick's
email and had introduced it as Exhibit V into the record, Mr. Wick's issues were outside the
18 Hearing Examiner's authority. The Hearing Examiner is not empowered to question or overturn
the legality of City ordinances. To the contrary, the Hearing Examiner must accept the City's
19 ordinances as presented and abide by them. Any challenge to the legality of a City ordinance lies
elsewhere.

20
21 At the commencement of the public testimony portion of the hearing, Mr. Wick asked to testify
and to read his lengthy email into the record. The Hearing Examiner respectfully declined,
22 noting that the email had been received in advance and fully read, and further, had been
introduced as an official exhibit to the record (Exhibit V). Thus, no benefit was served by
23 having the email read out loud. Mr. Wick persisted, stating that City Staff had promised him that
he would be entitled to read his email into the record. The Hearing Examiner again respectfully
24 declined for the same reasons. Mr. Wick also sought to read into the record a 2016 email having

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1 to do with past procedures for zoning amendments. The Hearing Examiner again declined for
2 the same reasons, that is, that the legality of the City's recent ordinance is not before the Hearing
3 Examiner and the proffered 2016 email is not relevant to the pending rezoning request. Mr.
4 Wick concluded his testimony by reiterating that he has no objection to the Applicant's proposed
rezoning but, instead, strenuously objects to the City's recent enactment of Ordinance 1516. Mr.
Wick's comments were duly noted.

5 Apart from Mr. Wick, there were no members of the public present and was no other public
6 testimony.

7 ANALYSIS

8 There appears to be little dispute that the topography of these properties relative to all
9 surrounding parcels is such that the HRA overlay provides no benefit to these properties or to
10 surrounding ones. Restricting the height of residences on these lots will not protect the view of
11 Gig Harbor Bay, Mt. Rainier or the Narrows Bridge from any other property. At the same time,
12 eliminating the HRA overlay from these parcels will allow them to be more fully developed and
13 in a more visually appealing way, consistent with the their R-1 zoning designation. The first
14 three requirements for a zoning amendment (GHMC 17.100.035.A-C) appear to be fully
satisfied. The only real question, then, is whether the requirement of GHMC 17.100.035.D has
been met - that the Applicant has met its burden of proving that the requested amendment is due
to a change in conditions since the overlay was first imposed, City Staff finds that this last
requirement has been satisfied and that the needed change in circumstances is due to the change
in the area's topography resulting from the development of the Cottages at Rosedale. I concur
and therefor recommend that the proposed amendment be approved by City Council.

15 I therefore make the following:

16 FINDINGS OF FACT

- 17 1. Any Findings contained in the foregoing Background, Public Hearing or Analysis
18 Sections are incorporated herein by reference and adopted by the Hearing Examiner as his
Findings of Fact.
- 19 2. The Hearing Examiner has admitted documentary evidence into the record, heard
20 testimony, and taken this matter under advisement.
- 21 3. The Applicant seeks a site-specific zoning amendment to remove the HRA overlay from
22 the subject properties.

23
24
25 *Findings of Fact and Conclusions
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1 4. The affected lots are located along Shirley Avenue and collectively amount to 2.56 acres.
2 They are significantly lower in elevation than adjoining properties to the east, while adjoining
3 properties to the west are lower still. The parcels have been cleared in preparation for
development with the exception of protected critical areas.

4 5. Through previous permitting review and approval of the Cottages at Rosedale Village,
5 careful analysis was undertaken of nearby wetlands and buffers and other critical areas. All
6 nearby critical areas were identified and protected, with those protections applying to these
7 properties.

8 6. The pending zoning amendment request is categorically exempt from SEPA review.
9 WAC 197-11(6)(c).

10 7. The subject property is located within the Single-Family Residential (R-1) zoning district.
11 The standard height limitation in the R-1 zoning district is 35 feet. This maximum height is
12 reduced to 16 feet within the HRA overlay.

13 8. Adjoining properties to the north are zoned R-1 and include cottage housing development
14 known as the Cottages at Rosedale Village along with areas protected as critical areas.

15 9. The property located to the east, across Shirley Avenue, is zoned R-1 and consists of
16 existing residential development.

17 10. Property to the south, across Rosedale Street, is zoned R-1 and includes Wilkinson Farm
18 Park.

19 11. Property to the west is zoned R-1 and includes development with the Cottages at
20 Rosedale Villages together with areas protected as critical areas.

21 12. The project sites and all adjoining properties are designated as "Residential Low" in the
22 City's Comprehensive Plan. The Plan describes the purpose of this designation as being to
23 provide for low density single-family residential uses and encourages innovative site design.

24 13. Notice of the proposed application and public hearing was published in the Tacoma News
25 Tribune on October 24, 2023, and mailed to all property owners within 300 feet of the subject
site on October 24, 2023. Notice of public hearing was also posted on the site on October 24,
2023.

14. Public comments were earlier received in response to the original Notice of Action issued
in April 2023. Ralph Vendeland expressed mild opposition to the request (Exhibit T) although
his comments largely seem to express concerns about the procedure for amendment, not the
requested amendment itself. Comment was also received from Mark Hoppen in support

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of the request (Exhibit U). Mr. Hoppen, who lives nearby, confirmed that development of the subject properties will not impair any surrounding properties views, while houses constructed to standard heights will offer greater visual appeal and be a benefit to the neighborhood.

Findings Relating to the Amendment's Consistency in the Comprehensive Plan.

15. The Staff Report, commencing at page 7, undertakes an analysis of the requested zoning amendments consistency with the City's Comprehensive Plan. Staff finds that the project is consistent with Goal 2.3.A; Goal 2.3, Policy 2.3.3, Goal 4.7 and Policy 4.7.1. Staff finds that the amendment will not impair any surrounding property views but will allow for improved site development consistent with the properties R-1 zoning designation. The Hearing Examiner concurs.

Findings Relating to Compliance with the Municipal Code.

16. The Staff Report, at page 8, analyzes the impacts of the existing HRA overlay upon these properties and their intended use in the R-1 zoning district. Staff notes that the R-1 district is intended to provide for low density, single-family residential development while preserving the character of the existing neighborhood. The requested amendment to the HRA overlay will not have any negative impact upon the intended uses of the properties consistent with their R-1 zoning designation.

17. The Staff Report then examines the intent of the HRA and the consequences of it being removed from the subject properties. Staff notes that the purpose of the HRA is to protect views within the Gig Harbor View Basin and that, as has been amply demonstrated, standard development of the subject properties will not impair any surrounding views due to higher topography of properties to the east and lower topography of properties to the west, such that the height of residences on these lots will not have any bearing on any views.

Findings Relating to Compliance with Chapter 17.100 GHMC for Zoning Map Amendments.

18. Whenever the public health, safety, general welfare, modifications to the Comprehensive Plan or good zoning practice requires, the City Council may amend, supplement, modify, repeal or otherwise change regulations in the boundaries of the zoning districts in conformity with the Comprehensive Plan. GHMC 17.100.010.

19. Applications for amendment to the zoning map, including site-specific rezones, may only be approved if all four criteria of GHMC 17.100.035.A-.D are satisfied:

- (1) **The application for the zoning district map amendment must be consistent with and further the goals, policies and objectives of the Comprehensive Plan and GHMC 17.12.015.**

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1 City Staff finds, and the Hearing Examiner concurs, that the requested amendment is consistent
2 with the goals, policies and objectives of the Comprehensive Plan for the reasons noted in earlier
Findings.

3 (2) **The application for the zoning district amendment must further or**
4 **bear a substantial relationship to the public health, safety and general**
5 **welfare.**

6 City Staff finds, and the Hearing Examiner concurs, that the proposed amendment will provide
7 for design flexibility; increase the range of housing design possibilities; allow for room for larger
families or inner-generational living arrangements; and otherwise benefit the public health,
safety and welfare.

8 (3) **No substantial detrimental effect will be caused by the granting of the**
9 **application for the amendment.**

10 City Staff finds, and the Hearing Examiner concurs, that allowing standard height (35 feet)
11 residential development on the subject properties will not impair the view of Gig Harbor Bay,
12 Mt. Rainier, the Tacoma Narrows Bridge or otherwise negatively impact the view of surrounding
properties but will improve the visual appeal and aesthetics of any residences constructed on
these lots.

13 (4) **The proponents of the application have the burden of proof in**
14 **demonstrating that conditions have changed since the original zoning or**
15 **original designation for the property on the zoning district map.**

16 City Staff finds, and the Hearing Examiner concurs, that the development of the Cottages at
17 Rosedale significantly altered the topography and general site layout of the subject properties
and all surrounding properties such that the continued imposition of the HRA overlay to these
properties has no ongoing benefit and instead works a disadvantage to their better development.

18 20. City Staff recommends that the proposed amendment be approved subject to the two
19 conditions found at page 13 of the Staff Report. The Hearing Examiner concurs.

20 21. As noted in the Staff Report, the request has been reviewed by both the City Engineer
21 and the Building Official and both find that the proposed amendment is generally consistent with
the applicable provisions of City code.

22 Having entered his Findings of Fact, the Hearing Examiner makes the following:

23 CONCLUSIONS OF LAW

24 1. The Hearing Examiner has jurisdiction over the parties and the subject matter.

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2. Any Conclusions of Law contained in the foregoing Background, Public Hearing, Analysis, or Findings of Fact are hereby incorporated by reference and adopted by the Hearing Examiner as his Conclusions of Law.

3. All notice requirements have been met.

4. All SEPA requirements have been met.

5. The requested amendment, as conditioned:

A. Is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan and GHMC 17.12.015;

B. Bears a substantial relationship to the public health, safety and general welfare.

C. No substantial detrimental effect will be caused by the granting of the application for the amendment.

D. The Applicant has met its burden of proof demonstrating that conditions have changed since the original zoning or original destination for the property on the zoning district map.

6. The requested amendment should be **approved** subject to the condition set forth in the Staff Report at page 13.

RECOMMENDATION

Now, therefore, the Hearing Examiner recommends that the proposed removal of the subject properties from the Height Restriction Area (HRA) overlay district be approved subject to the following conditions:

1. The maximum allowable height of any structure must conform with the performance standards of the underlying zoning, Single-Family Residential (R-1). At the time of this decision the maximum allowable height is 35 feet.

2. A height survey must be performed before and after the construction of any structure.

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1 DATED this 14 day of November, 2023.



3 Mark C. Scheibmeir
4 City of Gig Harbor Hearing Examiner

25 *Findings of Fact and Conclusions
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COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

TO: Hearing Examiner
FROM: Planning Staff
DATE: October 31, 2023

RE: PL-ZONE-23-0001 Shirley Ave Height Restriction Area Map
Amendment
Public Hearing Date: November 7, 2023

I. GENERAL INFORMATION

- A. Applicants:** Gregory Zetterberg
202 Rose Place
Puyallup, WA 98371
- Cottages at Rosedale Village, LLC
PO BOX 2132
Tacoma, WA 98401
- B. Owner:** Cottages at Rosedale Village, LLC
PO Box 2132
Tacoma, WA 98401

II. APPLICANTS' REQUEST

The applicant is requesting the removal of the following lots from the height restriction area (HRA) overlay district:

1. APN 0221068037 – 8126 Shirley Ave – Lot 1
2. APN 0221068036 – 8118 Shirley Ave – Lot 2
3. APN 0221064172 – 8110 Shirley Ave – Lot B
4. APN 0221064173 – 8028 Shirley Ave – Lot C

5. APN 0221064174 – 8024 Shirley Ave – Lot D
6. APN 0221064177 – 8020 Shirley Ave – Revised Lot E
7. APN 0221068039 – 8016 Shirley Ave – Revised Lot F
8. APN 0221068040 – 8004 Shirley Avenue – Revised Lot F

Per GHMC 17.99.370.D, maximum building height in the HRA is 16 feet; provided that the point of measurement is within 50 feet of the building footprint, as follows:

1. In the height restriction overlay area, each lot is allowed a building height of up to 16 feet; provided, that no portion of the structure exceeds 27 feet above natural and finished grade.
2. In the historic district, height limits vary. Refer to historic district standards in GHMC 17.99.510.A.2 for residential and GHMC 17.99.510.B for nonresidential.
3. All other areas, no portion of the structure shall exceed the maximum height of the underlying zone.

The subject property is within the Single-Family Residential (R-1) district subject to a maximum building height of 35 feet outside of the HRA.

III. SITE DESCRIPTION

- A. Location:** 8004, 8016, 8020, 8024, 8028, 8110, 8118 & 8126 Shirley Avenue

Pierce County Assessor's Parcel Numbers: 0221068037, 0221068036, 0221064172, 0221064173, 0221064174, 0221064177, and 0221064178

- B. Site Area/Acreage:** 2.56 acres total

- C. Existing Site Characteristics:**

1. **Topography:** The topography of the seven parcels slopes down from Rosedale Street toward the northeast across approximately 30 feet of elevation.
2. **Vegetation:** The parcels have been cleared in preparation for development, with the exception of the wetland area and buffer to the west.
3. **Wetlands and Critical Areas:** City staff reviewed the *Critical Areas and Shoreline Assessment Report and Final Mitigation Plan* prepared by Soundview Consultants dated March 31, 2017

and revised December 2018 (Exhibit C). Exhibit C identified and delineated the boundaries of eight potentially-regulated on-site wetlands (Wetlands A through H) and the ordinary high water (OHW) mark of three unnamed streams (Streams V, Y, and Z), with Stream V being added after additional coordination with the City of Gig Harbor. In general, all wetlands have been confirmed to be Category IV wetlands which require standard 50-foot buffers. Stream V is a Type 4 non-salmonid fish-bearing stream which requires a standard 25-foot buffer. Streams Y and Z are Type 3 non-salmonid fish-bearing streams which require standard 50-foot buffers. Two off-site wetlands (Wetlands I and J) and the marine shoreline of Gig Harbor were also identified within 300 feet of the subject property.

Wetlands G, H, and J as well as the non-wetland drainage swale are adjacent to the project site. The identified wetlands are Category IV wetlands which require 50-foot buffers, as well as the standard 15-foot structure setback. The wetlands and associated buffers are not expected to be impacted by the proposed HRA map amendment nor subsequent development.

D. Zoning:

- 1. Subject parcels:** The subject parcels are zoned Single-Family Residential (R-1).
- 2. Adjacent zoning and current use:**
 - a. North:** R-1 – Wetland H and the single-family, single story, cottage housing development known as Cottages at Rosedale Village
 - b. East:** Across Shirley Avenue R-1 –Residential
 - c. South:** Across Rosedale Street R-1 – Wilkinson Farm Park, public park and community garden
 - d. West:** R-1 – Wetland G and the single-family, single story, cottage housing development known as Cottages at Rosedale Village

- E. Utilities / Road Access:** The subject sites have access off of Shirley Avenue. Water and sewer will be provided by the city with the extension of water and sewer utilities, and construction of a stormwater conveyance and treatment facility with discharge to an existing outfall to the north.

IV. APPLICABLE CODES AND POLICIES

- A. Comprehensive Plan:** The site is designated as a *residential low* land use by the city's comprehensive plan. The purpose of this land use category is to provide for low-density single-family residential uses. The use of natural buffers or innovative site design is encouraged to retain natural site character as a mitigation technique to minimize noise impacts, and to serve as natural drainage ways.
- B. Gig Harbor Municipal Code (GHMC):** The subject parcels are zoned R-1. The following chapters apply to this proposal:
1. 17.16 Single-Family Residential (R-1)
 2. 17.62 Height Restriction Area
 3. 17.100 Amendments
- C. Environmental Regulations:** There are three wetlands of concern as described in Section III above. Critical areas are regulated under Chapter 18.08 GHMC.

V. BACKGROUND INFORMATION

The subject parcels were created concurrently with the Cottages at Rosedale Village project, a residential community of 82 detached single-family dwellings on a single contiguous lot of approximately 25 gross acres approved through a major site plan (PL-SPR-16-0009); this application included several concurrent land use entitlements including a shoreline substantial development permit, a wetland permit, boundary line adjustment, alternative landscape plan, and short plat. Lots 1 and 2 were created through a short plat (PL-SPP-18-0002), Lots B, C, D, E and F were created through a boundary line adjustment (PL-BLA-16-0008). Another boundary line adjustment (PL-BLA-22-0003) revised the boundary line between Lot E and Lot F to create sufficient developable area for a future short plat. Lot F was subsequently short platted into two lots (PL-SPP-22-0001).

The Cottages at Rosedale Village project site contains major critical areas and a drainage at the northern portion of the site. In order to protect these critical areas and their buffers, development is concentrated in the southern portion of the site, closer to Rosedale Street Northwest, to avoid impacts. The condensed footprint of the development required fill to meet the existing grades at Rosedale Street Northwest and Shirley Avenue. The applicant conducted an analysis of the topography (Exhibits E, F, G, H & I).

The subject site was annexed into the city in 1965 by Ordinance 82 (Exhibit J), however the zoning of the subject site and development regulations, including maximum structure height, at that time is unclear. The city adopted a new chapter, 17.62 *Height Overlay District*, through Ordinance 537 (Exhibit K) in 1988. The maximum height within the overlay area applied to residential structures with fewer than three units was 25 feet under the original ordinance. The recitals of the ordinance state:

It is in the interest of the public health, safety and welfare to make adjustments to the zoning regulations to provide greater flexibility in limited instances where the size or location of certain properties makes strict compliance unrealistic or extremely difficult.

The city adopted Ordinance 573 (Exhibit L) in 1990 which created an R-1 district, which included the subject site, and restricted all structures within the R-1 district to a maximum height of 16 feet, except as provided in Chapter 17.62.

The city then made changes to the HRA through Ordinance 710 (Exhibit M) in 1996, amending the maximum height of all structures within the HRA to 16 feet, except as otherwise provided in a planned unit development or planned residential development. This ordinance also created a procedure to amend the HRA map as a Type IV permit procedure.

The city then amended the procedure for an HRA amendment to Type III through Ordinance 1194 (Exhibit N) in 2010.

The initial application was deemed complete on April 11, 2023. The project was reviewed by staff and comments were sent on May 18, 2023. The applicant resubmitted their application materials on June 13, 2023. On August 9, 2023 staff deemed the application ready for a public hearing; subsequently scheduling and noticing a hearing for September 5, 2023. However, the Director noticed ambiguities within the HRA amendment process outlined in GHMC 17.62.040 and subsequently cancelled the hearing.

The Director found the Type III permit procedure for an HRA map amendment improper. A proposal to remove a site from an adopted zoning overlay was deemed to require a site-specific rezone, subject to the amendment process in GHMC Chapter 17.100, and more specifically, the criteria within GHMC 17.100.035. Based on these findings, the Director proposed interim Ordinance 1516 (Exhibit O) which was adopted on September 7, 2023.

VI. ENVIRONMENTAL REVIEW:

Pursuant to WAC 197-11 and GHMC 18.04, the City issued a State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance (MDNS) for the Major Site Plan (PL-SPR-16-0009) and associated permits on December 5, 2017 (Exhibit D). The MDNS contained seven mitigation items. The MDNS received comments from the Puyallup Tribe of Indians, the Washington Department of Ecology, and the Washington Department of Fish and Wildlife. These agencies expressed concerns regarding the quality of the water reaching Gig Harbor after passing through the proposed development. The city also received public comments from several concerned neighbors of the subject property, including a February 2, 2018 letter from the Watershed Company calling into question the analysis of the non-wetland drainage and stream on the east side of the site near Shirley Avenue.

On November 20, 2018 a petition was filed with the Shorelines Hearing Board for review of the city's decision to grant a shoreline substantial development permit to Norpoint Communities, LLC for the construction of the Cottages at Rosedale Village. The final order (Exhibit E) dismissed the appeal on February 20, 2019; no further appeals were submitted.

The current project proposal is categorically exempt from SEPA per WAC 197-11(6)(c).

VII. PUBLIC NOTICE & INPUT:

Legal notice of the proposed action was published in the Tacoma News Tribune on April 21, 2023. In addition, notice was mailed to all property owners within 300 feet of the subject site on April 21, 2023. Notice was also posted on the subject site on April 21, 2023. Two comments were received:

1. The Nisqually Tribe provided a comment that they had no specific concerns but would like to be kept informed if there are any inadvertent discoveries of archeological resources or human burials (Exhibit S).
2. Ralph Vendeland asking that the city request detailed submittals from the applicant prior to approval (Exhibit T).
3. Mark Hoppen wrote in support of the removal of the seven lots from the HRA as the subject lots have no views and are downhill from adjacent properties. They added that the additional height will allow for roof pitch and better design flexibility (Exhibit U).

Legal notice of the public hearing was published in the Tacoma News Tribune on October 24, 2023. In addition, notice was mailed to all property owners within 300 feet of the subject site on October 24, 2023.

Notice was also posted on the subject site on October 24, 2023. No comments were received.

VIII. STAFF ANALYSIS AND FINDINGS:

A. Planning Staff

4. Comprehensive Plan

Goal 2.2.3.a Residential Low (land use category)

Provides for low density single-family residential uses.

Community services such as schools and parks are allowed.

Use natural buffers or innovative site design to retain natural site character, as a mitigation technique to minimize noise impacts, and to serve as natural drainage ways.

Staff analysis: The proposed use for the lots within the project area is single-family residential. The subject lots are adjacent to the Cottages at Rosedale Village project area which has been designed as a residential neighborhood for 55+ residents. The subject lots will maintain the natural site character through the preservation of critical areas, their buffers, and the natural drainage way and increased height will not allow any use that is not already permitted in the immediate vicinity or R-1 district.

GOAL 2.3 Promote Community Diversity and Distinction and Increase Housing Opportunities

Create and refine district definitions which allows for innovation and performance. Provide a control and review process that permits maximum design flexibility while meeting social and community needs for employment, housing, education and recreation. Provide for a range of residential densities which would accommodate the city's 2030 residential growth target of 10,563 within a broad variety of housing types and tenures.

2.3.3 Housing Choice

- a. Expand residential districts and code definitions to allow a broad choice of housing types, locations and tenures.
- b. Provide housing opportunities for varied types and ages of households to include single-parent and two-parent families, individuals and the elderly.
- c. To the extent appropriate, recognize social area specializations by household and age group and provide public services which reflect the area's needs.

Staff analysis: The HRA map amendment process provides for maximum design flexibility. The proposed HRA map amendment will provide flexibility for structure height and a range of housing design within the area.

GOAL 4.7 Encourage Building Designs Which Define and Respect the Human Scale

The scale of the building in relation to the human form should be obvious, particularly at the sidewalk level.

4.7.1 Define Floor Levels. Encourage building designs with a visual and functional distinction between the first floor and all subsequent floors so that in elevation view, the human scale can be easily defined in relation to the building height.

Staff analysis: The proposed HRA map amendment will provide for additional height, allowing the design to distinguish between first and subsequent floors in elevation view.

5. Gig Harbor Municipal Code (GHMC)

GHMC Chapter 17.16 Single-Family Residential (R-1)

The proposed use of the subject parcels is single-family dwellings. The R-1 district is intended to provide for low-density, single-family residential development for certain community services and facilities while preserving the character of the existing single-family areas.

Staff analysis: The proposed use is consistent with the R-1 zone. No structures are proposed at this time, and any application will need to conform to the development standards within GHMC 17.16.060, as well as all building and engineering regulations, for approval. The maximum structure height allowed in this district is 35 feet.

GHMC Chapter 17.62 Height Restriction Area

The intent of the HRA is to establish standards for those properties located inside the Gig Harbor view basin where decreased building height shall be required. This is intended to be a limitation on height so as not to restrict views from adjacent properties. The maximum height in the HRA shall be 16 feet, unless otherwise defined in the GHMC Chapter 17.99 Design Manual.

HRA amendments were previously processed through the amendment process within GHMC Chapter 17.62. In September 2023, Ordinance 1516 (Exhibit O) revised the HRA amendment process to refer to the site-specific rezone process as set forth in GHMC Chapter 17.100.

GHMC Chapter 17.100 Amendments

GHMC 17.100.101 Authority to amend

Whenever the public health, safety, general welfare, modifications to the comprehensive plan or good zoning practice requires, the city council may amend, supplement, modify, repeal or otherwise change these regulations and the boundaries of the districts in conformity with the comprehensive plan.

GHMC 17.100.035 General criteria for zoning map amendment

Applications for amendments to the zoning map (which include, but are not limited to, site specific rezones) may only be approved if all of the following criteria are satisfied:

- A. The application for the zoning map amendment must be consistent with and further the goals, policies and objectives of the comprehensive plan and GHMC Chapter 17.12.015.

Staff analysis: The proposed HRA map amendment is consistent with the comprehensive plan as described in the relevant section of this report; and GHMC 17.12.015 which relates implementing Gig Harbor zoning districts to comprehensive land use designations.

- B. The application for the zoning amendment must further bear a substantial relationship to the public health, safety, and general welfare.

Staff analysis: Ordinance 537 (Exhibit K) which adopted the HRA map in 1988, stated that where strict compliance is unrealistic, it is in the interest of public health, safety and welfare to adjust zoning regulations to provide greater flexibility to building size or height.

The HRA map amendment process provides for design flexibility, and the proposed HRA map amendment will provide flexibility for structure height and a range of housing design within the area. The added height and living area

provided by the HRA map amendment may allow for room for larger families or intergenerational living arrangements.

- C. No substantial detrimental effect will be caused by the granting of the application for the amendment.

Staff analysis: The conditions for the adjacent properties to the north, south, and east have not changed despite the change in topography for the subject site. Staff conducted a site visit on October 19, 2023 (Exhibit B) and confirmed that the adjacent properties to the south and east are uphill by at least 16 feet, the properties to the north are downhill of the subject site and have views of Gig Harbor Bay to the north. The properties to the west and southwest did not have views prior to development, and the change in topography for the subject site does not change this condition.

Any development on the subject site would not have an impact on the views for any of the adjacent properties.

The HRA map amendment does not allow any use or height allowance that is not already permitted elsewhere in the R-1 district. The applicant has provided photographs taken on site which demonstrate that the subject site does not have a view of Puget Sound, the Tacoma Narrows, or Mount Rainier (Exhibits F & G). The subject site is also downhill of its immediate neighbors and would not obscure any views (Exhibits H & I).

The proposed HRA map amendment is not specific to a particular structure or design. The applicant will need to apply for engineering, stormwater, and building permits to allow construction.

- D. The proponents of the application have the burden of proof in demonstrating that conditions have changed since the original zoning or original designation for the property on the zoning map.

Staff analysis: As discussed in Section V of this report, a number of changes have taken place since the original annexation and zoning of the subject sites in 1965 and 1990, respectively. The zoning of the subject sites in 1965 is unclear, and it does not appear there was a height restriction prior to the 1988 adoption of Ordinance 537 (Exhibit K), which restricted structure heights to 25 feet. In 1996, Ordinance 710

(Exhibit M) restricted all structures within the HRA to 16 feet, with exceptions for planned unit developments and planned residential developments; this ordinance also created an HRA amendment procedure. In 2010, Ordinance 1194 (Exhibit N) amended the HRA amendment procedure from a Type IV to a Type III procedure.

The applicant initially applied for the HRA map amendment in April 2023, at which time the criteria to amend the HRA map within GHMC 17.62.040 were as follows:

- A. *That the request to amend the height restriction area map furthers the goals, policies, and objectives of the comprehensive plan;*
- B. *The property or area proposed for exclusion from the height restriction area map does not currently possess a view of Gig Harbor Bay, Mount Rainier, or the Puget Sound Narrows;*
- C. *The gradient of the land within 100 feet of the property or area does not have a slope of five percent or greater toward Gig Harbor Bay, Mount Rainier, or the Puget Sound Narrows;*
- D. *That views from adjacent properties will not be adversely affected.*

The initial application was deemed complete on April 11, 2023. The project was reviewed by staff and comments were sent on May 18, 2023. The applicant resubmitted their application materials on June 13, 2023. On August 9, 2023 staff deemed the application ready for a public hearing; subsequently scheduling and noticing a hearing for September 5, 2023. However, the Director noticed ambiguities with the HRA amendment process outlined in GHMC 17.62.040 and subsequently cancelled the hearing.

The Director found the HRA amendment procedure adopted by Ordinance 710 (Exhibit M) to be improper. A proposal to remove a site from an adopted zoning overlay should be considered a site-specific rezone, subject to the amendment process in GHMC Chapter 17.100, and more specifically, the criteria within GHMC 17.100.035. Based on these findings, the Director proposed an interim ordinance which was adopted on September 7, 2023 (Exhibit O).

The intent of the HRA is to establish standards for those properties located inside the Gig Harbor view basin where decreased building height shall be required. This is intended

to be a limitation on height so as not to restrict views from adjacent properties (GHMC 17.62.010). The application materials demonstrate that the subject parcels never were within a viewshed and do not have the potential to obstruct the view from lots in the vicinity (Exhibits F, G, H & I).

Additionally, the approved plat that created the Cottages at Rosedale included substantial changes to the topography of the subject and surrounding properties. The resulting topography substantially reduced any impact from building heights on surrounding views.

Based on the original intent of the HRA zoning district overlay, and subsequent changes the topography affecting the subject site, staff finds that there has been a change in conditions since the original designation for the property which warrant an amendment to the HRA.

B. Operations and Engineering:

The operations and engineering division has no comments.

C. Fire Marshal/Building Official

The fire marshal and building official have no comments.

IX. CONCLUSIONS:

The subject site was annexed into the city in 1965, at which time the development standards were unclear. Height regulations implemented since the annexation have changed the maximum height in the district three times (1988, 1990, and 1996). The regulations governing amendments to the HRA also changed three times (1996, 2010, and 2023).

Based on the stated intent of the HRA within Ordinance 537 (Exhibit x) adopted in 1988, it is in the interest of the public health, safety and welfare to adjust the zoning regulations to flexibility in limited instances where the size or location of certain properties makes strict compliance unrealistic or extremely difficult. Based on the location and topography of the subject site, any proposed development on the subject site would not have impacted the views of adjacent properties at any time since its annexation in 1965. Therefore, staff concludes that the request for an HRA map

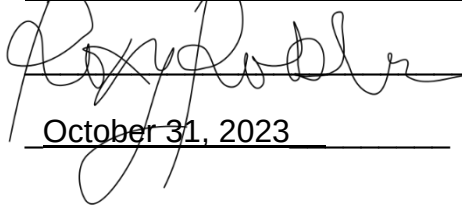
amendment and allowing increased height within the subject parcels on Shirley Avenue meets the criteria of approval within GHMC 17.100.035.

X. RECOMMENDATIONS:

Staff recommends approval of the HRA map amendment with the following conditions:

1. The maximum allowable height of any structure must conform with the performance standards of the underlying zone, Single-Family Residential (R-1). At the time of this decision the maximum allowable height is 35 feet.
2. A height survey must be performed before and after the construction of any structure.

Project Planner: Roxanne Robles, Senior Planner



Date: October 31, 2023

cc: Applicant
Owner

The following exhibits are included for your review of the proposed site plan review application:

Exhibit A Hearing Examiner Staff Report dated October 31, 2023

Exhibit B Hearing Examiner Staff Presentation

Exhibit C Critical Areas and Shoreline Assessment Report and Conceptual Mitigation Plan dated March 31, 2017, revised June 27, 2017

Exhibit D Mitigated Determination of Non-Significance for PL-SEPA-16-0021 dated November 22, 2017

Exhibit E SHB No. 18-017 Andrew Clarke v. City of Gig Harbor and Norpoint Communities, LLC

Exhibit F Views from Subject Parcel

Exhibit G Additional Views from Subject Parcel

Exhibit H Adjacent Topography

Exhibit I Slope Analysis Within 100 Feet

Exhibit J Ordinance 82 adopted 1965

Exhibit K Ordinance 537 adopted 1988

Exhibit L Ordinance 573 adopted 1990

Exhibit M Ordinance 710 adopted 1996

Exhibit N Ordinance 1194 adopted 2010
Exhibit O Ordinance 1516 adopted 2023
Exhibit P Application Narrative
Exhibit Q Legal Description
Exhibit R Owner Affidavit
Exhibit S Nisqually Indian Tribe Comment received May 9, 2023
Exhibit T Vendeland Comment dated April 26, 2023
Exhibit U Hoppen Comment dated April 21, 2023

Duration of Permit Approval: The permits included in this decision shall expire three (3) years from the date of decision, unless a complete application for subsequent building permit or civil permit has been submitted and remained active, pursuant to GHMC 19.02.008. Upon written request by the property owner, prior to the date of land use permit expiration, the director may grant an extension of time up to but not exceeding one (1) year pursuant to GHMC 19.02.008(F). See GHMC 19.02.008 for complete regulations on the duration of permit approvals and expiration of permits.

Administrative Appeal: There is no administrative appeal for this decision. Any appeal of this decision shall be in accordance with RCW 36.70C.

Property Tax Valuation: Affected property owners may request a change in property tax valuation notwithstanding any program of revaluation by contacting the Pierce County Assessor-Treasurer.

Permit Documents: The complete project permit file, including official decision, findings, conclusions and conditions of approval, if any, is available for review at the City of Gig Harbor Planning Department, 3510 Grandview Street, Gig Harbor, WA 98335, during normal business hours, Monday through Friday. Questions regarding the above stated decision should be made to Roxanne Robles, Senior Planner at rrobles@gigharborwa.gov or 253- 851-6170.

CRITICAL AREAS AND SHORELINE ASSESSMENT REPORT AND FINAL MITIGATION PLAN

COTTAGES AT ROSEDALE VILLAGE

MARCH 2017

REVISED DECEMBER 2018



CRITICAL AREAS AND SHORELINE ASSESSMENT REPORT AND FINAL MITIGATION PLAN

COTTAGES AT ROSEDALE VILLAGE

MARCH 31, 2017

REVISED DECEMBER 19, 2018

PROJECT LOCATION

8020 SHIRLEY AVENUE
GIG HARBOR, WASHINGTON 98335

PREPARED FOR

NORPOINT COMMUNITIES
2323 N 31ST ST, SUITE 200
TACOMA, WASHINGTON 98403

PREPARED BY

SOUNDVIEW CONSULTANTS LLC
2907 HARBORVIEW DRIVE, SUITE D
GIG HARBOR, WASHINGTON 98335
(253) 514-8952



Executive Summary

Soundview Consultants LLC (SVC) has been supporting Norpoint Communities (Applicant) with wetland and fish and wildlife habitat assessments and critical areas and shoreline compliance efforts for the proposed Cottages at Rosedale Village residential development on a 27.80-acre property located at 8020 Shirley Avenue in the City of Gig Harbor, Washington. The subject property is situated in the Eastern ½ of the Southeast ¼ of Section 6, Township 21 North, Range 2 East, W.M. (Pierce County Tax Parcel Numbers 0221064103, 0221064100, 0221064104, 0221064068, 0221064093, 0221068008, 0221068007, 0221068006, 0221064120, 0221064070, and 0221064154). This report has been revised to include a Final Mitigation Plan.

SVC investigated the subject property for the presence of potentially-regulated wetlands, waterbodies, fish and wildlife habitat, and/or priority species on September 26-28, 2016, and reconfirmed the findings during several follow-up investigations in October 2016 and January 2017. SVC's original site assessment was reviewed by the City of Gig Harbor's third-party consultant between December 2016 and January 2017. Using current methodology, the site assessment efforts identified and delineated the boundaries of eight potentially-regulated on-site wetlands (Wetlands A through H) and the ordinary high water (OHW) mark of three unnamed streams (Streams V, Y, and Z), with Stream V being added after some additional coordination with the City of Gig Harbor. In general, all wetlands have been confirmed to be Category IV wetlands which require standard 50-foot buffers. Stream V is a Type 4 non-salmonid fish-bearing stream which requires a standard 25-foot buffer. Streams Y and Z are Type 3 non-salmonid fish-bearing streams which require standard 50-foot buffers. Two off-site wetlands (Wetlands I and J) and the marine shoreline of Gig Harbor were also identified within 300 feet of the subject property. This report does not include formal assessment of geotechnical (e.g., seismic, landslide, mudslide, and erosion hazard areas) or aquifer recharge critical areas. The assessment documented herein has been reviewed and approved by the City of Gig Harbor and their third-party consultant, the Washington Department of Fish and Wildlife (WDFW), and Washington State Department of Ecology (WSDOE).

The Cottages at Rosedale Village project will create an active living, retirement community consisting of 82 single-family, single-level cottage houses with attached garages and associated infrastructure including parking, access roads, and stormwater infrastructure. The development will be accessed via Shirley Avenue to the east and from the adjacent Rosedale Village development to the southwest of the site. The proposal includes extension of water and sewer utilities and construction of a stormwater conveyance and treatment facility with discharge to an existing outfall in Gig Harbor to the north. In addition to the proposed development, the existing parcels will be reconfigured through boundary line adjustments to allow seven (7) conforming single-family residential lots along Shirley Avenue, with the remaining area set aside for critical areas protections and the Cottages at Rosedale Village project. The project has been approved by the Gig Harbor Hearing Examiner in a decision dated October 31, 2018.

The proposed design includes careful site planning in order to avoid direct impacts to the regulated wetlands and streams; however, due to site constraints and to accommodate a reasonable site layout and road infrastructure, minor intrusion into the outer extent of some buffer areas is unavoidable. The project therefore proposes wetland buffer averaging in accordance with GHMC 18.08.110.B to accommodate construction of the single-family residences. Approximately 8,924 square feet of wetland buffer will be reduced and replaced by 15,598 square feet of expanded wetland buffer via

buffer averaging. The buffer impacts will be offset by enhancing approximately 10,082 square feet of the outer perimeter of the buffers facing the proposed development in order to effectively screen the critical areas from disturbances and protect wetland and stream functions and values. In addition, temporary impacts from utility installation will occur within wetland buffers and partially within the 200-foot shoreline management zone (SMZ) and will be restored by installation of native plant species and the native reseeding of all disturbed soils within an approximately 7,406 square foot area. These actions will enhance buffer quality and function and will provide an increase in plant diversity, allowing for substantial improvement over existing wetland buffer and SMZ conditions in conformance with the City's No Net Loss requirements. The project has been redesigned to route stormwater runoff from non-pollutant generating surfaces to several points just outside of the wetland and stream buffers. The stormwater discharge points will be appropriately stabilized for erosion control per City of Gig Harbor requirements and as designed by the Project Engineer to further minimize the potential for buffer impacts.

The table below summarizes the wetlands and streams and identifies the potential regulatory status of local, State, and Federal agencies.

Wetland/Stream Name	Size/Length onsite	Category/ Type ^A	Regulated Under Gig Harbor, Title 18.08	Regulated Under RCW 90.48	Regulated Under Clean Water Act
A	0.05 ac	IV	Yes	Yes	Yes
B	0.66 ac	IV	Yes	Yes	Yes
C	1.03 ac	IV	Yes	Yes	Yes
D	0.19 ac	IV	Yes	Yes	Likely
E	0.12 ac	IV	Yes	Yes	Likely
F	0.13 ac	IV	Yes	Yes	Yes
G	0.02 ac	IV	Yes	Yes	Likely
H	0.08 ac	IV	Yes	Yes	Likely
I ^B	0.00 ac (off-site)	IV	Yes	Yes	Likely
J ^B	0.00 ac (off-site)	NA ^C	Yes	Yes	Likely
Stream V	478 lf	Type 4	Yes	Yes	Potentially
Stream Y	91 lf	Type 3	Yes	Yes	Yes
Stream Z	1,069 lf	Type 3	Yes	Yes	Yes

A. Current Washington State Department of Ecology (Hruby 2014) wetland rating methods and GHMC stream ratings.

B. Off-site wetland.

C. Interrupted buffer and off-site (no assessment necessary)

Site Map

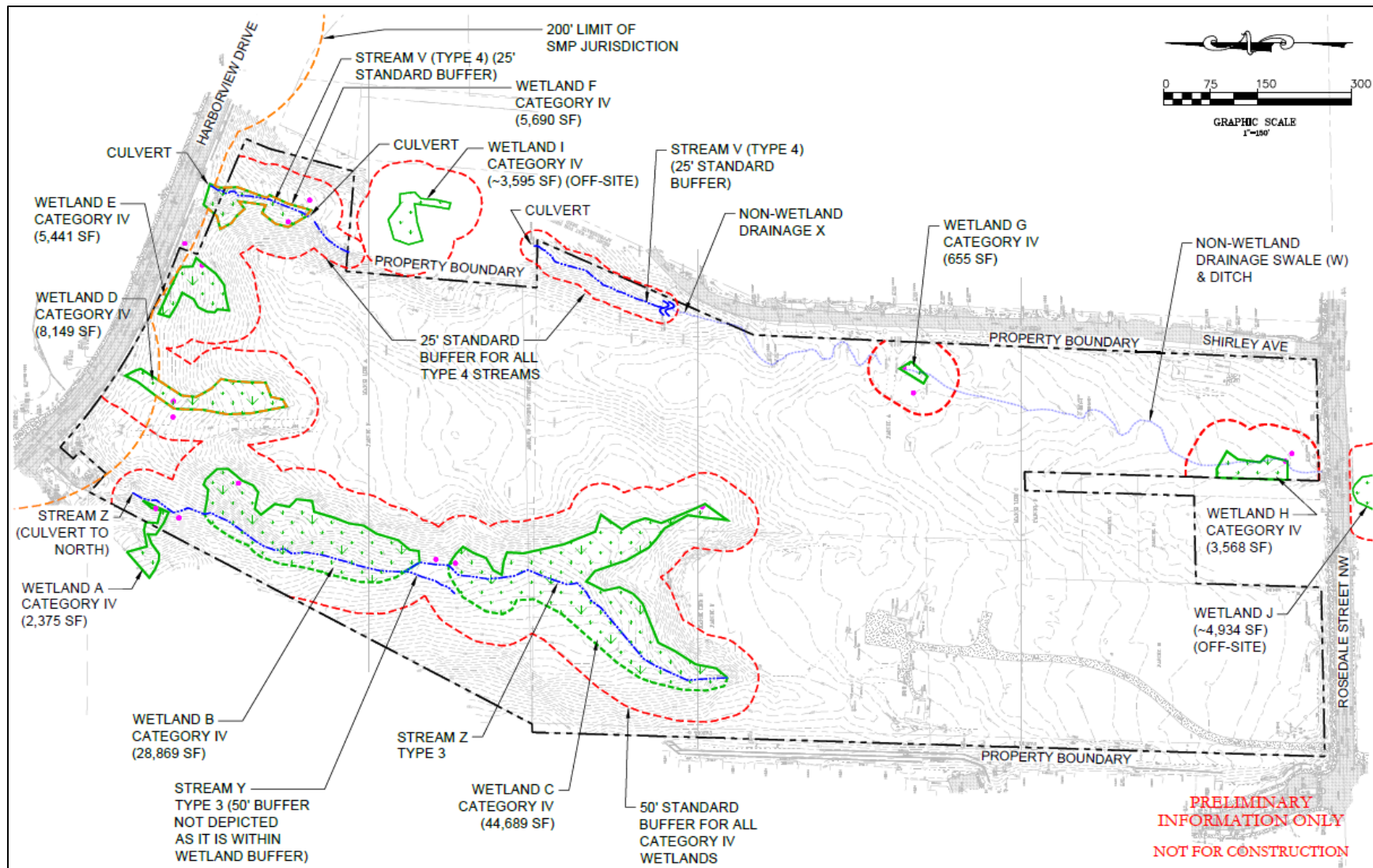


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Appendix D — Action Area Map
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Chapter 1. Introduction

Soundview Consultants LLC (SVC) has been supporting Norpoint Communities (Applicant) with wetland and fish and wildlife habitat assessments and critical areas and shoreline compliance efforts for the proposed Cottages at Rosedale Village residential development on a 27.80-acre property located at 8020 Shirley Avenue in the City of Gig Harbor, Washington. The subject property is situated in the Eastern $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 6, Township 21 North, Range 2 East, W.M. (Pierce County Tax Parcel Numbers 0221064103, 0221064100, 0221064104, 0221064068, 0221064093, 0221068008, 0221068007, 0221068006, 0221064120, 0221064070, and 0221064154).

The purpose of this critical areas and shoreline assessment report is to document the presence of the shoreline and potentially-regulated wetlands, fish and wildlife habitat, and/or priority species on or near the subject property; assess potential impacts to any such critical areas, shoreline, and/or species from the proposed project; and provide impact avoidance and management recommendations.

This report provides conclusions and recommendations regarding:

- Site description, project description, and area of assessment;
- Identification, delineation, and assessment of potentially-regulated wetlands and other hydrologic features within the vicinity of the proposed project;
- Identification and assessment of potentially-regulated fish and wildlife habitat;
- Standard buffer recommendations, building setbacks, and development limitations;
- Existing site map detailing identified critical areas and standard buffers;
- Proposed site plan with proposed project details;
- Documentation of the shoreline environment and No Net Loss Analysis;
- Buffer averaging plan;
- Final Mitigation Plan with buffer restoration and enhancement actions;
- Documentation of impact avoidance, minimization, and mitigation measures.
- Analysis of project effects on Endangered Species Act (ESA) listed species and critical habitat; and
- Supplemental information necessary for local regulatory review.

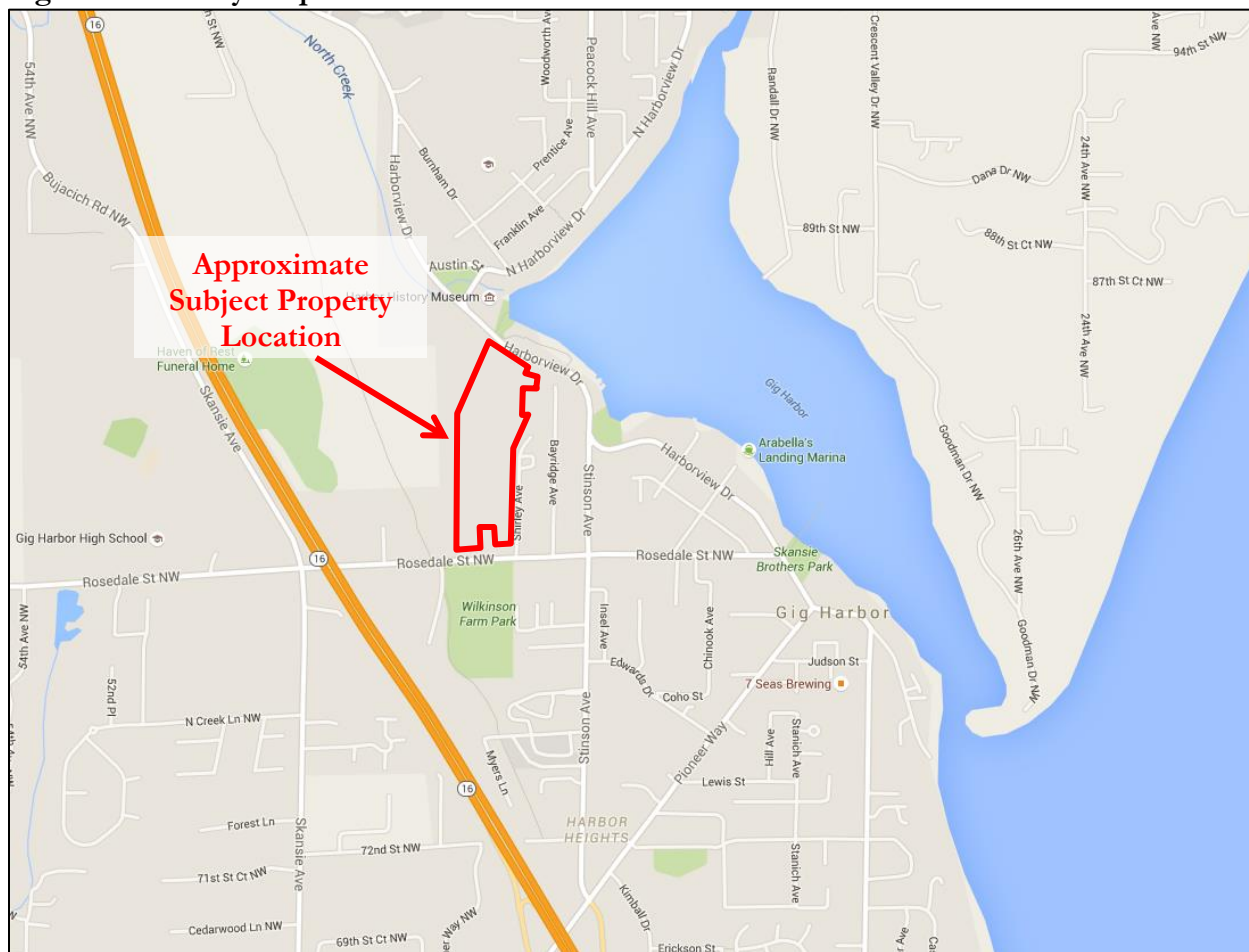
Chapter 2. Proposed Project

2.1 Location

The proposed project is located at 8020 Shirley Avenue in the City of Gig Harbor, Washington. The project is situated on 11 parcels in the Eastern $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 6, Township 21 North, Range 2 East, W.M. within Pierce County (Pierce County Tax Parcel Numbers 0221064103, 0221064100, 0221064104, 0221064068, 0221064093, 0221068008, 0221068007, 0221068006, 0221064120, 0221064070, and 0221064154).

To access the site from Washington State Route 16 (WA-16) West, take the Wollochet Drive NW exit. At the traffic light, cross Wollochet Drive NW and proceed onto Stinson Avenue in a northerly direction. Continue for 0.8 mile and turn left (west) onto Rosedale Street NW. After 0.1 mile, turn right (north) onto Shirley Avenue. The subject property will be on the left side after approximately 0.1 mile.

Figure 1. Vicinity Map.



2.2 Project Description

The Cottages at Rosedale Village project will create an active living, retirement community consisting of 82 single-family, single-level cottage houses with attached garages and associated infrastructure including parking, access roads, and stormwater infrastructure. The development will be accessed via Shirley Avenue to the east and from the adjacent Rosedale Village development to the southwest of the site. The proposal includes extension of water and sewer utilities and construction of a stormwater conveyance and treatment facility with discharge to an existing outfall in Gig Harbor to the north. In addition to the proposed development, the existing parcels will be reconfigured through boundary line adjustments to allow seven (7) conforming single-family residential lots along Shirley Avenue, with the remaining area set aside for critical areas protections and the Cottages at Rosedale Village project. The project has been approved by the Gig Harbor Hearing Examiner in a decision dated October 31, 2018.

Due to site constraints and to accommodate a reasonable site layout and road infrastructure, the project proposes wetland buffer averaging in accordance with GHMC 18.08.110.B. Approximately 8,924 square feet of wetland buffer will be reduced and replaced by 15,598 square feet of expanded wetland buffer via buffer averaging. A final buffer restoration and enhancement plan to offset these buffer impacts is provided in Chapter 7 of this report.

2.3 Action Area

The “Action Area” encompasses the locations where project activities will occur (the project area) as well as all areas that may be directly or indirectly affected by the proposed project through physical, chemical, or biological mechanisms. The geographic limits of the Action Area were defined by considering the potential spatial extent of mechanisms that may lead to impacts on listed species. Mechanisms identified as having potential for impacting ESA-listed species or species habitat include noise from construction equipment. The Action Area for potential terrestrial noise and turbidity impact mechanisms is depicted in Appendix D.

2.3.1 Terrestrial Noise

In order to define the Action Area, this assessment discusses the project actions potentially generating noise levels above normal daily noise levels found in the vicinity of the project area. At certain levels, noise from project activities can adversely affect wildlife with various behavioral and/or health-related consequences (WSDOT, 2015). Terrestrial noise (transmitted through air) is measured in decibels (dB) on a logarithmic scale. Project activities will necessitate the use of the following three pieces of equipment with the loudest noise levels for grading and construction: an excavator, dozer, and front end loader. The use of construction equipment in this area will potentially lead to a higher noise level than traffic noise and ambient sound levels during portions of the project actions. The Washington State Department of Transportation (WSDOT) *Biological Assessment Preparation Advanced Training Manual*, Version 2015, lists average noise levels for typical construction equipment; average ambient sound levels per population density of the surrounding area; and noise levels for automobile traffic given certain speeds. According to WSDOT, the average decibel level at 50 feet from a working excavator is 81 dBA. The average decibel level at 50 feet from a dozer is 82 dBA. The average decibel level at 50 feet from a front end loader is 79 dBA. Using decibel addition, 86 dBA was calculated to be the loudest projected noise level that will be heard at a 50 foot radius from where the construction actions will be performed. The ambient sound level, exclusive of traffic, for an urban area with a

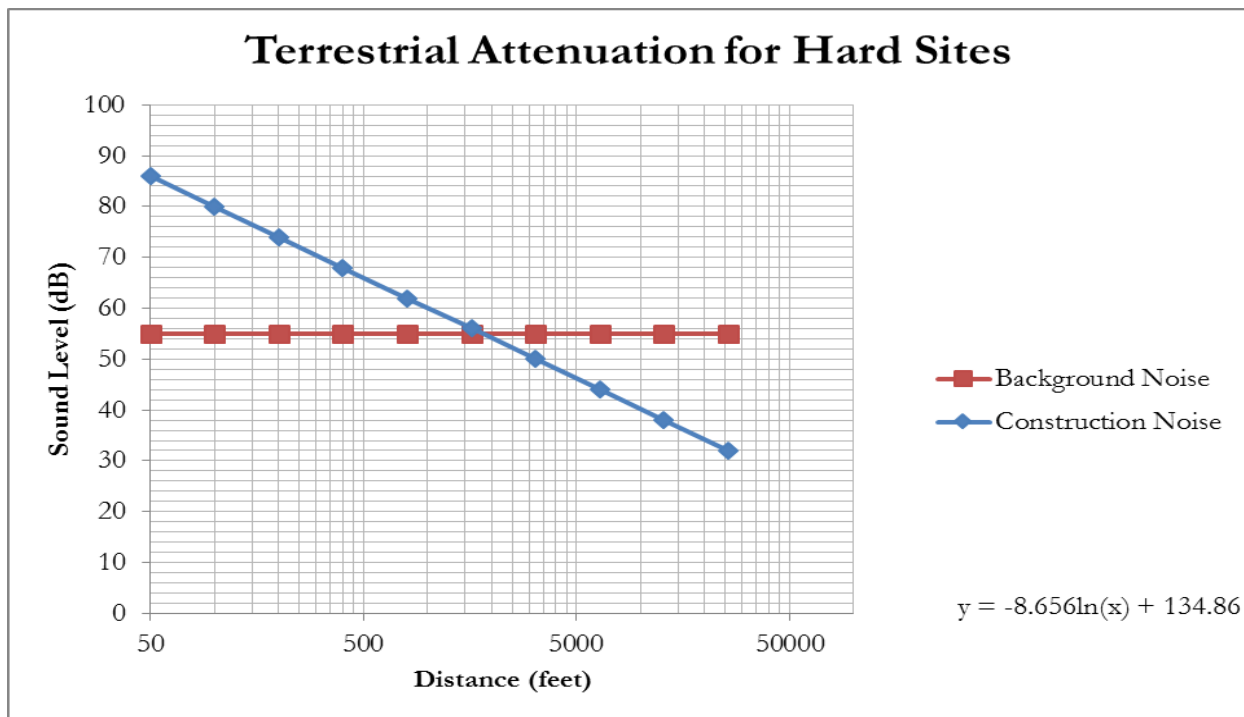
population density between 1,000 and 3,000 people per square mile such as found in the City of Gig Harbor (1,197 residents per square mile according to 2010 Census) is 50 dBA. The typical noise level measured at fifty feet from slower traffic typical of the Project Area has been extrapolated from WSDOT data to be approximately 55 dBA.

Construction noise levels will be elevated above normal ambient noise but will not reach levels that are likely to significantly impact terrestrial species. Sound impacts on ESA-listed species are discussed in Chapter 7. For terrestrial noise, standard attenuation is about 6-7.5 dBA per doubling of distance from the source of noise, depending on whether the site is classified as hard or soft (WSDOT, 2015). Using an ambient noise level of 55 dB (WSDOT, 2015) considering urban setting and normal attenuation of 6 dB per doubling, the construction noise will attenuate to background levels (55 dBA) at approximately 1,774 feet (Table 1 and Figure 2). Therefore, the Action Area for noise has an approximate 1,774-foot radius around project activities. The following table and graph present the estimated construction noise attenuation distance.

Table 1. Terrestrial Noise Attenuation Calculations.

Distance from Source		Terrestrial Attenuation Table (Hard Sites)		Measured Noise Pressure	
(Feet)	(Miles)	Construction Noise (dBA)	Background Noise (dBA)	(Micro-Pascals)	(atm)
50	0.009469697	86	55	399052.463	4.04308E-08
100	0.018939394	80	55	200000	2.02634E-08
200	0.037878788	74	55	100237.4467	1.01558E-08
400	0.075757576	68	55	50237.72863	5.08994E-09
800	0.151515152	62	55	25178.50824	2.55101E-09
1600	0.303030303	56	55	12619.14689	1.27854E-09
3200	0.606060606	50	55	6324.55532	6.40786E-10
6400	1.212121212	44	55	3169.786385	3.21154E-10
12800	2.424242424	38	55	1588.656469	1.60958E-10
25600	4.848484848	32	55	796.2143411	8.06701E-11

Figure 2. Terrestrial Project Noise Attenuation to Ambient Levels.



2.3.2 Turbidity

There is a hydrologic connection between the property and Gig Harbor, as the onsite drainages discharge into an existing outfall into Gig Harbor on the opposite side of Harborview Drive. Therefore, the proposed construction activities may incidentally suspend sediment materials in the marine waters near the existing outfall. Such occurrences, if at all, would be temporary in duration. To avoid or minimize potential temporary increases in turbidity, the project plan includes a Stormwater Site Plan (SSP) and Stormwater Pollution Prevention Plan (SWPPP), incorporating best management practices (BMPs) and a National Pollution Discharge Elimination System (NPDES) construction stormwater general permit as detailed in Section 9.4 of this report. In addition, no in-water work will occur.

The Washington Administrative Code (WAC 173-201A-210(1)(e)) makes allowances for temporary turbidity in marine waters due to construction activities. Temporary mixing is subject to constraints of WAC 173-201A-400(4) and (6). While no in-water work will occur, a three hundred (300) foot plume limit is being included in the Action Area to account for possible temporary increases in turbidity at the existing stormwater outfall. Any turbidity impacts are expected to be temporary due to the conservation measures and BMPs that will be in place for the project.

Chapter 3. Methods

SVC investigated, assessed, and delineated wetlands, drainages, and other potentially-regulated fish and wildlife habitat within the subject property and identified potentially-regulated features within 300 feet of the subject property on September 26-28, 2016. In October 2016, SVC re-evaluated and confirmed the findings of the initial site visits. In December 2016 and January 2017, SVC coordinated with City of Gig Harbor's staff and third-party consultant to verify the regulatory status of various drainages and to confirm the extent of Stream V. All wetland and ordinary high water (OHW) mark determinations were made using observable vegetation, hydrology, and soils in conjunction with data from the U.S. Geographic Survey (USGS) topographic maps, the Natural Resources Conservation Service (NRCS) Soil Survey, National Wetlands Inventory (NWI), Pierce County PublicGIS, U.S. Fish and Wildlife Service (USFWS), the Soil Survey of Pierce County (Zulauf, 1979), local precipitation data (NOAA), and various orthophotographic resources, as well as a review of prior assessments including the *Wetland Boundary Delineation* report prepared by Grette Associates in 2005 for a previous proposal on the subject property (Highlands at the Harbor). Appendix A contains further details for the methods and tools used to prepare this report.

Wetland boundaries were determined using the routine approach described in the U.S. Army Corps of Engineers (USACE) *Wetlands Delineation Manual* (Environmental Laboratory, 1987) and modified according to the guidelines established in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region* (Version 2.0) (USACE, 2010). Qualified wetland scientists marked boundaries of on-site wetlands with orange surveyor's flagging labeled alpha-numerically and tied to 3-foot lath or vegetation along the wetland boundary. Pink surveyor's flagging was labeled alpha-numerically and tied to 3-foot lath or vegetation at formal sampling locations to mark the points where detailed data was collected (DP1-DP16). Additional tests pits were excavated at regular intervals inside and outside of the wetland boundaries to further confirm each delineation.

OHW mark determinations were made using Washington State Department of Ecology's (Ecology's) method as detailed in *Determining the Ordinary High Water Mark on Streams in Washington State* (Olson, 2008) and definitions provided in RCW 90.58.030.2C and WAC 173.26. To mark the centerline or banks of potentially-regulated streams, blue surveyor's flagging was alpha-numerically labeled and tied to vegetation. Following delineation, all wetland and OHW flags were located by professional survey, and a digital map was produced.

SVC classified all wetlands using both the hydrogeomorphic (Brinson, 1993) and Cowardin (Cowardin, 1979) classification systems, and generally assessed wetlands using the *Wetland Functions Characterization Tool for Linear Projects* (WSDOT, 2000). Following classification and assessment, WSDOE-trained scientists rated and categorized all wetlands using the *Washington State Wetlands Rating System for Western Washington* (Hruby, 2014) and the definitions established in Gig Harbor Municipal Code (GHMC) Title 18.08. Streams and surface water features were classified using the Washington Department of Natural Resources Water Typing System as outlined in described in WAC 222.16 and the guidelines established in GHMC Title 18.08.182.

The fish and wildlife habitat assessment was conducted during the same site visits by qualified fish and wildlife biologists. Experienced biologists made visual observations using stationary and walking

survey methods for both aquatic and upland habitats noting any special habitat features or signs of fish and wildlife activity.

Chapter 4. Existing Conditions

4.1 Landscape Setting

The subject property abuts Shirley Avenue to the east, Rosedale Street Northwest to the south, the Rosedale Village residential development to the west, and Harborview Drive to the north with Gig Harbor (Puget Sound) beyond (Figure 3). The topography on the site is moderately sloped downward to the north in the southern portion of the site. Areas of steep slopes are located within parcel 0221064068 and along the property boundaries closest to Harborview Drive and the shoreline of Gig Harbor. The subject property is largely undeveloped and forested with coniferous and mature deciduous trees, and parcel 0221064070 contains a 700 square-foot, single-story residence with associated infrastructure. The driveway for this single-family residence extends through parcel 0221064103 in the southwest corner of the site. The surrounding areas contain a mixture of undeveloped, residential, and commercial land uses.

Figure 3. Aerial Photograph of the Subject Property.



4.2 Prior Studies and City Determinations

The *Highlands at the Harbor Wetland Boundary Delineation* report (Grette Associates, 2005) was prepared in 2005 for parcel 0221064154. Utilizing the outdated *Washington State Wetlands Identification and*

Delineation Manual dated March 1997, the Grette Associates report identified and delineated the boundaries of four onsite wetlands and two off-site wetlands, generally consistent with the findings of this assessment. Non-wetland drainages were also identified but not delineated by Grette Associates. The results of this prior assessment were confirmed by the City of Gig Harbor Hearing Examiner (Gig Harbor, 2007) and the USACE in 2008. A copy of Grette Associates 2005 wetland delineation map is included in Appendix B7 of this report.

4.3 Soils

The NRCS Soil Survey of Pierce County identified three soil series on the site: Harstine gravelly ashy sandy loam, Indianola loamy sand, and Kitsap silt loam. Kitsap silt loam is located on the majority of the site, with other areas of Indianola and Harstine gravelly sandy loam. A soil map is provided in Appendix B4.

Harstine gravelly sandy loam, 0 to 6 percent slopes (16B)

According to the survey, Harstine gravelly sandy loam, 0 to 6 percent slopes, is nearly level to undulating and a moderately well drained soil formed in sandy glacial till on broad uplands. In a typical profile, the surface layer is dark yellowish brown gravelly sandy loam to a depth of 5 inches. The subsoil is dark brown, brown and yellowish brown gravelly sandy loam to a depth of 31 inches. The substratum is compact glacial till weakly cemented in places to a depth of 60 inches. Harstine gravelly sandy loam, 0 to 6 percent slopes, is listed as non-hydric on the Pierce County Hydric Soils List (NRCS, 1979).

Harstine gravelly sandy loam, 6 to 15 percent slopes (16C)

According to the survey, Harstine gravelly sandy loam, 6 to 15 percent slopes, is moderately well drained soil formed in sandy glacial till on broad uplands. In a typical profile, the surface layer is dark yellowish brown gravelly sandy loam to a depth of 5 inches. The subsoil is dark yellowish brown, brown and dark brown gravelly sandy loam to a depth of 31 inches. The substratum is compact glacial till cemented in places to a depth of 60 inches. Harstine gravelly sandy loam, 6 to 15 percent slopes, is listed as non-hydric on the Pierce County Hydric Soils List (NRCS, 1979).

Indianola loamy sand, 15 to 30 percent slopes (18E)

According to the survey, Indianola loamy sand, 15 to 45 percent slopes is a somewhat excessively drained soil formed in sandy glacial outwash on broad uplands and in drainages. In a typical profile, the surface layer is dark brown loamy sand to a depth of 5 inches. The subsoil, to a depth of more than 60 inches, is dark yellowish brown, brown, or olive brown sand. Indianola loamy sand, 15 to 45 percent slopes is listed as non-hydric on the Pierce County Area Hydric Soils List (NRCS, 1979).

Kitsap silt loam, 8 to 15 percent slopes (20C)

According to the survey, Kitsap silt loam, 8 to 15 percent slopes, is moderately well drained and is formed in glacial lake sediments on remnant terraces along Puget Sound and major drainages. In a typical profile, the surface layer is very dark grayish brown and dark brown silt loam to a depth of 10 inches. The upper layer of the subsoil is brown silty clay loam to a depth of 7 inches. The lower layer is mottled, grayish brown silty clay loam to approximately 15 inches thick. The substratum to a depth of 60 inches is stratified, mottled, light olive brown silt loam and silty clay loam. Kitsap silt loam, 8 to 15 percent slopes is listed as non-hydric on the Pierce County Hydric Soils List (NRCS, 1979).

Kitsap silt loam, 15 to 30 percent slopes (20B)

Kitsap silt loam 15 to 30 percent slopes soils are moderately well drained. They formed in the glacial lake sediments in drainages that empty into Puget Sound. In a typical profile, the surface layer is very dark grayish brown and dark brown silt loam about 10 inches thick. The upper part of the subsoil is brown silty clay loam about 7 inches thick. The lower part is mottled, grayish brown silty clay loam about 15 inches thick. The substratum, to a depth of 60 inches, is a stratified, mottled, light olive brown silt loam and silty clay loam. The permeability of Kitsap silt loam is very slow and has high slippage susceptibility. Kitsap silt loam 15 to 30 percent slopes soils are listed as non-hydric on the Pierce County Area Hydric Soils List (NRCS, 1979).

4.4 Vegetation

Upland vegetation is dominated by a canopy of Douglas fir, western hemlock, and big leaf maple with an understory of osoberry, red huckleberry, beaked hazelnut, English holly, deer fern, sword fern, bracken fern, and various upland grasses in the eastern portion of the subject property. Wetland areas were characterized by an overstory of western red cedar and black cottonwood with an understory of salmonberry, skunk cabbage, creeping buttercup, red-tinge bull rush, and reed canarygrass. Along the banks of Streams Y and Z, vegetation in certain areas is dominated by seep wetland vegetation such as devil's club and slough sedge, with other areas of western hemlock, sword fern, and Himalayan blackberry.

4.5 Priority Habitats and Species

The WDFW interactive salmonid data map, SalmonScope (Appendix B5), and WDFW Priority Habitats and Species (PHS) maps and data (Appendix B6) do not identify any priority habitats or species on or adjacent to the subject property. In addition, no priority habitats or species were observed onsite during the site investigation.

4.6 Precipitation

Precipitation data was obtained from the National Oceanic and Atmospheric Administration (NOAA) and Weather Underground weather stations at SeaTac Airport in order to obtain percent of normal precipitation during and preceding the investigations. A summary of data collected is provided in Table 2.

Table 2. Precipitation Summary¹

Date	Day of	Day Before	1 Week Prior	2 Weeks Prior	Month To Date (Observed/Normal) ²	Year to Date (Observed/Normal) ²	Percent of Normal (month/year) ³
09/26/2016	0.00	0.00	0.11	0.16	1.03/1.24	24.76/21.83	83/113
09/27/2016	0.02	0.00	0.03	0.24	1.05/1.30	24.78/21.89	81/113
09/28/2016	0.00	0.02	0.03	0.24	1.05/1.37	24.78/21.96	76/113
10/25/2016	T	0.00	1.80	4.56	7.67/2.52	32.45/24.61	304/132

¹. Precipitation volume provided in inches. Data obtained from NOAA (<http://www.weather.gov/climate/index.php?wfo=sew>) and Weather Underground (<http://www.wunderground.com/history/>) for SeaTac Airport.

². Month-to-date and year-to-date precipitation shown is from the first of the month to the date of the site visit, and from January 1st to the date of the site visit.

³. Percent of normal shown is for the month/year.

The data suggests that precipitation during the September site visits was relatively normal for the month-to-date (83 percent) and year-to-date (113 percent) totals. During the October site visits, month-to-date precipitation amounts were well above statistical normal (304 percent of normal), with year-to-date precipitation at greater than 130 percent above normal levels. This precipitation data suggests that significantly high precipitation in October may have caused some areas not normally wet to become saturated and/or inundated at the time of the site investigations. Such conditions were considered in making professional wetland boundary determinations.

Chapter 5. Results

5.1 Wetlands

5.1.1 Overview

The site investigations identified eight potentially-regulated wetlands on the subject property (Wetlands A through H) and two off-site wetlands (Wetlands I and J) within 300 feet of the subject property. The identified wetlands contained indicators of wetland hydrology, hydric soils, and a predominance of hydrophytic vegetation according to current wetland delineation methodology. These assessment results were generally confirmed by the City of Gig Harbor in January 2017. Wetland data forms (onsite wetlands only) are provided in Appendix E, and wetland rating forms (onsite wetlands only) are provided in Appendix F. Table 3 summarizes the wetlands identified during the site investigations.

Table 3. Wetlands Summary.

Wetland	Predominant Wetland Classification / Rating				Wetland Size Onsite (acres)	Buffer Width (feet) ^E
	Cowardin ^A	HGM ^B	Ecology ^C	City of Gig Harbor ^D		
A	PFOB	Slope	IV	IV	0.05	50
B	PFO/PSSB	Slope	IV	IV	0.66	50
C	PFO/PSSB	Slope	IV	IV	1.03	50
D	PSSB	Slope	IV	IV	0.19	50
E	PSSB	Slope	IV	IV	0.12	50
F	PSSB	Slope	IV	IV	0.13	50
G	PEMA	Depressional	IV	IV	0.02	50
H	PSS/PEMB	Slope	IV	IV	0.08	50
I	PSS/PEMB	Slope	IV	IV	0.00 (off-site)	50
J	PFO/PSSB	Slope	IV	IV	0.00 (off-site)	NAG ^G
Total					2.28	

Notes:

- A. Cowardin et al. (1979) or National Wetland Inventory (NWI) Class based on vegetation: PEM = Palustrine Emergent; PSS = Palustrine Scrub-Shrub; PFO = Palustrine Forested; Modifiers (-A, -B, -E, et cetera) = Water Regime or Special Situations
- B. Brinson, M. M. (1993).
- C. Ecology rating according to Washington State Wetland Rating System for Western Washington – Revised Hruby (2014).
- D. Gig Harbor Municipal Code (GHMC) 18.08.040 definition.
- E. GHMC 18.08.100 buffer standards.
- F. Rating estimated.
- G. Buffer interrupted by Rosedale Street NW.

Wetland A

Wetland A is 2,375 square feet (0.05 acre) in size, and is located in the northwestern corner of the subject property on the west side of Stream Z, continuing off-site to the northwest. Hydrology for Wetland A is provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table. Wetland vegetation is dominated by red alder, western red cedar, thimbleberry, salmonberry, beaked hazelnut, osoberry, red-tinge bulrush, skunk cabbage, lady fern, and American brooklime. Wetland A is a Palustrine Forested, Seasonally Saturated wetland. Under GHMC 18.08.040, Wetland A is a Category IV slope wetland. Table 4 summarizes Wetland A.

Wetland B

Wetland B is 28,870 square feet (0.66 acre) in size, and is located in the northwestern portion of the subject site along the hillside surrounding Stream Z. Hydrology for Wetland B is provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table provided through hillside seeps. Wetland vegetation is dominated by red alder, with an understory of salmonberry, devil's club, wax currant, sticky currant, Pacific waterleaf, and stinging nettle. Wetland B is a Palustrine Forested and Scrub-Shrub, Seasonally Saturated wetland. Under GHMC 18.08.040, Wetland B is a Category IV slope wetland. Table 5 summarizes Wetland B.

Wetland C

Wetland C is 44,670 square feet (1.03 acre) in size, and is located in the western portion of the subject property. Hydrology for Wetland C is provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table provided through hillside seeps. Wetland vegetation is dominated by red alder and western red cedar with an understory of devil's club, salmonberry, skunk cabbage, foam flower, Pacific waterleaf, and piggy-back plant. Wetland C is a Palustrine Forested and Scrub-Shrub, Seasonally Saturated wetland. Under GHMC 18.08.040, Wetland C is a Category IV slope wetland. Table 6 summarizes Wetland C.

Wetland D

Wetland D is 8,149 square feet (0.19 acre) in size, and is located in the north-central portion of the subject property. Hydrology for Wetland D is provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table provided through hillside seeps. Wetland D vegetation is dominated by salmonberry, western red cedar, skunk cabbage, water parsley, Oregon ash, red alder, creeping buttercup, slough sedge, piggy-back plant, and English ivy. Wetland D is a Palustrine Scrub-Shrub, Seasonally Saturated wetland. Under GHMC 18.08.040, Wetland D is a Category IV slope wetland. Table 7 summarizes Wetland D.

Wetland E

Wetland E is 5,441 square feet (0.12 acre) in size, and is located in the central-eastern portion of the subject property. Hydrology for Wetland E is provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table provided through hillside seeps. Wetland E vegetation is dominated by salmonberry, Himalayan blackberry, skunk cabbage, horsetail, piggy-back plant, tall mannagrass, giant horsetail, field horsetail, reed canarygrass, and lady fern. Wetland E is a Palustrine Scrub-Shrub, Seasonally Saturated wetland. Under GHMC 18.08.040, Wetland E is a Category IV slope wetland. Table 8 summarizes Wetland E.

Wetland F

Wetland F is 5,690 square feet (0.13 acre) in size, and is located in the northeastern portion of the subject property. Hydrology for Wetland F is provided by surface sheet flow, direct precipitation, and groundwater seeps out of the hillside. Wetland F vegetation is dominated by salmonberry, red alder saplings, twinberry, western red cedar saplings, red elderberry, Pacific willow, skunk cabbage, water parsley, piggy-back plant, creeping buttercup, stinging nettle, and lady fern. Wetland F is a Palustrine Scrub-shrub, Seasonally Saturated wetland. According to GHMC 18.08.040, Wetland F is a Category IV slope wetland. Table 9 summarizes Wetland F.

Wetland G

Wetland G is 655 square feet (0.02 acre) in size, and is located in the southeastern portion of the subject property. Hydrology for Wetland G is provided by direct precipitation, seasonally-high groundwater table, and surface runoff from the non-regulated drainage ditch (Drainage W) which flows into Wetland G from the south. Wetland G vegetation is dominated by slough sedge, lady fern, Nootka rose, and stinging nettle. Wetland G is a Palustrine Emergent, Occasionally Saturated/Flooded wetland. According to GHMC 18.08.040, Wetland G is a Category IV depressional wetland. Table 10 summarizes Wetland G.

Wetland H

Wetland H is 3,568 square feet (0.08 acre) in size, and is located in the southeast corner of the subject property near Shirley Avenue. Hydrology for Wetland H is provided by stormwater discharge from the abutting Shirley Avenue to the south. A non-wetland drainage course (Drainage W) flows through a culvert from Shirley Avenue north into this area and proceeds to dissipate. Wetland H vegetation is dominated by Sitka willow, English hawthorn, reed canarygrass, colonial bentgrass, soft rush, velvetgrass, and creeping buttercup. Wetland H is a Palustrine Scrub-Shrub/Emergent, Seasonally Saturated wetland. Under GHMC 18.08.040, Wetland H is a Category IV slope wetland. Table 11 summarizes Wetland H.

Off-Site Wetland I

The off-site Wetland I is approximately 3,400 square feet (0.08 acre) in size, and is located on private property east of the subject property and south of Wetland F on parcel 2360000062. Grette Associates assessed and delineated Wetland I in 2005 for the Highlands at the Harbor project (Grette, 2005), and determined that Wetland I is located on an abandoned road grade. Wetland I vegetation is dominated Himalyan blackberry with areas of red alder, common rush, creping buttercup, and piggy-back plant. The off-site Wetland I is likely a Palustrine Scrub-Shrub/Emergent, Seasonally Saturated wetland. Under GHMC 18.08.040, the off-site Wetland I is a Category IV slope wetland. As this wetland is located off-site, no detailed table is provided.

Off-Site Wetland J

The off-site Wetland J is approximately 4,934 square feet (0.11 acre) in size, and is located upslope of the subject property and immediately south of Rosedale Street within the City of Gig Harbor's Wilkinson Farm Park on parcel 0221071067. Wetland J is a densely vegetated broad swale which is contiguous with and drains the Wilkinson Farm Pond, with surface flow conveyed beneath Rosedale Street within a culvert and into Wetland H (Grette, 2016). The off-site Wetland J is likely a Palustrine Forested and Scrub-Shrub, Seasonally Saturated wetland. Under GHMC 18.08.040, the off-site

Wetland J is likely a Category IV slope wetland. Rosedale Street constitutes a wetland buffer interruption per GHMC 18.08.100.I. As this wetland is located off-site, no detailed table is provided.

Table 4. Wetland A Summary

WETLAND A – INFORMATION SUMMARY		
Location:	Located in the northwestern corner of the subject property on the west side of Stream Z and continues off-site to the west.	
	Local Jurisdiction	Gig Harbor
	WRIA	15 – Kitsap
	Ecology Rating (Hruby, 2014)	IV
	Gig Harbor Rating	IV
	Gig Harbor Buffer Width	50 feet
	Wetland Size	2,375 square feet
	Cowardin Classification	PFOB
	HGM Classification	Slope
	Wetland Data Sheet(s)	DP-1
	Upland Data Sheet (s)	DP-2
Boundary Flag color	Orange	
Dominant Vegetation	Wetland A is dominated by red alder, western red cedar, devil’s club, thimbleberry, salmonberry, beaked hazelnut, osoberry, red-tinge bulrush, skunk cabbage, lady fern, and American brooklime.	
Soils	Soils within the wetland were observed to have a sandy dark greyish brown in the upper layer with a greenish gray gravelly loamy sand matrix with prominent redoximorphic features in the lower layer with a hydrogen sulfide aroma.	
Hydrology	Hydrology for Wetland A is provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table provided through hillside seeps.	
Rationale for Delineation	Wetland boundaries were determined by topographic drop and a transition to hydrophytic plant community.	
Rationale for Local Rating	Local rating is based upon Ecology’s current rating system and GHMC Title 18.08.040.	
Wetland Functions Summary		
Water Quality	Wetland A has a low potential to retain sediments and pollutants from surface runoff due to the small size and moderate sloping that do not retain water long enough to provide significant water quality improvements. Wetland A’s score for Water Quality Functions using the 2014 method is very low (3).	
Hydrologic	The wetland does not have dense uncut rigid plants that slow the flow of water enough to provide decent hydrologic improvements downstream. Wetland A’s score for Hydrologic Functions using the 2014 method is very low (3).	
Habitat	Wildlife habitat functions provided by the wetland may include small mammal forage and cover, small bird forage and nesting. Wetland A has a forested Cowardin classification with 3 out of the 5 strata. Wetland A’s score for Habitat Functions using the 2014 method is moderate (5).	
Buffer Condition	The buffer surrounding Wetland A is dominated by big leaf maple, western hemlock, osoberry, English holly, beaked hazelnut, deer fern, red blueberry, and sword fern.	

Table 5. Wetland B Summary

WETLAND B – INFORMATION SUMMARY			
Location:	Located in the northwestern portion of the subject site along the hillside surrounding Stream Z.		
	Local Jurisdiction	Gig Harbor	
	WRIA	15 – Kitsap	
	Ecology Rating (Hruby, 2014)	IV	
	Gig Harbor Rating	IV	
	Gig Harbor Buffer Width	50 feet	
	Wetland Size	22,870 square feet	
	Cowardin Classification	PFO/PSSB	
	HGM Classification	Slope	
	Wetland Data Sheet(s)	DP-3	
	Upland Data Sheet (s)	DP-4	
	Boundary Flag color	Orange	
Dominant Vegetation	Wetland B is dominated by red alder, with an understory of salmonberry, devil’s club, wax currant, sticky currant, Pacific waterleaf, and stinging nettle.		
Soils	Soils within the wetland were observed to have black, sandy loam texture upper layers with gleyed depletions and a hydrogen sulfide aroma.		
Hydrology	Hydrology for Wetland B, provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table provided through hillside seeps.		
Rationale for Delineation	Wetland boundaries were determined by point of saturation and a transition to hydrophytic plant community.		
Rationale for Local Rating	Local rating is based upon Ecology’s current rating system and GHMC Title 18.08.040.		
Wetland Functions Summary			
Water Quality	Wetland B has a low potential to retain sediments and pollutants from surface runoff due to its steep sloped topography and lack of plants that characteristically trap sediments and pollutants. Wetland B’s score for Water Quality Functions using the 2014 method is very low (3).		
Hydrologic	Wetland B has a very low potential to provide hydrologic function to the landscape and society as it does not have dense plants thick enough to remain erect during surface flows and is not located near an area that generates excess runoff. Wetland B’s score for Hydrologic Functions using the 2014 method is very low (3).		
Habitat	Wildlife habitat functions provided by the wetland may include small mammal forage and cover, and it provides adequate habitat features such as large, downed, woody debris and standing snags, but also has less than 25% cover of invasive species, allowing abundant native vegetative growth. Wetland B’s score for Habitat Functions using the 2014 method is moderate (6).		
Buffer Condition	The buffer surrounding Wetland B is dominated by red alder, big leaf maple, salmonberry, Indian plum, and sword fern.		

Table 6. Wetland C Summary

WETLAND C – INFORMATION SUMMARY		
Location:	Located in the western portion of the subject property.	
	Local Jurisdiction	Gig Harbor
	WRIA	15 – Kitsap
	Ecology Rating (Hruby, 2014)	IV
	Gig Harbor Rating	IV
	Gig Harbor Buffer Width	50 feet
	Wetland Size	44,670 square feet
	Cowardin Classification	PFO/PSSB
	HGM Classification	Slope
	Wetland Data Sheet(s)	DP-5
	Upland Data Sheet (s)	DP-4, DP-6
Boundary Flag color	Orange	
Dominant Vegetation	Wetland C is dominated by red alder, western red cedar with an understory of devil’s club, salmonberry, skunk cabbage, foam flower, Pacific waterleaf and piggy-back plant.	
Soils	Soils within the wetland were observed to have a sandy mucky mineral texture with gleyed depletions in the top layer with a gleyed sand underlain with prominent redoximorphic features.	
Hydrology	Hydrology for Wetland C appears to be provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table provided through hillside seeps.	
Rationale for Delineation	Wetland boundaries were determined by point of saturation and a transition to hydrophytic plant community.	
Rationale for Local Rating	Local rating is based upon Ecology’s current rating system and GHMC Title 18.08.040.	
Wetland Functions Summary		
Water Quality	Wetland C has a low potential to retain sediments and pollutants from surface runoff due to its steep sloped topography that lacks retention time to filter contaminants and lack of vegetation that characteristically trap sediments and pollutants, as the dominated vegetative community is predominantly woody cover, and not herbaceous. Wetland C’s score for Water Quality Functions using the 2014 method is low (4).	
Hydrologic	Wetland C has a very low potential to provide hydrologic function to the landscape and society as it does not have dense plants thick enough to remain erect during surface flows and is not located near an area that generates excess runoff. Wetland C’s score for Hydrologic Functions using the 2014 method is very low (3).	
Habitat	Wildlife habitat functions provided by the wetland may include small mammal forage and cover, and it provides adequate habitat features such as large, downed, woody debris and standing snags, but also has less than 25% cover of invasive species, allowing abundant native vegetative growth. Wetland C’s score for Habitat Functions using the 2014 method is moderate (6).	
Buffer Condition	The buffer surrounding Wetland C is dominated by western hemlock, red alder, and big leaf maple, with an understory of salmonberry, Indian plum, and sword fern.	

Table 7. Wetland D Summary

Table 10: Wetland D Summary

WETLAND D – INFORMATION SUMMARY			
Location:		Located in the north-central portion of the subject property.	
	Local Jurisdiction		Gig Harbor
	WRIA		15 – Kitsap
	Ecology Rating (Hruby, 2014)		IV
	Gig Harbor Rating		IV
	Gig Harbor Buffer Width		50 feet
	Wetland Size		8,149 square feet
	Cowardin Classification		PSSB
	HGM Classification		Slope
	Wetland Data Sheet(s)		DP-7
	Upland Data Sheet (s)		DP-8
Boundary Flag color		Orange	
Dominant Vegetation	Wetland D is dominated by salmonberry, western red cedar, skunk cabbage, water parsley, Oregon ash, red alder, creeping buttercup, slough sedge, piggy-back plant, and English ivy.		
Soils	Soils within the wetland were observed to have a sandy loam texture with few redoximorphic concentrations in the top layer, with a silt loam depleted layer underneath with prominent redoximorphic features.		
Hydrology	Hydrology for Wetland D provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table provided through hillside seeps.		
Rationale for Delineation	Wetland boundaries were determined by topographic drop and a transition to hydrophytic plant community.		
Rationale for Local Rating	Local rating is based upon Ecology’s current rating system and GHMC Title 18.08.040.		
Wetland Functions Summary			
Water Quality	Wetland D has a very low potential to retain sediments and pollutants from surface runoff due to the small size and moderate sloping that do not retain water long enough to provide significant water quality improvements. Wetland D’s score for Water Quality Functions using the 2014 method is very low (3).		
Hydrologic	The wetland does not have dense uncut rigid plants that slow the flow of water enough to provide decent hydrologic improvements downstream. Wetland D’s score for Hydrologic Functions using the 2014 method is very low (3).		
Habitat	Wildlife habitat functions provided by the wetland may include small mammal forage and cover, as well as small bird forage and nesting. Wetland D however only has a single Cowardin class and hydroperiod, lacks significant native species diversity, and does not have the landscape potential to support abundant habitat function. Wetland D’s score for Habitat Functions using the 2014 method is moderate (5).		
Buffer Condition	The buffer surrounding Wetland D is dominated by big leaf maple, red blueberry, Himalayan blackberry, cut-leaf blackberry, oso-berry, and sword fern.		

Table 8. Wetland E Summary

WETLAND E – INFORMATION SUMMARY		
Location:	Located in the central east portion of the subject property, east of Wetland D.	
	Local Jurisdiction	Gig Harbor
	WRIA	15 – Kitsap
	Ecology Rating (Hruby, 2014)	IV
	Gig Harbor Rating	IV
	Gig Harbor Buffer Width	50 feet
	Wetland Size	5,441 square feet
	Cowardin Classification	PSSB
	HGM Classification	Slope
	Wetland Data Sheet(s)	DP-9
	Upland Data Sheet (s)	DP-10
	Boundary Flag color	Orange
Dominant Vegetation	Wetland A is dominated by salmonberry, Himalayan blackberry, skunk cabbage, horsetail, piggy-back plant, tall mannagrass, giant horsetail, field horsetail, reed canarygrass, and lady fern.	
Soils	Soils within the wetland were observed to have black sandy loam texture upper layer with a gleyed loamy sand matrix below with a slight hydrogen sulfide aroma.	
Hydrology	Hydrology for Wetland E is provided by surface sheet flow, direct precipitation, and a seasonally-high groundwater table provided through hillside seeps.	
Rationale for Delineation	Wetland boundaries were determined by point of saturation and a transition to hydrophytic plant community.	
Rationale for Local Rating	Local rating is based upon Ecology’s current rating system and GHMC Title 18.08.040.	
Wetland Functions Summary		
Water Quality	Wetland E has a low potential to retain sediments and pollutants from surface runoff due to the small size as well as its position in the landscape not being located near areas that generate pollutants nor near 303(d) impacted waterways. Wetland E’s score for Water Quality Functions using the 2014 method is very low (3).	
Hydrologic	Wetland E has a very low capacity to stop surface flows and is not located near areas that generate excess runoff. Wetland E’s score for Hydrologic Functions using the 2014 method is very low (3).	
Habitat	Wildlife habitat functions provided by the wetland may include small mammal forage and cover, as well as small bird forage and nesting. Wetland E however only has a single Cowardin class and hydroperiod, lacks significant native species diversity, and does not have the landscape potential to support abundant habitat function and has greater than 25% cover of invasive plant species. Wetland E’s score for Habitat Functions using the 2014 method is low (4).	
Buffer Condition	The buffer surrounding Wetland E is dominated by Himalayan blackberry, big leaf maple, cut-leaf blackberry, trailing blackberry, and sword fern.	

Table 9. Wetland F Summary

WETLAND F – INFORMATION SUMMARY		
Location:	Located in the north-eastern portion of the subject property, east of Wetland E.	
	Local Jurisdiction	Gig Harbor
	WRIA	15 – Kitsap
	Ecology Rating (Hruby, 2014)	IV
	Gig Harbor Rating	IV
	Gig Harbor Buffer Width	50 feet
	Wetland Size	5,690 square feet
	Cowardin Classification	PSSB
	HGM Classification	Slope
	Wetland Data Sheet(s)	DP-11
	Upland Data Sheet (s)	DP-12
	Boundary Flag color	Orange
Dominant Vegetation	Wetland F is dominated by salmonberry, red alder saplings, twinberry, western red cedar saplings, red elderberry, Pacific willow, skunk cabbage, water parsley, piggy-back plant, creeping buttercup, stinging nettle, and lady fern.	
Soils	Soils within the wetland were observed to have a black silty loam upper layers above a gleyed sandy matrix with a hydrogen sulfide aroma.	
Hydrology	Hydrology for Wetland F appears to be provided by surface sheet flow, direct precipitation, and groundwater seeps out of the hillside.	
Rationale for Delineation	Wetland boundaries were determined by point of saturation and a transition to hydrophytic plant community.	
Rationale for Local Rating	Local rating is based upon Ecology’s current rating system and GHMC Title 18.08.040.	
Wetland Functions Summary		
Water Quality	Wetland F has a low potential to retain sediments and pollutants from surface runoff due to the small size as well as its position in the landscape not being located near areas that generate pollutants nor near 303(d) impacted waterways. However, Stream V flows along the eastern wetland edge, and thus provides a distinct, minor water quality improvement. Wetland F’s score for Water Quality Functions using the 2014 method is low (4).	
Hydrologic	Wetland F has a very low capacity to stop surface flows and is not located near areas that generate excess runoff. Wetland F’s score for Hydrologic Functions using the 2014 method is very low (3).	
Habitat	Wildlife habitat functions provided by the wetland may include small mammal forage and cover, small bird forage and nesting, but is limited by its lack of accessible habitat and has more than 25% cover of invasive plant species and is not located within 330 feet of any priority habitat species. Wetland F’s score for Habitat Functions using the 2014 method is very low (3).	
Buffer Condition	The buffer surrounding Wetland F is dominated by stinging nettle, Himalayan blackberry, big leaf maple, and sword fern.	

Table 10. Wetland G Summary

WETLAND G – INFORMATION SUMMARY			
Location:		Located in the southeastern portion of the subject property.	
	Local Jurisdiction		Gig Harbor
	WRIA		15 – Kitsap
	Ecology Rating (Hruby, 2014)		IV
	Gig Harbor Rating		IV
	Gig Harbor Buffer Width		50 feet
	Wetland Size		655 square feet
	Cowardin Classification		PEMA
	HGM Classification		Depressional
	Wetland Data Sheet(s)		DP-13
	Upland Data Sheet (s)		DP-14
	Boundary Flag color		Orange
Dominant Vegetation		Wetland G is dominated by slough sedge, lady fern, Nootka rose, and stinging nettle.	
Soils		Soils within the wetland were observed to have a black, silty loam upper layer with prominent redoximorphic concentrations located above a brown silt loam with redoximorphic concentrations.	
Hydrology		Hydrology for Wetland G is provided by direct precipitation, seasonally-high groundwater table, and the surface runoff from the non-regulated drainage ditch which flows into Wetland G from the south (Drainage W).	
Rationale for Delineation		Wetland boundaries were determined by topographic drop and a transition to hydrophytic plant community.	
Rationale for Local Rating		Local rating is based upon Ecology’s current rating system and GHMC Title 18.08.040.	
Wetland Functions Summary			
Water Quality		Wetland G has a moderate potential to retain sediments and pollutants as it has persistent, ungrazed plant in which encompass approximately greater than 95% of the area of the wetland to filter out contaminants, and receives stormwater discharges. Wetland G’s score for Water Quality Functions using the 2014 method is moderate (5).	
Hydrologic		Wetland G has a low opportunity to reduce flooding and erosion as the depth of storage is minimal and the contributing basin to the wetland is greater than 100 times the area of the wetland. However, it does receive stormwater discharges and its contributing basin is dominated by intensive human land uses. Wetland G’s score for Hydrologic Functions using the 2014 method is low (4).	
Habitat		Wildlife habitat functions provided by the wetland may include small mammal forage, but is limited by its lack of species diversity and extremely small size. Wetland G’s score for Habitat Functions using the 2014 method is very low (3).	
Buffer Condition		The buffer surrounding Wetland G is dominated by stinging nettle, Himalayan blackberry, big leaf maple, and sword fern.	

Table 11. Wetland H Summary

Table H: Wetland H Summary

WETLAND H – INFORMATION SUMMARY		
Location:	Located in the southeast corner of the subject property near Shirley Avenue.	
	Local Jurisdiction	Gig Harbor
	WRIA	15 – Kitsap
	Ecology Rating (Hruby, 2014)	IV
	Gig Harbor Rating	IV
	Gig Harbor Buffer Width	50 feet
	Wetland Size	3,568 square feet
	Cowardin Classification	PSS/PEMB
	HGM Classification	Slope
	Wetland Data Sheet(s)	DP-16
	Upland Data Sheet (s)	DP-15
Boundary Flag color	Orange	
Dominant Vegetation	Wetland H is dominated by Sitka willow, English hawthorn, reed canarygrass, colonial bentgrass, soft rush, velvetgrass, creeping buttercup.	
Soils	Soils within Wetland H were observed to have a black silty loam texture with 5-10 percent redoximorphic features in the upper layer with a silty loam depleted matrix with similar redoximorphic features underneath the thick dark surface.	
Hydrology	Hydrology for Wetland H is provided by stormwater runoff into a non-wetland drainage course that flows through a culvert from Shirley Avenue north. This surface water proceeds to dissipate and provides wetland hydrology. Surface sheet flow, precipitation, and stormwater discharges also provide hydrologic input.	
Rationale for Delineation	Wetland boundaries were determined by topographic drop and a transition to hydrophytic plant community.	
Rationale for Local Rating	Local rating is based upon Ecology’s current rating system and GHMC Title 18.08.040.	
Wetland Functions Summary		
Water Quality	Wetland H has a moderate potential to retain sediments and pollutants from surface runoff due to its very minor slope in topography which allows longer residence time of water and has dense, uncut herbaceous plants that cover over half of the area of the wetland that trap sediments and pollutants. Wetland H’s score for Water Quality Functions using the 2014 method is moderate (5).	
Hydrologic	Wetland H is not dominated by plants which reduce velocity of surface flows during storms. Wetland H’s score for Hydrologic Functions using the 2014 method is very low (3).	
Habitat	Wildlife habitat functions provided by the wetland may include small mammal forage and cover, small bird forage and nesting. Wetland H does not have any special habitat features that allow for multi-species and has greater than 25% cover of invasive plant species. Wetland H’s score for Habitat Functions using the 2014 method is very low (3).	
Buffer Condition	The buffer surrounding Wetland H is dominated by colonial bentgrass, Himalayan blackberry, velvetgrass, common dandelion, and additional upland mown grass species.	

5.1.2 Hydrology

Wetland hydrology appears to be from surface sheet flow, a seasonally-high groundwater table as provided through hillside seeps, and direct precipitation. Stormwater discharge point sources are located on the southern portion of the subject property through small culverts on the north side of Rosedale Street NW, which provide minor hydrology to Wetlands F, G, and H.

5.1.3 Wetland Buffers

Wetlands A through J are Category IV wetlands under GHMC 18.08.040. Per GHMC 18.08.100, Category IV wetlands are subject to standard 50-foot buffers due to the surrounding high-impact land use. In addition, buildings and other structures require a 15-foot buffer setback from the regulated wetland buffer edge (GHMC 18.08.100.H). The buffer for the off-site Wetland I does not extend onto the subject property. The buffer for the off-site Wetland J (regardless of rating) does not encumber the subject property as Rosedale Street constitutes a buffer interruption per GHMC 18.08.100.I.

5.1.4 Wetland Functions

Using the rapid assessment method (WSDOT, 2000), the wetlands on the subject property may provide several water quality and hydrologic functions, such as sediment and toxic removal, limited stormwater retention and infiltration, water quality enhancement, and habitat for wildlife (Table 12). However, these functions are limited by vegetative cover and habitat diversity, wetland size, and the position of the wetlands within the landscape.

Wetland G and Wetland H may provide a limited degree of function for improving water quality including sediment removal and nutrient and toxicant removal. However, the remaining wetlands are unlikely providing such functions above a de minimis level. All wetlands on the subject property do not provide significant hydrologic function that would reduce flooding and erosion, largely due to their slope characteristics and position in the landscape.

Wetlands A-C all provide a moderate degree of habitat functions including habitat for aquatic invertebrates, amphibians, small birds, and/or small mammals. The remaining wetlands provide little, if any, habitat functions do to their small sizes.

None of the wetlands onsite are likely to provide any function of educational value, uniqueness, or heritage to the best of our professional judgement.

Table 12. Functions and Values of Existing Onsite Wetlands.

Function / Value ^A	Wetland							
	A	B	C	D	E	F	G	H
Water Quality Functions								
Sediment Removal	-	-	-	-	-	-	x	x
Nutrient and Toxicant Removal	-	-	-	-	-	-	x	x
Hydrologic Functions								
Flood Flow Alteration	-	-	-	-	-	-	-	-
Erosion Control & Shoreline Stabilization	-	-	-	-	-	-	-	-
Habitat Functions								
Production & Export of Organic Matter	x	x	x	-	-	-	x	x
General Habitat Suitability	-	x	x	-	-	-	-	x
Habitat for Aquatic Invertebrates	-	x	x	-	-	-	-	-
Habitat for Amphibians	-	x	x	-	-	-	-	-
Habitat for Wetland-Associated Mammals	-	-	-	-	-	-	-	-
Habitat for Wetland-Associated Birds	-	-	-	-	-	-	-	-
General Fish Habitat	-	x	x	-	-	-	-	-
Native Plant Richness	-	x	x	-	-	-	-	-
Special Characteristics								
Educational or Scientific Value	-	-	-	-	-	-	-	-
Uniqueness and Heritage	-	-	-	-	-	-	-	-

^A “-“ means that the function is not present; “x” means that the function is present and is of lower quality; and “+” means the function is present and is of higher quality.

5.2 Drainages

5.2.1 Overview

The site investigation identified three potentially-regulated waterbodies on the subject property (Streams V, Y, and Z). Two additional non-wetland drainage features (Drainages X and W) were also identified onsite that are exempt from regulation as streams by GHMC as discussed below.

Stream Z

The perennial Stream Z flows from south to north across the subject property. Stream Z is approximately 1,095 linear feet onsite, and is culverted as it flows beneath Harborview Drive and into Gig Harbor off-site to the north. Stream Z is classified by the DNR Water Typing Map as a Type F (fish-bearing) stream on a portion of the site, transitioning upstream to a Type N (non-fish) stream; however, no documented fish presence is identified by the WDFW SalmonScape or PHS mapping tools. This assessment conservatively considers Stream Z to be a Type 3 stream under GHMC 18.08.182, though fish presence is highly unlikely Stream Z is located within the Kitsap Watershed (WRIA 15). A summary of Stream Z is provided in Table 13 below.

Table 13. Drainage Summary – Stream Z.

DRAINAGE INFORMATION SUMMARY		
	Feature Name	Stream Z
	WRIA	15 – Kitsap
	WA Stream Catalog #	1225913473365
	Local Jurisdiction	Gig Harbor
	DNR Stream Type	Type F – Fish Bearing transitioning to Type N – Non-Fish Bearing
	Local Stream Rating	Type 3
	Buffer Width	50 feet
	Documented Fish Use	None
Location of Feature	Stream Z enters the site from the south; flows to the north-northeast as it bisects the site; and discharges off-site to the north into Gig Harbor.	
Connectivity (where water flows from/to)	Stream Z originates just upstream from the subject property on the south end of Wetland C and discharges into Gig Harbor located on the opposite side of Harborview Drive.	
Riparian/Buffer Condition	Under GHMC 18.08.184, Stream Z is subject to a 50-foot protective buffer. The on-site buffer is vegetated with various species including slough sedge, western red cedar, sword fern, big leaf maple, western hemlock, devil's club, and salmonberry.	

Stream Y

Stream Y is a perennial tributary to Stream Z that originates onsite, flowing east. Stream Y, which is approximately 91 linear feet in length, is not an identified water feature by DNR. While Stream Y likely provides potential fish habitat during sufficient flows, no documented fish presence is indentified by the WDFW SalmonScape or PHS mapping tools. This assessment conservatively considers Stream Y to be a Type 3 stream under GHMC 18.08.182, though fish presence is highly unlikely. A summary of Stream Y is provided in Table 14 below.

Table 14. Drainage Summary – Stream Y.

DRAINAGE INFORMATION SUMMARY		
	Feature Name	Stream Y
	WRIA	15 – Kitsap
	WA Stream Catalog #	NA
	Local Jurisdiction	Gig Harbor
	DNR Stream Type	N/A
	Local Stream Rating	Type 3
	Buffer Width	50 feet
	Documented Fish Use	None
Location of Feature	Stream Y flows for approximately 91 feet on the subject property, within parcel 0221064154, prior to discharging into Stream Z.	
Connectivity (where water flows from/to)	Stream Y originates on the subject property as a seep and flows to the east into Stream Z.	
Riparian/Buffer Condition	Under GHMC 18.08.184, Stream Y is subject to a 50-foot protective buffer. The on-site buffer is vegetated with various species including slough sedge, western red cedar, sword fern, big leaf maple, western hemlock, devil's club, and salmonberry.	

Stream V

The intermittent Stream V originates within the area of steep slopes on parcel 0221064068 along the eastern subject property boundary, and below a culvert outlet that conveys stormwater from the neighboring properties located upslope along Shirley Avenue. This concentrated stormwater flow from the adjacent upland areas appears to be the primary cause of the defined channel within Stream V. Stream V flows north through the area of steep slopes, extends off-site through a lengthy (approximately 350-foot) culvert, returns to surface flows along the eastern edge of Wetland F, and then enters the city's stormwater system to the north of the site. Stream V is approximately 478 linear feet onsite and is classified by the DNR Water Typing Map as a Type N (non-fish) stream. No documented fish presence is indentified by the WDFW SalmonScape or PHS mapping tools. A summary of Stream V is provided in Table 15 below.

Table 15. Drainage Summary – Stream V.

DRAINAGE INFORMATION SUMMARY		
	Feature Name	Stream V
	WRIA	15 – Kitsap
	WA Stream Catalog #	NA
	Local Jurisdiction	Gig Harbor
	DNR Stream Type	Type N – Non-Fish Bearing
	Local Stream Rating	Type 4
	Buffer Width	25
	Documented Fish Use	None
Location of Feature	Stream V flows for approximately 478 linear feet on the subject property along the eastern subject property boundary on parcels 0221064068 and 0221064154. Stream V is located downslope of Wetlands G and H and Drainages X and W, and originates below a culvert outlet that conveys stormwater from the neighboring properties located upslope on the opposite side of Shirley Avenue.	
Connectivity (where water flows from/to)	Stream V flows north through the area of steep slopes, is routed through an approximately 350-foot long culvert, flows along the eastern edge of Wetland F, and then enters the city's stormwater system along Harborview Drive.	
Riparian/Buffer Condition	Under GHMC 18.08.184, Stream V is subject to a 25-foot protective buffer. The on-site buffer is vegetated with various species including red alder, sword fern, western hemlock, and salmonberry.	

Non-Wetland Drainages

Non-wetland drainage features (Drainages X and W) were identified on the eastern portion of the subject property. These drainages are not naturally-occurring streams and are not regulated as streams per GHMC 18.08.182.C. Drainage W is a non-wetland drainage swale that was artificially excavated between the onsite Wetlands H and G. Drainage W traverses through a series of culverts that were installed in an area containing historic fill, berms, and access roads. Drainage W does not contain a defined bank in any location. A defined bed and limited gravel sorting is present in several brief reaches of this swale; however, these small areas of erosional scour and channeling from stormwater flow quickly transition to areas with no channeling or other indicators of a stream.

Drainage X flows north from Wetland G for approximately 300 feet through an area with no indications of a hyporheic zone or other indicators consistent with a naturally occurring stream. The extent of this non-regulated drainage was confirmed by the City of Gig Harbor in January 2017. Surface water flow becomes concentrated just downgradient of a culvert that provides an outlet for Wetland G; however, lacking a continuous channel, this concentrated flow becomes diffuse and proceeds to disperse overland in braiding patterns prior to infiltration. A defined bed and bank are

not present until Drainage X transitions into Stream V, as described above, within the area of steep slopes along the eastern subject property boundary.

5.2.2 Stream Buffers

Stream V is considered a Type 4 stream; Type 4 streams are defined as natural streams with perennial or intermittent flow that are not used by fish. Streams Y and Z do not contain salmonids (it is suspect if they contain any types of other fish as well) and are considered Type 3 streams under GHMC 18.08.182. Type 3 streams are defined as perennial or intermittent streams that are used by fish other than salmonids. Per GHMC 18.08.184, Type 4 streams are subject to 25-foot buffers, and Type 3 streams are subject to standard 50-foot buffers. In addition, buildings and other structures require a 15-foot buffer setback from the stream buffer edge (GHMC 18.08.184.B.7).

5.3 Critical Fish and Wildlife Habitat Areas

The northern portion of the subject property is located within 300 feet of the marine shoreline of Gig Harbor, which is considered a critical fish and wildlife habitat area under GHMC 18.08.186. Gig Harbor is located to the north of the site beyond Harborview Drive. Protected species that are potentially associated with Gig Harbor include: Bocaccio rockfish (*Sebastes paucispinis*), yelloweye rockfish (*Sebastes ruberrimus*), Chinook salmon (*Oncorhynchus tshawytscha*), steelhead trout (*Oncorhynchus mykiss*), killer whale (*Orcinus orca*), bull trout (*Salvelinus confluentus*), and marbled murrelet (*Brachyramphus marmoratus*).

Chapter 6. Regulatory Considerations, Buffer Averaging Plan, and Habitat Management Plan

The proposed project attempts to strike a balance between achieving the project needs and protection of wetland functions within the confines of the site. The proposed wetland buffer reduction is small and has been designed to best meet the standards set forth in GHMC 18.08.110.B. In addition, the proposed project is located entirely outside of all wetlands, streams, and stream buffers. The following discussion addresses regulatory considerations and specific actions taken to fulfill regulatory requirements regarding sensitive area impacts and associated compensatory buffer mitigation actions.

6.1 Local Critical Areas Requirements

GHMC 18.08.040 has adopted the current wetland rating system used by WSDOE. Category IV wetlands generally provide low levels of function; they are typically more disturbed, smaller, and/or more isolated in the landscape than Category I, II, or III wetlands. Category IV wetlands provide low levels of functions and score less than 16 out of 27 points on the *Revised Washington State Wetland Rating System for Western Washington* (Hruby, 2014).

Wetland and Stream Buffer Requirements

Per GHMC 18.08.100, Category IV wetlands located in areas of high intensity land use, such as those identified on-site, require a standard 50-foot buffer width. Per GHMC 18.08.184, Stream V is subject to a 25-foot buffer, and Streams Y and Z are subject to standard 50-foot buffers. In addition, buildings and other structures require a 15-foot buffer setback from the regulated wetland buffer edge (GHMC 18.08.100.H) or stream buffer edge (GHMC 18.08.184.B.7).

Wetland Buffer Width Averaging

The project proposes wetland buffer averaging to accommodate a reasonable site layout and road infrastructure. Under GHMC 18.08.110.B, wetland buffer width averaging is allowed in accordance with an approved wetland mitigation plan and when a qualified wetland specialist can demonstrate the following:

1. *It will not reduce wetland functions or values;*

Careful planning and targeted implementation of the buffer reducing measures along with restoration of temporary impacts and buffer enhancement actions will help ensure that no direct impacts to the regulated critical areas occur. Further, adequate long-term protection of wetland functions and values is provided. Restoration of areas temporarily impacted by utility installation, and implementation of effective enhancement measures will help ensure that water quality and habitat functions will be improved from the current state. As the proposed actions will increase overall buffer quality and functions, an increase in net gain of critical areas protection is proposed.

2. *The wetland contains variations in sensitivity due to existing physical characteristics or the character of the buffer varies in slope, soils, or vegetation, and the wetland would benefit from a wider buffer in places and would not be adversely impacted by a narrower buffer in other places;*

The wetland buffer areas do exhibit variable topography as well as prior anthropogenic impacts and a predominance of invasive vegetation. To the extent practicable, buffer reduction areas were carefully selected in areas exhibiting minimal slope, with minor buffer reduction only proposed at several pinch points to accommodate buildable area. The onsite wetlands will not be adversely impacted by these minor reductions of less than 25 percent of the standard buffer width. In fact, as the proposed buffer reduction plan will provide a net increase in overall buffer area and functionality, the onsite wetlands will benefit from the buffer averaging and restoration plans.

3. The buffer is increased adjacent to the higher-functioning area of habitat or more sensitive portion of the wetland and decreased adjacent to the lower-functioning or less sensitive portion;

The onsite wetlands are small Category IV slope and depressional wetlands that provide low levels of functions and score less than 16 out of 27 points on the *Revised Washington State Wetland Rating System for Western Washington* (Hruby, 2014). The wetland buffer areas proposed for reduction are disturbed by previous anthropogenic activities (e.g., forestry practices, prior site development, et cetera) and contain invasive species (e.g., Himalayan blackberry), and therefore, do not contain high-functioning habitat. The buffer establishment areas exhibit similarly functioning habitat characteristics; however, through implementation of the proposed buffer restoration and enhancement plan, habitat functions and values will be substantially improved over existing conditions. The enhancement plan will remove trash and invasive plant species, and a diverse assemblage of native plants will be installed along the outer perimeter of the wetland buffers to reduce the opportunity for physical intrusion into the buffer and to increase plant density and diversity.

4. The total area contained in the buffer area after averaging is no less than that which would be contained within the standard buffer; and

Approximately 8,924 square feet of wetland buffer will be reduced and replaced by 15,598 square feet of wetland buffer for a net increase of 6,674 square feet of protective buffer.

5. The buffer width is not reduced, at any single point, to less than 75 percent of the standard buffer width.

The proposed buffer widths are not less than 75 percent of the standard buffer width at any point.

Utilities

Under GHMC 18.08.120.C, underground utility lines (e.g., sanitary and storm sewer) are allowed within the outer 25 percent of wetland buffers. Pursuant to GHMC 18.08.120.D, the placement of access roads and utilities is otherwise allowed in Category IV wetland buffers if it can be demonstrated that there is no reasonable alternative location for providing access and/or utilities to a site and mitigation is provided as designated in GHMC 18.08. The proposed project includes sanitary and stormwater utilities through the outer 25 percent of the modified wetland buffers as further described in Chapter 7 of this report.

Habitat Management Plan

Per GHMC 18.08.186 and Gig Harbor Shoreline Master Program (GHSMP) 6.2.5.23, a Habitat Management Plan (HMP) is required as Puget Sound, a critical fish and wildlife habitat area, is located within 300 feet of the site. The HMP requirements are outlined below:

a. Analysis and discussion on the project's effects on critical fish and wildlife habitat;

Gig Harbor of Puget Sound is located approximately 75 feet north of the subject property, on the opposite side of Harborview Drive. Protected species that are potentially associated with Gig Harbor include: Bocaccio rockfish (*Sebastes paucispinis*), yelloweye rockfish (*Sebastes ruberrimus*), Chinook salmon (*Oncorhynchus tshawytscha*), steelhead trout (*Oncorhynchus mykiss*), killer whale (*Orcinus orca*), bull trout (*Salvelinus confluentus*), and marbled murrelet (*Brachyramphus marmoratus*). Detailed species information is included in Chapter 8 of this report. WSDOE maps also identify the potential presence of patchy kelp along the Gig Harbor shoreline.

The only action proposed within 300 feet of Gig Harbor is the installation of underground sanitary and stormwater sewer lines through a second- or third-growth forest in the far northwest corner of the site. The new sewer lines will connect to existing sewer lines along Harborview Drive, and any temporary impacts will be fully restored as outlined in Chapter 7 of this report. No negative adverse impacts to Gig Harbor or kelp will occur as a result of the utility work. An assessment of potential effects to Endangered Species Act (ESA) listed species is provided in Chapters 8 and 9 of this report.

No other critical fish and wildlife habitat areas have been identified within 300 feet of the site or will be impacted by the proposed project, such as old-growth forests, snag-rich areas, Category II wetlands, significant stands of trees, commercial or public recreational shellfish areas, eelgrass beds, herring and smelt spawning areas, lakes, ponds, et cetera.

b. An assessment and discussion on special management recommendations which have been developed for species or habitat located on the site by any federal or state agency;

Not applicable; no critical fish and wildlife habitat areas have been identified onsite.

c. Proposed mitigation measures which could minimize or avoid impacts;

The project has been carefully designed to completely avoid all proposed work within 300 feet of Gig Harbor, other than necessary utility installation activities. No direct impacts are proposed to the identified wetlands located in the northern portion of the subject property nearest to Gig Harbor. Additional avoidance and minimization measures in the project plan include TESC measures consisting of silt fencing, seeding of disturbed soils, and BMPs outlined in the project's SWPPP and TESC Plan to be prepared by the Project Engineer prior to clearing and grading activities. Clearing, grading, and excavation activities will comply with NPDES construction stormwater general permit requirements. All areas temporarily impacted by the sewer line installation actions will be restored as outlined in Chapter 7 of this report. Following project construction, sanitary waste will be routed to an existing sewer lift station west of the site, and stormwater runoff from pollutant generating surfaces (e.g., roadways) will be captured for treatment prior to discharge at the existing outfall into Gig Harbor.

d. Assessment and evaluation of the effectiveness of mitigation measures proposed;

Through implementation of the proposed avoidance and minimization measures, no adverse impacts to any critical fish and wildlife areas are expected. In addition, restoration of areas temporarily impacted by the sewer line construction are expected to improve habitat functions within 300 feet of Gig Harbor.

e. Assessment and evaluation of ongoing management practices which will protect critical fish and wildlife habitat after development of the project site, including proposed monitoring and maintenance programs;

Other than the proposed underground utility lines and associated enhancement and restoration actions, the northern portion of the site within 300 feet of Gig Harbor will be completely avoided. In addition, the proposed project has been designed to avoid all direct impacts to the onsite wetlands both during construction and during future use of the site. The continued maintenance of the northern portion of the site as undeveloped forested/wetland areas will avoid any future negative adverse impacts to the offsite critical fish and wildlife habitat areas associated with Gig Harbor.

f. Assessment of project impact or effect on water quality in Crescent or Donkey (north) Creeks, and any proposed methods or practices to avoid degradation of water quality.

Not applicable.

6.2 Shoreline Master Program Compliance

6.2.1 Overview

The northwest corner of parcel 0221064154 is located within 200 feet of the OHW of Gig Harbor and is therefore regulated under the GHSMP. The GHSMP was adopted on November 25, 2013, and became effective as of December 27, 2013. The 200-foot limit of SMP jurisdiction is depicted on site plan in Appendix C.

Only the extreme northwest corner of the subject property is located within the shoreline management zone (SMZ). This area is located at the boundary between the Urban Conservancy and City Waterfront shoreline environments. The proposed project has been designed to comply with the management policies for the Urban Conservancy shoreline environment outlined in GHSMP 5.2.3.D and the City Waterfront shoreline environment outlined in GHSMP 5.2.5.D. Redevelopment will occur in a manner that avoids impacts to critical areas and natural shoreline processes (GHSMP 5.2.5.D.2).

6.2.2 Mitigation Sequencing

GHSMP Section 6.2.2 requires that a sequence of actions be taken for proposals that have the potential to impact shorelines in order to ensure no net loss of ecological functions. Projects should first attempt to avoid impacts altogether by not taking certain actions. If a project cannot eliminate those actions, then the project should minimize impacts by limiting the degree of the action, using different technology or by taking steps to avoid or reduce impacts. For impacts that cannot be avoided or minimized, projects should propose measures for rectifying and reducing the adverse impacts. Lastly, projects should compensate for any unavoidable impacts by replacing, enhancing, or providing substitute resources or environments. The sections below describe the mitigation sequencing steps conducted for this project.

Avoidance

Sanitary and stormwater sewer lines are needed to connect the proposed development to existing sewer lines along Harborview Drive NW. The project has been carefully designed to avoid direct impacts to all onsite wetlands and streams, however, impacts to the shoreline cannot be completely avoided. As such, minimization measures will be implemented to reduce any potential negative impacts to the shoreline environment.

Minimization

To greatly minimize the potential for surface water impacts, no in-water actions are proposed. The only work proposed within the area of GHSMP jurisdiction is the installation of underground sanitary

and stormwater sewer lines within an upland area between Wetlands B and D, within the Urban Conservancy shoreline environment. The utility work will occur landward of Harborview Drive within relatively low functioning habitat from a shoreline perspective. Tree removal within the riparian buffer zone will be prevented to the extent possible, and the proposed project includes adequate TESC measures and BMPs to minimize potential impacts during construction (detailed in Chapter 9 of this report). The proposed project is not expected to result in significant loss of shoreline ecological functions or further degrade other shoreline values.

Rectification and Reduction

The proposed actions will have little to no impact on water quality or quantity, flood volumes, or velocities, and there will be no expansion of impervious surfaces within the SMZ. Any disturbed areas within the SMZ will be replanted with native vegetation as outlined in Chapter 7 of this report. Shoreline ecological functions after restoration are anticipated to be improved along the proposed sewer lines relative to current conditions.

Compensation

No compensation is necessary or required for the proposed actions, since there is no net loss of shoreline ecological functions or of any environmentally critical areas.

6.2.3 No Net Loss of Shoreline Functions

Pursuant to GHSMMP 6.2.1.B and 6.2.2, all shoreline uses and site development actions should not result in a net loss of shoreline ecological functions and processes. The only proposed impacts to the 200-foot SMZ will be construction of the underground sanitary and stormwater sewer lines connecting the proposed development to the existing sewer infrastructure along Harborview Drive. The proposed sewer lines will follow a relic logging/access road to limit new anthropogenic disturbances within the SMZ. The area is currently vegetated by a mixture of native and non-native species (e.g., Himalayan blackberry and English ivy). The proposed utility line installation will necessitate the removal of the existing vegetation including an estimated nine (9) trees. Trees proposed to be retained along the utility line corridor will be protected with fencing during construction. The minimal impacts within the SMZ will be offset through the removal of invasive, non-native vegetation and restoration actions consisting of replanting the utility corridor with a diverse assemblage of native vegetation including red-osier dogwood, western hazelnut, salal, tall Oregon grape, western sword fern, red flowering currant, and evergreen huckleberry as well as a native grass seed mix. In addition, ten (10) Sitka spruce trees will be planted on the outer edge of the utility corridor to offset the necessary and unavoidable removal of nine (9) trees. The restoration actions will restore habitat conditions along the utility corridor and are anticipated to result in a net improvement to shoreline ecological functions relative to the pre-construction, disturbed conditions. The proposed restoration will be monitored and maintained per the approved Mitigation Plan to ensure the success of the restoration actions in meeting the mitigation objectives and no net loss of shoreline functions. A contingency plan is outlined in Section 7.10 of this report.

No banks and bluffs, beaches and backshore, critical saltwater habitat, wetlands, or streams will be negatively impacted by the proposed project. The proposed project will result in no net loss of shoreline ecological functions.

6.3 State and Federal Considerations

In a December 2, 2008, memorandum from the Environmental Protection Agency (EPA) and USACE, joint guidance is provided that describes waters that are to be regulated under section 404 of the CWA (USACE, 2010). This memorandum was amended on February 2, 2012 where the EPA and USACE issued a final guidance letter on waters protected by the CWA.

The 2012 guidance describes the following waters where jurisdiction would be asserted: 1) traditional navigable waters, 2) interstate waters, 3) wetlands adjacent to traditional navigable waters, 4) non-navigable tributaries of traditional navigable waters that are relatively permanent meaning they contain water at least seasonally (e.g. typically three months and does not include ephemeral waters), and 5) wetlands that directly abut permanent waters. The regulated waters are those associated with naturally occurring waters and water courses and not artificial waters (i.e. stormwater pond outfalls). The 2012 memorandum further goes on to describe waters where jurisdiction would likely require further analysis: 1) Tributaries to traditional navigable waters or interstate waters, 2) Wetlands adjacent to jurisdictional tributaries to traditional navigable waters or interstate waters, and 3) Waters that fall under the “other waters” category of the regulations. All of the onsite wetlands and streams likely meet this criteria, whereas the non-wetland Drainages X and W likely do not.

In addition, the 2012 guidance identifies thirteen waters or areas where jurisdiction will not be asserted: 1) Wet areas that are not tributaries or open waters and do not meet the agencies regulatory definition of “wetlands,” 2) Waters excluded from coverage under the CWA by existing regulations, 3) Waters that lack a “significant nexus: where one is required for a water to be jurisdictional, 4) Artificially irrigated areas that would revert to upland if the irrigation ceased, 5) Artificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing, 6) Artificial reflecting pools or swimming pools excavated in uplands, 7) Small ornamental waters created by excavating and/or diking dry land to retain water for primarily aesthetic reasons, and puddles, 8) Water-filled depressions created incidental to construction activity, 9) Groundwater, including groundwater drained through subsurface drainage systems, 10) Erosional features (gullies and rills), 11) Non-wetland swales, 12) Ditches that are excavated wholly in uplands, drain only uplands or non-jurisdictional waters, and have no more than ephemeral flow, and 13) Ditches that do not contribute flow, either directly or through other waterbodies, to a traditional navigable water, interstate water, or territorial sea. Drainages X and W most likely meet criteria #'s 11 and 12.

The onsite wetlands and Streams Z, Y, and V have surface and/or subsurface connections to waters of the United States; therefore, these features are likely regulated under Section 404 of the CWA. However, as no direct impacts to wetlands are proposed, permitting under USACE is not required at this time. The WSDOE also regulates wetlands and natural surface waters under RCW 90.48. The WSDOE does not, however, recognize non-wetland drainage swales and ephemeral/stormwater ditches excavated from uplands as features typically subject to regulation under RCW 90.48.

Chapter 7. Final Mitigation Plan

The following sections present the proposed buffer averaging, temporary impact restoration, and buffer restoration and enhancement plan to address the minor buffer modification and temporary impacts associated with the proposed project. The proposed averaging, restoration, and enhancement actions attempt to closely adhere to GHMC 18.08 (Critical Areas) and the GHSMP. The proposed buffer averaging, restoration, and enhancement plan is described below and is in accordance with the mitigation plan requirements detailed in GHMC 18.08.150.B. Engineered site plans are included in Appendix C, and cross-sections have been submitted by the Project Engineer under separate cover.

7.1 Purpose and Need

The purpose of the project is to provide an active living, retirement community within the City of Gig Harbor consistent with zoning and to meet the growing needs for such 55+ communities in the Gig Harbor area. The proposed project includes construction of 82 single-family, single-level cottage houses with attached garages and associated infrastructure including parking, access roads, and stormwater infrastructure.

7.2 Description of Impacts and Restoration Strategy

The proposed design includes careful site planning in order to avoid direct impacts to the onsite wetlands and streams; however, due to site constraints and to accommodate a reasonable site layout and road infrastructure, minor intrusion into the wetland buffers is unavoidable. The project therefore proposes wetland buffer averaging in accordance with GHMC 18.08.110.B to accommodate construction of the proposed project. Approximately 8,924 square feet of wetland buffer will be reduced and replaced by 15,598 square feet of wetland buffer via buffer averaging. The buffer impacts will be offset by restoring and enhancing approximately 10,082 square feet of the outer perimeter of the buffers facing the proposed development, as needed based on existing vegetation conditions, using the plant palette provided in Tables 16 and 17 in order to effectively screen the wetlands and streams from disturbances and protect wetland and stream functions and values. As the wetland and stream buffers are compromised by existing anthropogenic impacts, the proposed restoration and enhancement actions are anticipated to improve buffer protections and internal wetland and stream functions by establishing an overall net gain in buffer functionality, allowing for improvement over existing wetland and stream buffer conditions. In addition, to maintain wetland and stream hydrology, stormwater runoff from non-pollutant generating surfaces (e.g., roof tops) will outlet at several points just outside of the wetland and stream buffers to provide hydrology for the onsite Wetlands B and C and Stream V and their associated buffers as shown on site plan in Appendix C. The stormwater discharge points will be appropriately stabilized for erosion control per City of Gig Harbor requirements and as designed by the Project Engineer.

In addition, temporary impacts from utility installation, including the installation of sanitary and stormwater lines, will occur within wetland buffers and/or within the SMZ and will be restored by installation of native plant species and the native reseeding of all disturbed soils within an approximately 7,406 square foot area. These actions will enhance buffer quality and function and will provide an increase in plant diversity, allowing for substantial improvement over existing wetland buffer and shoreline ecological conditions.

The buffer restoration and enhancement plan being proposed for this project includes enhancement of the outer 5-foot perimeter of the wetland and stream buffers facing the proposed development, as needed based on existing vegetation conditions. A selection of native plants will be installed along the outer perimeter of the wetland and stream buffers to reduce the opportunity for physical intrusion into the buffers and to increase plant density and diversity. Proposed buffer restoration measures include removing trash and non-native invasive plant species from the wetland and stream buffers as necessary. Any areas disturbed by invasive plant or trash removal should be replanted with the native trees and shrubs listed in Table 16. This plan only proposes restoration and enhancement actions within the buffers. No activities are proposed that will directly impact the onsite wetlands or streams.

Temporary Impacts

In addition to the proposed buffer averaging plan, the project includes installation of underground sanitary and stormwater sewer lines between Wetlands B and D, partially within the SMZ and wetland buffers, and the installation of a sanitary sewer line through the Wetland G buffer (Appendix C) as allowed under GHMC 18.08.120.C and GHMC 18.08.120.D. Any disturbed areas will be restored through revegetation using the species outlined in Tables 16 and 17 below. Buffer and shoreline ecological functionality after restoration is anticipated to be substantially improved over current conditions. An approximately 7,406 square foot area along the proposed sewer lines is proposed for restoration.

Careful planning and targeted implementation of the buffer reducing measures along with restoration of temporary impacts and buffer enhancement actions will help ensure no negative impacts to the wetlands identified in this assessment. Restoration of areas temporarily impacted by utility installation, and implementation of effective enhancement measures will also help ensure that water quality and habitat functions will be improved from its current state. As the proposed actions will increase overall buffer quality and functions, an increase in net gain of wetland and stream protection is proposed.

7.3 Approach and Best Management Practices

All direct wetland impacts and in-water work has been avoided, greatly reducing the chance for pollutants to enter a waterbody. The proposed restoration and enhancement plan is intended to provide increased wetland and stream protections by maintenance or improvement of wetland and stream buffer functions. Impacts to the wetland buffer are being minimized through careful planning efforts and project design. The enhancement actions are proposed to be completed during one enhancement effort. Restoration of disturbed areas within the buffers should occur immediately after utility installation is complete. Temporary erosion and sediment control (TESC) measures will be implemented that consist of high-visibility fencing (HVF) installed around native vegetation along the reduced perimeter of the buffer, silt fencing between the graded areas and undisturbed buffer, plastic sheeting on stockpiled materials, and seeding of disturbed soils. These TESC measures should be installed prior to the start of development, restoration, or enhancement actions and actively managed for the duration of the project.

All equipment staging and materials stockpiles should be kept out of the buffer, and the area will need to be kept free of spills and/or hazardous materials. All fill material and road surfacing should be sourced from upland areas onsite or from approved suppliers, and will need to be free of pollutants and hazardous materials. Construction materials along with all construction waste and debris should be effectively managed and stockpiled on paved surfaces and kept free of the remaining wetland buffer

area. Following completion of the residence, the entire site should be cleaned and detail graded using hand tools wherever necessary, and TESC measures will need to be removed. In addition, permanent stormwater treatment features will need to be implemented as designed by the project engineer.

7.4 Mitigation Sequencing

The sections below describe the mitigation sequencing steps conducted for this project. Mitigation sequencing for necessary impacts within the 200-foot SMZ is included in Section 6.2.2. of this report.

Avoidance

The proposed design includes careful site planning in order to avoid direct impacts to the regulated wetlands and streams; however, due to site constraints and to accommodate a reasonable site layout and road infrastructure, minor intrusion into the outer extent of some buffer areas is unavoidable. In addition, temporary impacts to the buffer associated with Wetland G are unavoidable as a private sanitary sewer line is needed on the subject property, as close to (but outside of) the Shirley Avenue right-of-way as feasible.

Minimization

The project proposes the minimal amount of wetland buffer averaging necessary to accommodate construction of the single-family residences and site infrastructure, in accordance with GHMC 18.08.110.B. No direct impacts to any of the onsite wetlands or streams will occur. The temporary impacts to the adjusted buffer widths are strictly limited to the Wetland G buffer (to accommodate needed sanitary sewer) and the Wetland B and D buffers (to accommodate needed sanitary and storm sewer lines to connect to existing infrastructure along Harborview Drive). Impacts are limited to the outer 25 percent of the wetland buffers as practical. Wetland buffer impacts are generally limited to areas considered to contain low functioning habitat due to the presence of invasive plant species and the existing

Rectification and Reduction

Approximately 8,924 square feet of wetland buffer will be reduced and replaced by 15,598 square feet of expanded wetland buffer via buffer averaging. The buffer impacts will be offset by enhancing approximately 10,082 square feet of the outer perimeter of the buffers facing the proposed development in order to effectively screen the critical areas from disturbances and protect wetland and stream functions and values. In addition, temporary impacts from utility installation will occur within wetland buffers and will be restored by installation of native plant species and the native reseedling of all disturbed soils within an approximately 7,406 square foot area.

Compensation

The proposed buffer restoration and enhancement actions provide adequate long-term protection of wetland functions and values and will result in a net gain of critical areas protection. The mitigation plan will help ensure that no direct impacts to the regulated critical areas occur. Restoration of areas temporarily impacted by utility installation, and implementation of effective enhancement measures will help ensure that water quality and habitat functions will be improved from the current state.

The proposed mitigation area will be constructed concurrently with the proposed residential development. Planting should occur between September 1 and October 1, if plantings must occur outside this timeframe, temporary irrigation should be considered.

7.5 Enhancement Actions

Enhancement actions for the wetland and stream buffers include, but may not be limited to, the following recommendations:

- Prior to all planned restoration and enhancement actions, pre-treat invasive plants with a Washington Department of Agriculture approved herbicide. After pre-treatment, grub to remove the invasive plants and replant all cleared areas with native trees and shrubs listed in Table 16. Pre-treatment of the invasive plants should occur a minimum of two weeks prior to removal.
- Restore and enhance approximately 10,082 square feet of the outer perimeter of the buffers facing the proposed development, as needed based on existing vegetative conditions.
- Restore approximately 7,406 square feet of temporary impacts along the proposed sewer lines.
- Remove any trash from wetlands and buffers.
- Spot treatment of any surviving other invasive vegetation should be performed again each fall prior to leaf senescence for a minimum of 3 years. An approved native seed mix will be used to seed disturbed areas after planting;
- Maintain and control invasive plants annually, at a minimum, or more frequently if necessary. Maintenance to reduce the growth and spread of invasive plants is not restricted to chemical applications but may include hand removal, if warranted; and
- Provide dry-season irrigation as necessary to ensure native plant survival.

7.6 Mitigation Goals, Objectives, and Performance Standards

The goals and objectives of the proposed mitigation actions are as follows:

Goal 1 – Restore and enhance approximately 10,082 square feet of the outer perimeter of the buffers facing the proposed development, and restore approximately 7,406 square feet of temporary impacts along the proposed sewer lines.

Objective 1 – Restore and/or re-establish native plant cover and biodiversity within the restoration/enhancement areas.

Performance Standard 1 – Minimum plant survivorship within the restoration/enhancement areas will be 80 percent of installed trees and shrubs at the end of Year 1.

Performance Standard 2 – Native understory plant species (including existing vegetation, planted trees/shrubs, and volunteer species) will cover at least 20 percent, areal coverage, of the restoration/enhancement areas at the end of Year 2, 30 percent at the end of Year 3, 50 percent by the end of Year 4, and 60 percent at the end of Year 5.

Performance Standard 3 – At least 5 native shrub and/or tree species will be present in the restoration/enhancement areas in all monitoring years, including volunteer species.

Objective 2 – Effectively control and/or eliminate non-native invasive species from the restoration/enhancement areas.

Performance Standard 4 – Non-native invasive plants will not make up more than 15percent total areal cover in any growing season following Year 1.

7.7 Plant Materials and Installation

7.7.1 Plant Materials

All plant materials to be used for restoration and enhancement actions will be nursery grown stock from a reputable, local source. Proof of purchase from an appropriate licensed regional nursery will be provided to the town in the As-Built Report that will follow the construction of the proposed development and associate compensatory buffer mitigation. Only native species are to be used; no hybrids or cultivars will be allowed. Plant material provided will be typical of their species or variety; if not cuttings they will exhibit normal, densely-developed branches and vigorous, fibrous root systems. Plants will be sound, healthy, vigorous plants free from defects, and all forms of disease and infestation.

Container stock shall have been grown in its delivery container for not less than six months but not more than two years. Plants shall not exhibit rootbound conditions. Under no circumstances shall container stock be handled by their trunks, stems, or tops. Seed mixture used for hand or hydroseeding shall contain fresh, clean, and new crop seed mixed by an approved method. The mixture is specified in Table 17.

All plant material shall be inspected by a qualified Wetland Scientist upon delivery. Plant material not conforming to the specifications below will be rejected and replaced by the planting contractor. Rejected plant materials shall be immediately removed from the site.

Fertilizer will be in the form of Agroform plant tabs or an approved like form. Mulch will consist of sterile wheat straw or clean recycled wood chips approximately 1/2 inch to 1 inch in size and 1/2 inch thick. If free of invasive plant species, the mulch material may be sourced from woody materials salvaged from the land clearing activities.

No fill or topsoil materials will be imported to the site; native onsite soils may be reused as needed for grading or topsoil purposes within the buffer mitigation area. Mulch may be used to top dress the plantings and aid in moisture retention.

7.7.2 Plant Scheduling, Species, Size, and Spacing

Plant installation should occur as close to conclusion of clearing and grading activities as possible to limit erosion and limit the temporal loss of function provided by the wetland and buffer. All planting should occur between September 1 and May 1 to ensure plants do not dry out after installation, or temporary irrigation measures may be necessary. All planting will be installed according to the procedures detailed in the following subsections using the species and quantities/densities outlined in Tables 16 and 17 below.

Table 16. Restoration/Enhancement Plant Species.

Species Name ¹	Common Name	Size	Spacing	Quantity ²
Trees				
<i>Picea sitchensis</i>	Sitka spruce	3-4 ft	12-15 ft	28
Shrubs				
<i>Acer circinatum</i>	Vine maple	2-4 ft	4-5 ft	36
<i>Cornus sericea</i>	Red-twig dogwood	2-4 ft	4-5 ft	13
<i>Corylus cornuta californica</i>	Western hazelnut	2-4 ft	4-5 ft	4
<i>Gaultheria shallon</i>	Salal	2-4 ft	4-5 ft	24
<i>Mahonia aquifolium</i>	Tall Oregon grape	2-4 ft	4-5 ft	209
<i>Polystichum munitum</i>	Western swordfern	2-4 ft	4-5 ft	32
<i>Ribes sanguineum</i>	Red-flowering currant	2-4 ft	4-5 ft	30
<i>Rosa pisocarpa</i>	Baldhip rose	2-4 ft	4-5 ft	180
<i>Vaccinium ovatum</i>	Evergreen huckleberry	2-4 ft	4-5 ft	189

1. Native plant species may be substituted or added with Wetland Scientist approval.

2. Final quantities subject to as-built site requirements. Quantities estimated and may be increased or decreased based on existing vegetative conditions at the time of planting.

Table 17. Buffer Seed Mix.

Species Name	Common Name	Percentage (by volume)
<i>Agrostis exarata</i>	Spike bentgrass	2 percent
<i>Bromus carinatus</i>	California brome	35 percent
<i>Deschampsia cespitosa</i>	Tufted hairgrass	3 percent
<i>Festuca rubra</i>	Red fescue	20 percent
<i>Hordeum brachyantherum</i>	Meadow barley	40 percent

7.7.3 Quality Control for Planting Plan

All plant material shall be inspected by a qualified Wetland Scientist upon delivery. Plant material not conforming to the specifications above will be rejected and replaced by the planting contractor. Rejected plant materials shall be immediately removed from the site. Under no circumstances shall container stock be handled by their trunks, stems, or tops.

The landscape contractor shall provide the responsible Wetland Scientist with documentation of plant material that includes the supplying nursery contact information, plant species, plant quantities, and plant sizes.

7.7.4 Product Handling, Delivery, and Storage

All seed and fertilizer should be delivered in original, unopened, and undamaged containers showing weight, analysis, and name of manufacturer. This material should be stored in a manner to prevent wetting and deterioration. All precautions customary in good trade practice shall be taken in preparing plants for moving. Workmanship that fails to meet industry standards will be rejected. Plants will be packed, transported, and handled with care to ensure protection against injury and from drying out. If plants cannot be planted immediately upon delivery they should be protected with soil, wet peat moss, or in a manner acceptable to the responsible Wetland Scientist. Plants, fertilizer, and mulch not

installed immediately upon delivery shall be secured on the site to prevent theft or tampering. No plant shall be bound with rope or wire in a manner that could damage or break the branches. Plants transported on open vehicles should be secured with a protective covering to prevent windburn.

7.7.5 Preparation and Installation of Plant Materials

The planting contractor shall verify the location of all elements of the restoration and enhancement plan with the responsible Wetland Scientist prior to installation. The responsible Wetland Scientist reserves the right to adjust the locations of landscape elements during the installation period as appropriate. If obstructions are encountered that are not shown on the drawings, planting operations will cease until alternate plant locations have been selected by and/or approved by the Wetland Scientist.

Circular plant pits with vertical sides will be excavated for all container stock. The pits should be at least 12 inches in diameter, and the depth of the pit should accommodate the entire root system. The bottom of each pit will be scarified to a depth of 4 inches.

Broken roots should be pruned with a sharp instrument and rootballs should be thoroughly soaked prior to installation. Set plant material upright in the planting pit to proper grade and alignment. Water plants thoroughly midway through backfilling and add Agroform tablets. Water pits again upon completion of backfilling. No filling should occur around trunks or stems. Do not use frozen or muddy mixtures for backfilling. Form a ring of soil around the edge of each planting pit to retain water, and install a 4 to 6 inch layer of mulch around the base of each container plant.

7.7.6 Temporary Irrigation Specifications

While the native species selected for restoration and enhancement actions are hardy and typically thrive in northwest conditions and the proposed actions are planned in areas with sufficient hydroperiods for the species selected, some individual plants might perish due to dry conditions. Therefore, irrigation or regular watering may be provided as necessary for the duration of the first 2 growing seasons while the native plantings become established. If used, irrigation will be discontinued after 2 growing seasons.

7.7.7 Invasive Plant Control and Removal

Invasive species to be removed include Himalayan blackberry, English ivy, and any listed noxious weeds. These species can also be found nearby; therefore, to ensure these species do not expand following the restoration and enhancement actions, invasive shrubs within the enhancement area will be pretreated with a root-killing herbicide approved for use in aquatic sites (e.g., Rodeo) a minimum of two weeks prior to being removed from the wetland buffer. The pre-treatment with herbicide should occur prior to all planned restoration and enhancement actions, and spot treatment of any surviving other invasive vegetation should be performed again each fall prior to leaf senescence for a minimum of 3 years.

7.8 Final Maintenance & Monitoring Plan

Final Maintenance and Monitoring Plans are described below in accordance with GHMC 18.08.180 and have been coordinated and approved by a qualified wetland specialist as defined in GHMC 18.08.030. The Applicant is committed to compliance with the mitigation plan and overall success of

the project. As such, the Applicant will continue to maintain the project, keeping the site free of non-native invasive vegetation, trash, and yard waste.

The restoration and enhancement actions will require continued monitoring and maintenance to ensure the mitigation actions are successful. Therefore, the mitigation site will be monitored for a period of 5 years with formal inspections by a qualified Wetland Scientist. Monitoring events will be scheduled at the time of construction, 30 days after planting, early in the growing season and the end of the growing season for Year 1, twice during Year 2, and annually in Years 3, 4, and 5. Formal inspections will be performed by a qualified Wetland Scientist minimally through the end of Year 1; ensuing monitoring events may be performed by the Applicant or Applicant's representative at the direction of the Wetland Scientist. Closeout assessment will also be conducted in Year 5 to ensure the adequate restoration/enhancement areas were established. In the event that performance standards are achieved prior to Year 5, formal monitoring may be terminated after Year 3 at the discretion of the Wetland Scientist and the City of Gig Harbor.

Monitoring will consist of plant counts at permanent monitoring stations, walk-through surveys to identify invasive species presence and dead or dying restoration plantings, photographs taken at fixed photo points, wildlife observations, and general qualitative habitat and wetland function observations.

Maintenance of the restoration and enhancement areas will take place following initial planting and will be most aggressive during the first year to promote plant establishment. Competing invasive grasses, shrubs, and other weeds will be controlled as necessary via pre-treatment and manual removal (mowing, cutting, and pulling). Watering of plantings will occur as needed.

Routine maintenance is necessary to ensure the integrity and success of the restoration actions. Maintenance will focus on: 1) temporary irrigation, 2) invasive vegetation control, and 3) plant replacement. Maintenance of the restoration areas will be conducted under the direction of the Wetland Scientist during the 5-year monitoring period.

7.9 Reporting

Following each monitoring event, a brief monitoring report detailing the current ecological status of the mitigation actions, measurement of performance standards, and management recommendations will be prepared and submitted to the City of Gig Harbor within 90 days of each monitoring event to ensure full compliance with the mitigation plan, performance standards, and regulatory conditions of approval.

7.10 Contingency Plan

If monitoring results indicate that performance standards are not being met, it may be necessary to implement all or part of the contingency plan. Careful attention to maintenance is essential in ensuring that problems do not arise. Should any portion of the site fail to meet the success criteria, a contingency plan will be developed and implemented with regulatory approval. Such plans are adaptive and should be prepared on a case-by-case basis to reflect any failed restoration characteristics. Contingency plans can include additional plant installation, erosion control, and/or plant substitutions including type, size, and location.

Contingency/maintenance activities may include, but are not limited to:

1. Replacing plants lost to vandalism, drought, or disease, as necessary;
2. Replacing any plant species with a 20 percent or greater mortality rate after 2 growing seasons with the same species or native species of similar form and function;
3. Irrigating the restoration areas as necessary during dry weather if plants appear to be too dry, with a minimal quantity of water;
4. Reseeding and/or repair of action areas as necessary if erosion or sedimentation occurs;
5. Spot treat non-native invasive plant species; and
6. Removing all trash or undesirable debris from the buffer areas as necessary.

7.11 Financial Assurances

Per GHMC 18.08.208, performance security is required to assure that all actions approved under this mitigation plan are satisfactorily completed in accordance with the mitigation plan, performance standards, and regulatory conditions of approval. Consistent with the City of Gig Harbor's requirement, the Applicant will provide a performance bond (prior to the issuance of any building permits) in an amount equal to 125 percent of the total estimated fair market cost of labor, materials, and irrigation, as applicable. An estimated bond quantity calculation is provided in Appendix G.

Chapter 8. Species Information

The far northern portion of the subject site extends into the riparian buffer zone of Gig Harbor. The riparian buffer zone consists of areas within 200 feet landward from the +9 elevation (NGVD 1929 datum). Areas of special flood hazards, such as riparian buffer zones, are regulated by the City of Gig Harbor under GHMC Section 18.10. In addition, the northern portion of the subject property is located within 300 feet of the marine shoreline of Gig Harbor, which is considered a critical fish and wildlife habitat area under GHMC 18.08.186.G.

Per GHSMF 6.2.5.23, GHMC 18.08.186, and GHMC 18.10.100, activities within the critical fish and wildlife habitat area and riparian buffer zone require a Habitat Assessment Report prior to issuance of a development permit in order to ensure compliance with the ESA. This Chapter assesses impacts to ESA-listed species and associated critical habitat and provides impact determinations in compliance with Gig Harbor's shoreline and floodplain management regulations. The riparian buffer zone on the subject site is separated from Gig Harbor by Harborview Drive and thus generally provides low functioning riparian habitat.

SVC staff reviewed data obtained from NOAA's National Marine Fisheries Service (NMFS), USFWS, and WDFW's PHS and SalmonScape data, in order to determine species listed under the ESA that may be found in Pierce County (Table 18). The potential for impacts due to the proposed project and potential species presence in the project vicinity are discussed in Chapter 9.

Table 18. ESA-Listed Species Potentially Found in Pierce County.

Species Name	Common Name	Federal Listing Status	Potential for Impacts
<i>Brachyramphus marmoratus</i>	Marbled Murrelet	Threatened	Possible
<i>Dermochelys coriacea</i>	Leatherback Sea Turtle	Threatened	None
<i>Eremophila alpestris strigata</i>	Streaked Horned Lark	Threatened	None
<i>Euphydryas editha taylori</i>	Taylor's Checkerspot	Endangered	None
<i>Megaptera novaeangliae</i>	Humpback Whale	Endangered	None
<i>Oncorhynchus mykiss</i>	Steelhead Trout	Threatened	Possible
<i>Oncorhynchus tshawytscha</i>	Chinook Salmon	Threatened	Possible
<i>Orcinus orca</i>	Southern Resident Killer Whale	Endangered	Possible
<i>Rana pretiosa</i>	Oregon Spotted Frog	Threatened	Possible
<i>Salvelinus confluentus</i>	Bull Trout	Threatened	Possible
<i>Sebastes paucispinis</i>	Bocaccio Rockfish	Endangered	Possible
<i>Sebastes ruberrimus</i>	Yelloweye Rockfish	Threatened	Possible
<i>Strix occidentalis caurina</i>	Northern Spotted Owl	Threatened	None

There are eight federally listed species that are potentially found within the vicinity of the subject site. These include marbled murrelet, steelhead trout (Puget Sound Distinct Population Segment), chinook salmon (Puget Sound Evolutionary Significant Unit), killer whale (southern resident Distinct Population Segment), Oregon spotted frog, bull trout, Bocaccio rockfish, and yelloweye rockfish.

Chapter 9 discusses the potential for impacts due to the proposed project on these species. Five additional listed species are not likely found within the vicinity of the project area: leatherback sea turtle, streaked horned lark, Taylor's checkerspot, humpback whale, and northern spotted owl. The potential for presence of these species and associated project impacts are highly discountable and are not discussed in detail within this report.

In consideration of the federally-listed species with possible presence in Pierce County, the review and analysis presented here is relevant to potential riparian habitat impacts and species specific to the waters of the Puget Sound and Gig Harbor. Large terrestrial mammals and geographically remote species have been excluded from this analysis with a determination of No Effect due to the project location and surrounding environmental conditions that do not support the presence of these species, acceptable habitat, or other associated resources.

The following species are not located in the vicinity of the project nor are likely to be impacted by the proposed project. Species for which there may be possible impacts are covered in Chapter 9.

- Leatherback sea turtles (*Dermochelys coriacea*) typically inhabit onshore and offshore areas in coastal waters (NMFS, 2012). Sightings in Washington waters are mostly coastal and pelagic and no U.S. West Coast nesting sites are known to exist (NMFS, 1998). It is reasonable to assume that leatherback sea turtles do not use the Action Area; therefore, the project will have **No Effect on Leatherback Sea Turtle**.
- Streaked horned larks (*Eremophila alpestris strigata*) were historically found primarily in prairie and coastal dunes habitat. Now, they can also be found in developed areas such as airports, agricultural fields, pasture lands, and gravel roads or shoulders. The primary component is unvegetated to sparsely-vegetated open habitat with no trees and few shrubs (USFWS, 2013). No habitat for this species is found in the vicinity of the project; therefore, the project will have **No Effect on Streaked Horned Lark**.
- Taylor's checkerspot (*Euphydryas editha taylori*) is found primarily in open prairie and grass/oak woodland habitat (WDFW, 2016). Taylor's checkerspot habitat is dependent upon food sources for larvae and nectar sources for adults. No habitat for this species is found in the vicinity of the project; therefore, the project will have **No Effect on Taylor's Checkerspot**.
- Humpback whale (*Megaptera novaeangliae*) range from southern California, north through the Aleutian Islands while feeding in the Pacific Ocean (NMFS, 1991). However, Humpback whales are rarely present in the south Puget Sound. They are more likely to remain in outer coast waters during migration. There were reported humpback whale sightings in the Puget Sound in 1976, 1978, and 1988 (Calambokidis, 1990), but due to the unlikelihood of humpback whales entering Gig Harbor and the complete lack of suitable habitat in the vicinity of the Action Area, the project will have **No Effect on Humpback Whale**.
- Northern spotted owl (*Strix occidentalis*) prefer habitat found in mature coniferous forests. Habitat for northern spotted owl was not identified within the subject site. In Washington, the northern spotted owl is more likely to be encountered on the Olympic Peninsula or on both slopes of the Cascade Range. Rarely, the northern spotted owl occurs in remnant patches of mature or structurally complex forest in the Puget Trough and southwestern Washington (WDFW, 2012). No habitat for this species is found in the Action Area; therefore, the project will have **No Effect on the Northern Spotted Owl**.

Chapter 9. Project Effects on ESA-Listed Species

This chapter presents an analysis of project effects to potential ESA-listed species in the vicinity of the project. Potential project impacts were evaluated based upon specific habitat components that would be altered or removed and the degree to which the alteration may occur; the distribution and population levels of the species (if known); the possibility of direct or indirect impacts to the species and/or habitat; and the potential to mitigate for adverse effects. These determinations are summarized in Table 19.

9.1 Direct and Short-Term Effects

The proposed project actions have two mechanisms for direct and short-term impacts to the Action Area: a temporary increase in terrestrial noise and a potential increase in turbidity from potential sediment in-water suspension caused by construction activities.

BMPs including silt fencing, controlling sediment movement out of construction accesses, and covering disturbed soils will be utilized during construction actions. Noise from construction activities can directly impact terrestrial ESA-listed species if present.

9.1.1 Noise

During construction activities, noise is a mechanism with possible direct impacts to ESA-species potentially present. Construction equipment will likely produce noise at levels higher than ambient levels, as discussed in Section 2.3.1 regarding noise Action Area calculations. The project proposes to use construction equipment including an excavator, dozer, front end loader, and similar equipment which may produce noise levels as high as 86 dBA at fifty (50) feet from the activity. The estimated threshold of harassment/injury for marbled murrelets is approximately 92 dBA at nest sites. The disturbance threshold at nesting sites is an estimated 70 dBA (WSDOT, 2015). The construction noise will attenuate to background levels at approximately 1,744 feet, and it is very unlikely nesting sites are located within the Action Area, as the site is located in an urban area and there are no suitable nesting or forage habitats within or near the proposed project site. Any anticipated short-term effects are anticipated to be brief in time and space and not likely to negatively affect any local ESA-listed species.

9.1.2 Increased Turbidity

The potential increased turbidity due to construction activities is expected to be localized and temporary. This construction activity may temporarily suspend sediment materials in the marine waters of Gig Harbor. WAC makes allowances for temporary turbidity due to construction activities (173-201A-200(1)(e)). Temporary mixing is subject to constraints of WAC 173-201A-400(4) and (6). Therefore, a 300-foot temporary plume limit is being included in the Action Area to account for possible increases in turbidity. Any turbidity impacts are expected to be temporary due to the conservation measures, NPDES compliance measures, and BMPs that will be in place for the project. Possible temporary increases in turbidity during construction actions are not anticipated to have any adverse effect on ESA-listed species.

9.2 Indirect Effects

Increases in impervious surfaces can change hydrologic dynamics through a decline in evapotranspiration and decreases in infiltration (NOAA, 2003). The project's proposal will not likely have a measurable impact on the watershed or ESA-listed species. However, on a watershed scale,

cumulative actions that increase impervious surfaces can also have an overall negative impact on hydrology. Changes in hydrology from increases in impervious surfaces and loss of wetland areas can reduce water infiltration and dilution. Urban runoff and discharges can increase loading of nutrients, bacteria, metals, pesticides, and other toxicants to streams (NOAA, 2003). In addition, changes in hydrology can increase frequency and severity of flooding, and accelerate channel erosion and streambed substrate disturbance (NOAA, 2003). During project construction, TESC measures and BMPs designed to control site runoff will minimize potential immediate effects to hydrology and water quality. Discussion of cumulative effects may be required when there is a likely to adversely affect determination made on an ESA-listed species (WSDOT, 2015). The proposed project does not propose to adversely affect any species.

9.3 Long-Term Effects

Long-term effects of the proposed project on shoreline habitat and species are expected to be extremely minimal due to the lack of existing high functioning habitat, restoration actions will mitigate any temporary impacts within the riparian buffer zone, and the fact that the project is located in an urban area. Any long-term effects from the increase in impervious surface is extremely discountable and will have no negative effect on functionality of the riparian buffer area or on critical habitat or species.

9.4 Conservation Measures

Avoidance and minimization measures in the project plan include TESC measures consisting of silt fencing, seeding of disturbed soils, and BMPs outlined in the project's Storm Water Pollution Prevention Plan (SWPPP) and TESC Plan to be prepared by the Project Engineer prior to clearing and grading activities. Once TESC measures are in place, the site will be graded and site development will proceed. Clearing and grading activities will comply with NPDES construction stormwater general permit requirements.

Equipment used for construction activities will be typical for excavation and grading activities and will be kept in good working order free of leaks. All equipment staging and materials stockpiles will be kept away from the shoreline, and the areas will be kept free of spills and/or hazardous materials. All fill material will be sourced from areas onsite or from approved suppliers, and will be free of pollutants and hazardous materials.

9.5 Determinations of Effect

9.5.1 Critical Habitat

Critical Habitat is defined in Section 3 of the ESA as: (1) The specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (a) essential to the conservation of the species and (b) which may require special management considerations or protection, and (2) Specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination such areas are essential for the conservation of the species. Critical Habitat for a listed species contains Primary Constituent Elements (PCEs), as defined below.

9.5.2 Primary Constituent Elements

In accordance with Section 3(5)(A)(i) of the ESA, and regulations at 50 CFR 424.12(b), in determining which areas were occupied at the time of listing to propose a Critical Habitat, we consider the physical or biological features essential to the conservation of the species and that may require special management considerations or protection. These features are the PCE' laid out in the appropriate quantity and spatial arrangement for conservation of the species. These include, but are not limited to: (1) space for individual and population growth for normal behavior; (2) food, water, air, light, minerals, or other nutritional or physiological requirements; (3) cover or shelter; (4) sites for breeding, reproduction, or rearing (or development) of offspring; and (5) habitats that are protected from disturbance or are representative of the historical, geographical, and ecological distributions of a species.

Essential habitat types for salmon and steelhead species can be generally described to include the following: (1) juvenile rearing areas; (2) juvenile migration corridors; (3) areas for growth and development to adulthood; (4) adult migration corridors; and (5) spawning areas. Within these areas, essential features of critical habitat include adequate: (1) substrate, (2) water quality, (3) water quantity (4) water temperature (5) water velocity, (6) cover/shelter, (7) food, (8) riparian vegetation, (9) space, and (10) safe passage conditions. The actual regulatory descriptions of Critical Habitat for each Evolutionary Significant Unit (ESU) can be found at the end of Federal Register: Vol. 65, No. 32, Wednesday February 16, 2000.

9.5.3 Species Determinations

The following paragraphs discuss the proposed project impact determinations on ESA-listed species and corresponding critical habitat. A summary of impact determinations is provided in Table 19.

Table 19. Species Determination Summary.

Species Name	Common Name	Federal Listing Status	Determination of Effect
<i>Brachyramphus marmoratus</i>	Marbled Murrelet	Threatened	May Affect, but Not Likely to Adversely Affect
<i>Oncorhynchus mykiss</i>	Steelhead Trout	Threatened	May Affect, but Not Likely to Adversely Affect
<i>Oncorhynchus tshawytscha</i>	Chinook Salmon	Threatened	May Affect, but Not Likely to Adversely Affect
<i>Orcinus orca</i>	Southern Resident Killer Whale	Endangered	No Effect
<i>Rana pretiosa</i>	Oregon Spotted Frog	Threatened	No Effect
<i>Salvelinus confluentus</i>	Bull Trout	Threatened	May Affect, but Not Likely to Adversely Affect
<i>Sebastes paucispinis</i>	Bocaccio Rockfish	Endangered	May Affect, but Not Likely to Adversely Affect
<i>Sebastes ruberrimus</i>	Yelloweye Rockfish	Threatened	No Effect

Marbled Murrelet and Critical Habitat

Brachyrhampus marmoratus – Threatened, listed 1992

Critical Habitat designated May 1996 (50 CFR Part 17.11)

Marbled murrelet are members of the Alcidae family of seabirds, which includes puffins, murres, and auklets. In the state of Washington, they are year-round residents on coastal waters. They primarily feed in waters within 500 feet of the shore out to 1.2 miles from shore at depths of less than one hundred feet. Preferred prey includes small fish and crustaceans; nestlings may be fed larger fish. Nests and roosts are found in mature and old growth forests of western Washington. Nest trees are typically greater than thirty-two inches diameter at breast height, with nesting preference on large flat conifer branches, often covered with moss (WDFW, 1993) and found in old growth forests. Marbled murrelets have been found in the largest numbers in marine waters near the coastal waters surrounding the Olympic Peninsula (Pearson and Lance, 2010). Marbled murrelet are more sparsely distributed elsewhere in this region. Prey species predominantly include the forage fish sand lance, surf smelt, and Pacific herring. Critical habitat has been designated in Oregon and California, whereas no critical habitat has been designated in or near the Action Area.

The Action Area contains no suitable nesting habitat for the marbled murrelet. The lack of suitable habitat and the high level of human use of the Action Area make marbled murrelet presence in the Action Area unlikely. The most likely presence of marbled murrelet would be from the species passing over the Action Area en route to foraging sites. Marbled Murrelets are very unlikely to be present in the vicinity of the project site due to a lack of appropriate habitat, therefore, the proposed actions **May Affect, but are Not Likely to Adversely Affect Marbled Murrelet**. The Action Area does not include critical habitat; therefore, the proposed activities will have **No Effect on Marbled Murrelet Critical Habitat**.

Puget Sound Steelhead Trout DPS and Critical Habitat

Oncorhynchus mykiss – Threatened, listed May 11, 2007

Critical Habitat designated September 2, 2005(50 CFR Part 17.11)

Puget Sound steelhead trout are not documented within Gig Harbor, but winter steelhead trout have been documented within nearby tributaries including Donkey Creek and Crescent Creek. There is a hydrologic connection between the property and Gig Harbor, as the onsite streams discharge into an existing outfall into Gig Harbor on the opposite site of Harborview Drive. Any potential increased turbidity due to the proposed construction activities is expected to be localized and temporary due to the conservation measures and BMPs that will be in place for the project. The small amount of alteration to the low functioning upland riparian buffer zone during utility installation will cause no measurable impacts to riparian habitat or functionality. Temporary increases in terrestrial noise are not expected to have any effect on fish species. Due to the lack of in-water work proposed and the de minimis impacts to water quality, the proposed actions **May Affect, but are Not Likely to Adversely Affect Steelhead Trout**. The indirect and direct effects are expected to be highly discountable. The Action Area does not include critical habitat; therefore, the proposed activities will have **No Effect on Puget Sound Steelhead Trout Critical Habitat**.

Puget Sound Chinook Salmon ESU and Critical Habitat

Oncorhynchus tshawytscha – Threatened, listed (reaffirmed) June 28, 2005

Critical Habitat designated September 2, 2005(50 CFR Part 17.11)

Puget Sound Chinook salmon have been documented with Crescent Creek, a tributary stream to Gig Harbor. juvenile Chinook out-migrating from outlying watersheds could potentially use the Action Area from late March to mid-July as sampling studies from the Tacoma Narrows and Commencement Bay document juvenile Chinook migrations. Due to the lack of Chinook presence onsite and since the only project actions proposed within the riparian buffer zone are utility installation activities with associated restoration actions, there are no expected direct effects to Chinook from proposed project actions. If Chinook are present downstream of the site in Gig Harbor, potential effects from the project include possible temporary increases in turbidity from the construction. Through adherence to BMPs and NPDES compliance measures, any turbidity impacts would be extremely minor, short-term, and discountable; therefore, it is expected that the proposed project **May Affect, but is Not Likely to Adversely Affect Puget Sound Chinook Salmon**. The indirect and direct effects are expected to be highly discountable. The Action Area does not include Critical Habitat; therefore, the proposed activities will have **No Effect on Puget Sound Chinook Critical Habitat**.

Southern Resident Killer Whale and Critical Habitat

Orcinus orca – Endangered, listed November 15, 2005

Critical Habitat designated November 2006 (71 FR 69054)

Southern resident killer whale may be found in the Puget Sound, Strait of Georgia, and Juan de Fuca during spring through fall (Wiles, 2004). The website www.orcanetwork.org lists sightings near the vicinity of the Action Area as infrequent. Killer whales may be found in South Puget Sound from November through January.

Temporary increases in terrestrial noise will have no effect on aquatic species. The small amount of alteration to the low functioning upland riparian buffer zone during utility installation will cause no measurable impacts to riparian habitat or functionality. Due to the lack of in-water work proposed, the de minimus impacts to water quality, and the lack of adverse effects to salmon species which killer whale rely on for a food source, the proposed actions **will have No Effect on Southern Resident Killer Whale**.

Almost the entire Puget Sound has been designated as Critical Habitat for Southern resident killer whale, excluding areas that are less than twenty feet deep during periods of high tide (NMFS, 2012). Under the ESA, “Critical Habitat” is defined as: (1) specific areas within the geographical area occupied by the species at the time of listing, if they contain physical or biological features essential to conservation, and those features may require special management considerations or protection; and (2) specific areas outside the geographical area occupied by the species if the agency determines that the area itself is essential for conservation.” As the proposed project proposes to utilize an existing outfall for stormwater discharge to Gig Harbor, the project will have no new long-term effects on marine waters. Therefore, the proposed project will have **No Effect on Southern Resident Killer Whale Critical Habitat**.

Oregon Spotted Frog

Rana pretiosa – Threatened, Listed September 29, 2014

Critical Habitat designated May 2016 (50 CFR Part 17)

Oregon Spotted frog is currently known to occur at 39 sites from southwestern British Columbia down to the Klamath alley in Oregon, however, only 3 populations are known to remain in Washington State (McAllister and Leonard, 1997). None of these 3 populations are near the Action Area for this project. Oregon spotted frogs are known to be found in riparian forests and areas with

dense shrub cover. They also like aquatic environments that are abundant with emergent or floating aquatic plants and standing, shallow water. While the Action Area may contain marginal habitat that could potentially be suitable for Oregon Spotted Frog, because no critical habitat has been proposed anywhere near the Action Area, known present populations are not located near the project site, and the onsite wetlands are primarily slope wetlands without permanent ponding, it is highly unlikely that any Oregon Spotted frogs would be in the vicinity; therefore, the proposed project will have **No Effect on the Oregon Spotted Frog**. The Action Area does not include critical habitat; therefore, the proposed activities will have **No Effect on Oregon Spotted Frog critical habitat**.

Bull Trout and Critical Habitat

Salvelinus confluentus – Threatened, listed November 1, 1999

Critical habitat designated October 18, 2010(75FR63898)

Bull trout are not documented within Gig Harbor or the associated tributaries of Donkey Creek and Crescent Creek. Any potential increased turbidity due to the proposed construction activities is expected to be localized and temporary due to the conservation measures and BMPs that will be in place for the project. The small amount of alteration to the low functioning upland riparian buffer zone during utility installation will cause no measurable impacts to riparian habitat or functionality. Temporary increases in terrestrial noise are not expected to have any effect on fish species. Due to the lack of in-water work proposed and the de minimis impacts to water quality, the proposed actions **May Affect, but are Not Likely to Adversely Affect Bull Trout**. The indirect and direct effects are expected to be highly discountable. The Action Area does not include critical habitat; therefore, the proposed activities will have **No Effect on Bull Trout Critical Habitat**.

Puget Sound Rockfish

Bocaccio rockfish *Sebastes paucispinis* – Endangered, listed July 27, 2010; **Yelloweye rockfish** *Sebastes entomelas* – Threatened, listed July 27, 2010.

Rockfish larvae are pelagic, often occupying the surface of open waters, under floating algae, detached seagrass, and kelp. Juvenile bocaccio rockfish settle onto nearshore water habitats with rocky or cobble substrate that support kelp growth at three to six months of age, and move to progressively deeper waters as they grow (Love et al., 1991; Love et al., 2002). The likelihood of juveniles or adults of ESA-listed rockfish within the nearby relatively shallow and non-rocky habitats is highly discountable. Juvenile yelloweye rockfish do not typically occupy intertidal waters and shallow habitats (Love et al. 1991). Adult yelloweye and bocaccio rockfish typically occupy waters deeper than 120 feet (Love et al. 2002), and are unlikely to occur at the project location.

Bocaccio have not been documented in the Puget Sound since 2001, although it is presumed that an extant population exists (NMFS, 2008). Yelloweye rockfish are considered relatively rare in the Puget Sound, and they are observed more frequently in north Puget Sound than in southern areas (Miller and Borton, 1980). Juvenile rockfish recruitment is likely to be found in areas with shallow high-relief zones with crevices and sponge gardens (Love et al. 2002). Juveniles move from shallow rocky reefs to deeper pinnacles and rocky habitats as they mature (NMFS, 2008). Adults are most common between 300 to 600 feet water depth, sometimes associated with depths between 40 to 1,560 feet deep (Love et al. 2002). The existing substrate along the project's shoreline is not ideal habitat for rockfish recruitment and juvenile rearing. Deeper portions of Puget Sound provide more suitable habitat for adult and juvenile rockfish.

The small amount of alteration to the low functioning upland riparian buffer zone during utility installation will cause no measurable impacts to riparian habitat or functionality. Temporary increases in terrestrial noise are not expected to have any effect on fish species. Due to the lack of in-water work proposed, the de minimis impacts to water quality, and the general lack of suitable habitat in the Action Area, the proposed project will have **No Effect on Puget Sound Rockfish**. The Action Area does not include critical habitat; therefore, the proposed activities will have **No Effect on these distinct population segments of Rockfish**.

Chapter 10. Closure

The findings and conclusions documented in this assessment report have been prepared for specific application to the Cottages at Rosedale Village site. These findings and conclusions have been developed in a manner consistent with that level of care and skill normally exercised by members of the environmental science profession currently practicing under similar conditions in the area. The conclusions and recommendations presented in this assessment report are professional opinions based on an interpretation of information currently available to us and are made within the operation scope, budget, and schedule of this project. No warranty, expressed or implied, is made. In addition, changes in government codes, regulations, or laws may occur. Due to such changes, our observations and conclusions applicable to this assessment may need to be revised wholly or in part in the future.

Wetland and OHW status and boundaries identified by SVC are based on conditions present at the time of the site visit and considered preliminary until the flagged wetland and OHW boundaries are validated by the jurisdictional agencies. Validation of the wetland and OHW boundaries and jurisdictional status of such features by the regulatory agencies provides a certification, usually written, that the wetland and OHW determination and boundaries verified are the units that will be regulated by the agencies until a specific date or until the regulations are modified. Only the regulatory agencies can provide this certification. At this time, the City of Gig Harbor has provided confirmation of the wetland and stream boundaries and ratings; however, no such confirmation has been sought with state and federal agencies, as no direct impacts to wetlands or streams is proposed.

As wetlands and waterbodies are dynamic communities affected by both natural and human activities, changes in boundaries may be expected; therefore, delineations cannot remain valid for an indefinite period of time. Regulatory agencies typically recognize the validity of wetland and OHW delineations for a period of 5 years after completion of an assessment report. Development activities on a site 5 years after the completion of this assessment report may require reassessment of the wetland and OHW delineations. In addition, changes in government codes, regulations, or laws may occur. Due to such changes, our observations and conclusions applicable to this site may need to be revised wholly or in part.

Chapter 11. References

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Appendix A — Methods and Tools

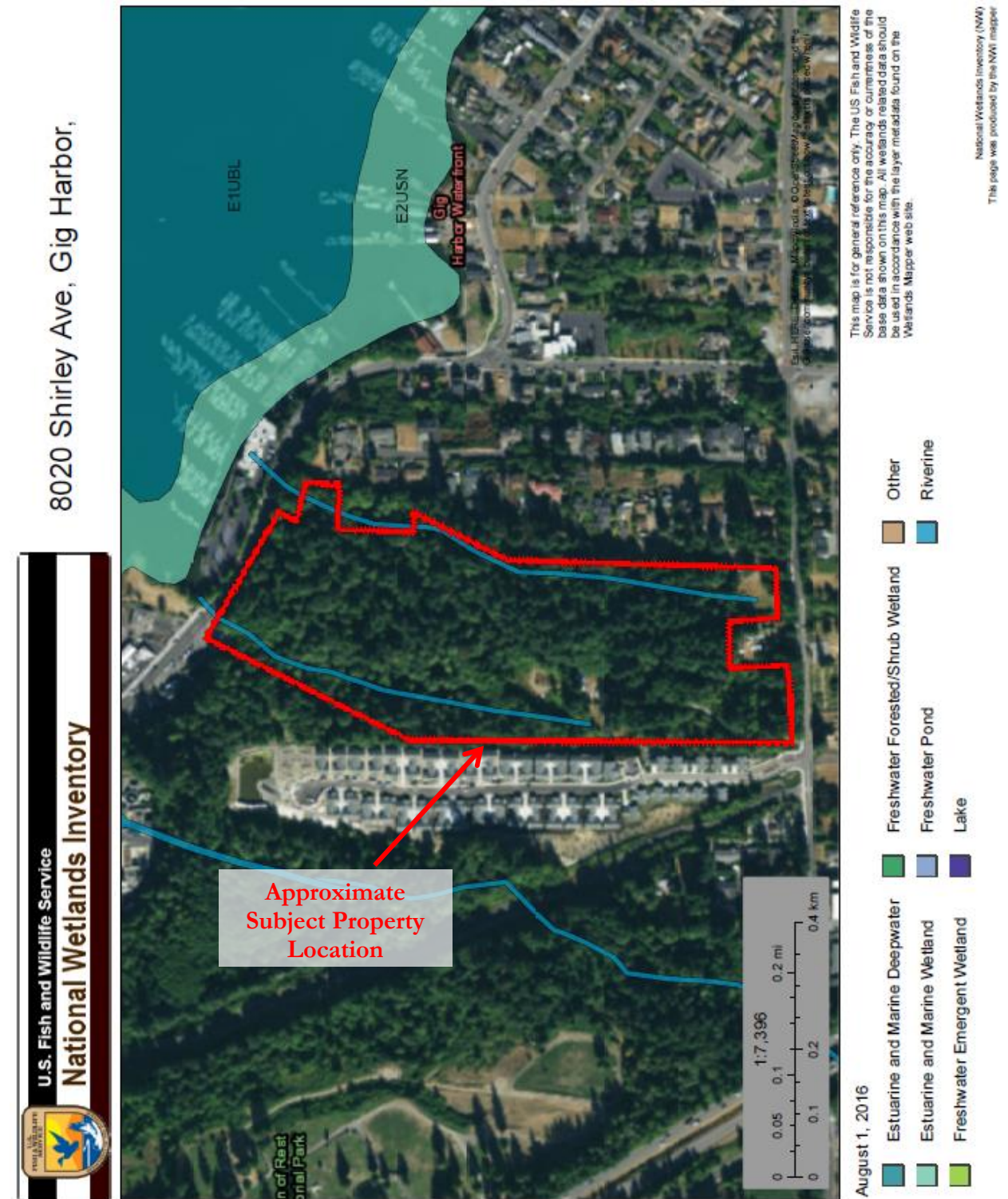
Table A-1. Methods and tools used to prepare the report.

Parameter	Method or Tool	Website	Reference
Wetland Delineation	USACE 1987 Wetland Delineation Manual	http://el.erdc.usace.army.mil/elpubs/pdf/wlman87.pdf	Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, US Army Engineer Waterways Experiment Station, Vicksburg, Mississippi.
	Regional Supplement to the Core of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)	http://www.usace.army.mil/CECW/Documents/cecw/reg/west_mt_finalsupp.pdf	U.S. Army Corps of Engineers. 2010. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0), ed. J. S. Wakeley, R. W. Lichvar, and C. V. Noble. ERDC/EL TR-10-3. Vicksburg, MS: U.S. Army Engineer Research and Development Center.
Wetland Classification	USFWS / Cowardin Classification System	http://www.fws.gov/nwi/Pubs/Reports/Class_Manual/class_titlepg.htm	Cowardin, L. M., V. Carter, F. C. Golet, E. T. LaRoe. 1979. Classification of wetlands and deepwater habitats of the United States. Government Printing Office, Washington, D.C.
	Hydrogeomorphic Classification (HGM) System	http://el.erdc.usace.army.mil/wetlands/pdfs/wrpde4.pdf	Brinson, M. M. (1993). "A hydrogeomorphic classification for wetlands," Technical Report WRP-DE-4, U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS.
Wetland Rating	Washington State Wetland Rating System	https://fortress.wa.gov/ecy/publications/documents/1406029.pdf	Hruby, T. (2014). <i>Washington State Wetland Rating System for Western Washington: 2014 Update</i> . (Publication #14-06-029). Olympia, WA: Washington Department of Ecology.
	Gig Harbor Municipal Code	http://www.codepublishing.com/WA/GigHarbor	Most current western Washington wetland rating system adopted per Gig Harbor Municipal Code Title 18.08.
Wetland Indicator Status	2014 National Wetland Plant List	http://wetland_plants.usace.army.mil/	Lichvar, R.W., M. Butterwick, N.C. Melvin, and W.N. Kirchner. 2014. The National Wetland Plant List: 2014 Update of Wetland Ratings. Phytoneuron 2014-41: 1-42.
Plant Names	USDA Plant Database	http://plants.usda.gov/	Website (see Appendix A)
Soils Data	NRCS Soil Survey	http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx	Website GIS data based upon: Zulauf, 1979. Soil Survey of Pierce County Area, Washington. United States Department of Agriculture, Soil Conservation Service in cooperation with Washington State Department of Natural Resources, and Washington State University, Agriculture Research Center. Washington, D.C.
Hydric Soils Data	Pierce County Hydric Soils List	http://www.wa.nrcs.usda.gov/technical/soils/hydric_lists/hydsoil-wa-653.pdf	Natural Resources Conservation Service. 1979. Hydric Soils List: Pierce County, Washington. U.S. Department of Agriculture. Washington D.C.
Threatened and Endangered Species	Washington Natural Heritage Program	http://www.dnr.wa.gov/nhp/ and http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpwetlands.pdf	Washington Natural Heritage Program (Data published 10/15/08). Endangered, threatened, and sensitive plants of Washington. Washington State Department of Natural Resources, Washington Natural Heritage Program, Olympia, WA
	Washington Priority Habitats and Species	http://wdfw.wa.gov/hab/phspage.htm	Priority Habitats and Species (PHS) Program (Data requested 11/24/09). Map of priority habitats and species in project vicinity. Washington Department of Fish and Wildlife (WDFW).
	NOAA fisheries species list and maps	http://www.nwr.noaa.gov/ESA-Salmon-Listings/Salmon-Populations/Index.cfm and http://www.nmfs.noaa.gov/pr/species/	Website
	USFWS species lists by County	http://www.fws.gov/westwafwo/se/SE_List/endangered_Species.asp	Website

Parameter	Method or Tool	Website	Reference
Species of Local Importance	WDFW GIS Data	http://wdfw.wa.gov/mapping/salmonscape/	Website
Report Preparation	Gig Harbor Shoreline Master Program	http://www.ecy.wa.gov/programs/sea/shorelines/smp/pdf/GigHarborSMP.pdf	Gig Harbor Shoreline Master Program
	Gig Harbor Municipal Code	http://www.mrsc.org/codes.aspx	Gig Harbor Municipal Code Title 18.08

Appendix B — Background Information

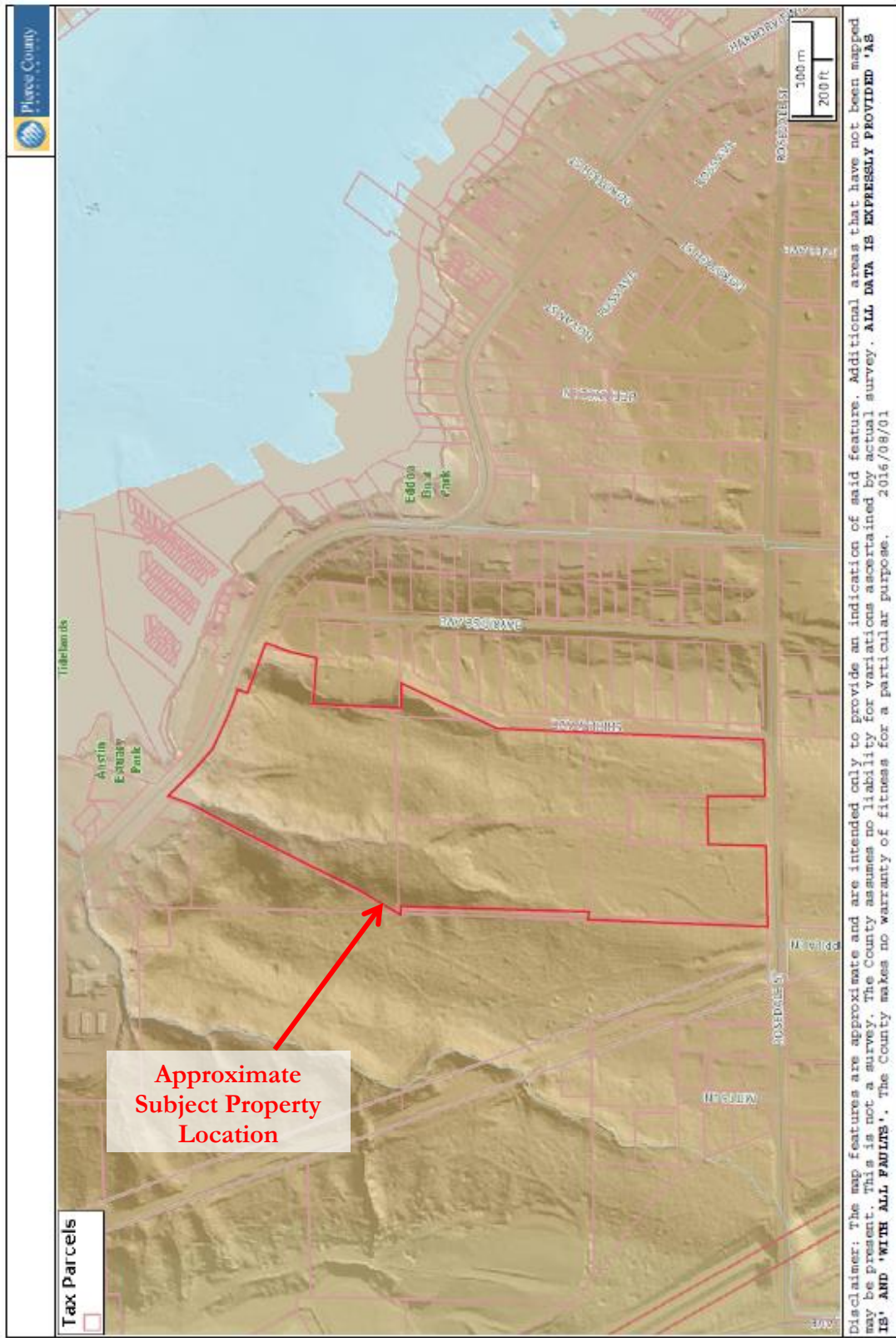
This Appendix includes a USFWS National Wetland Inventory map (B1), Pierce County GIS Data (B2) Pierce County Topographic Map (B3), NRCS Soil Survey map (B4), WDFW SalmonScape Map (B5), WDFW PHS Map (B6), and Grette Associates 2005 Wetland Delineation Map (B7).



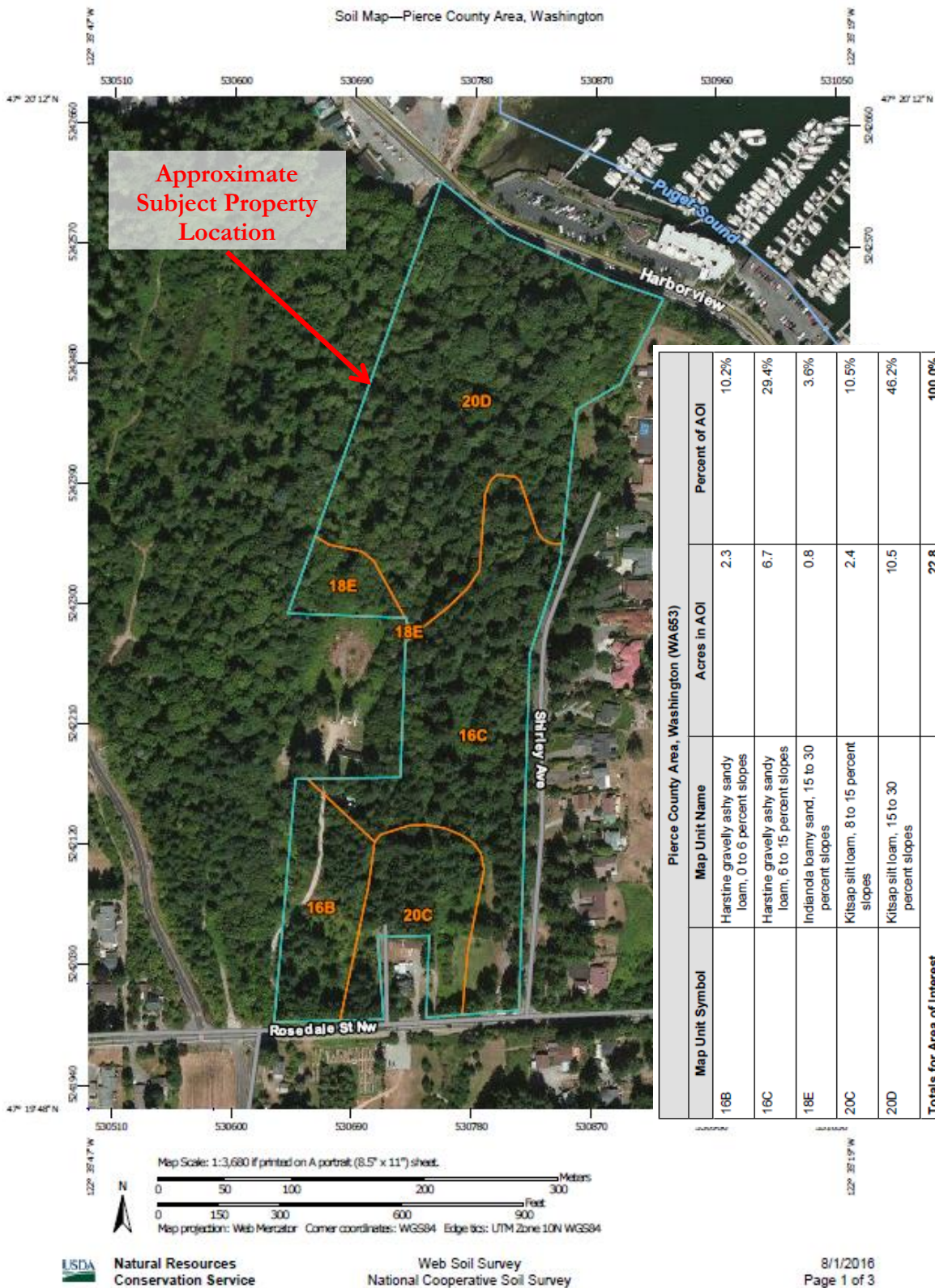
Appendix B2. Pierce County GIS Data



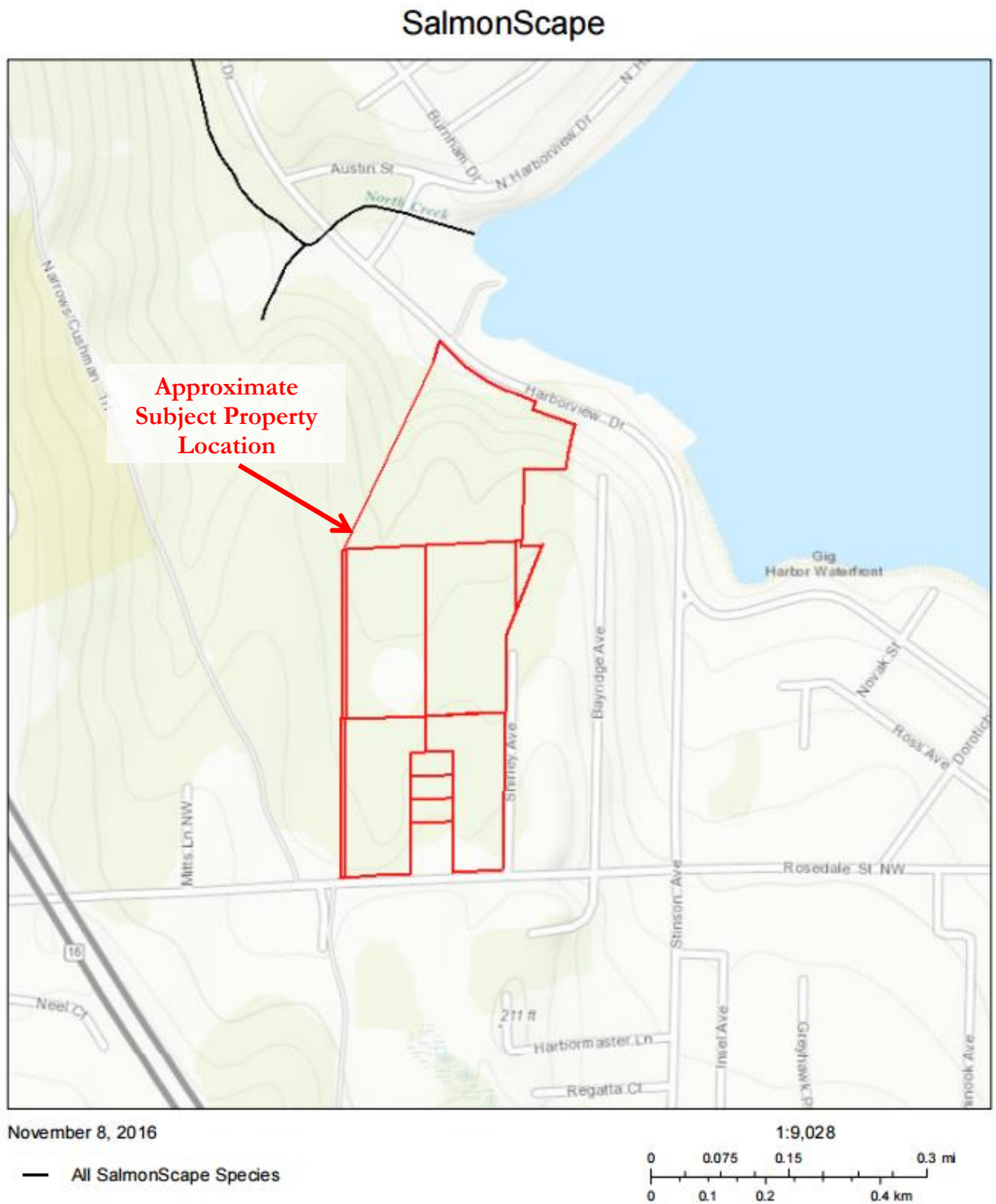
Appendix B3. Pierce County Topographic Map



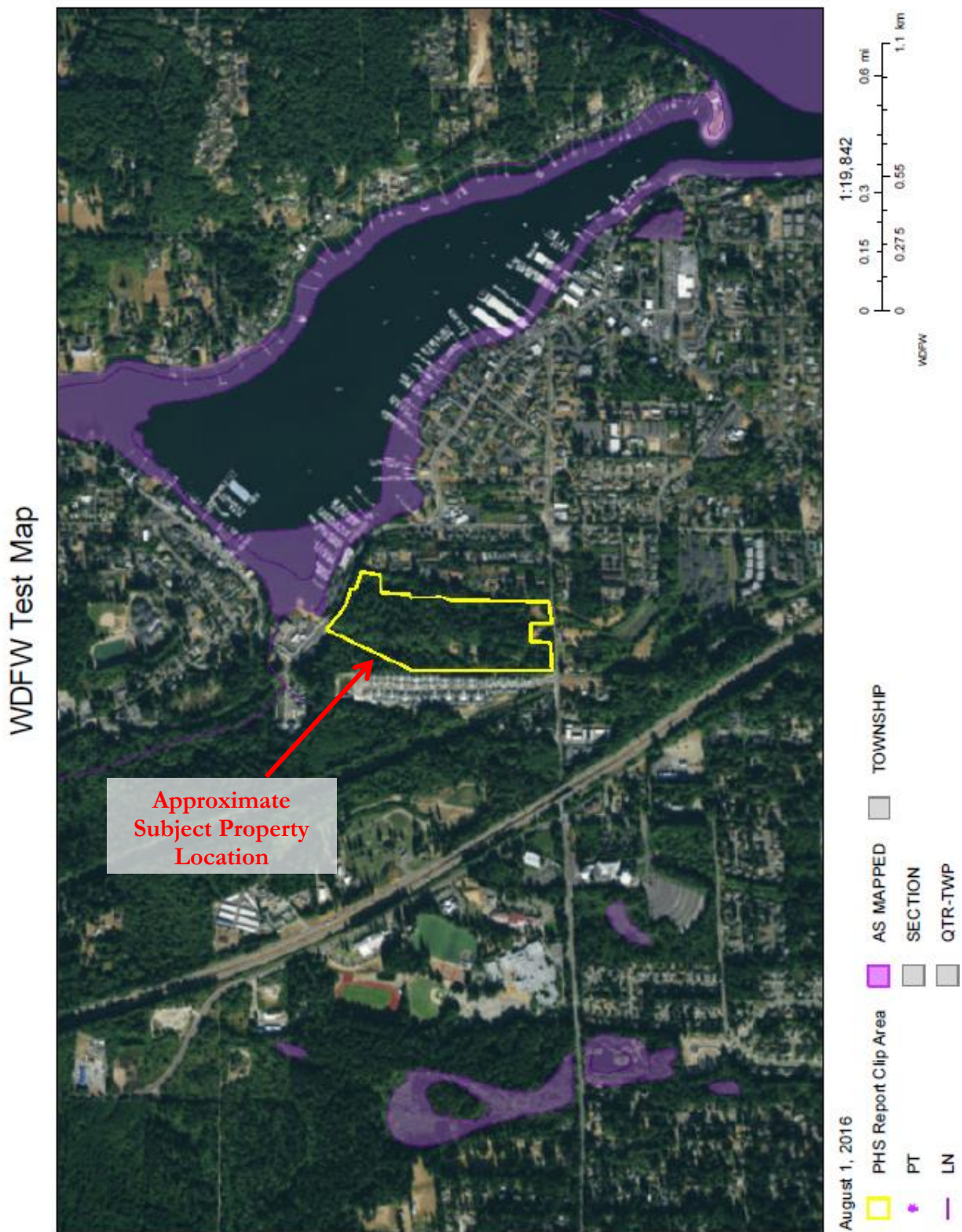
Appendix B4. NRCS Soil Survey Map



Appendix B5. WDFW SalmonScape Map



Appendix B6. WDFW PHS Map

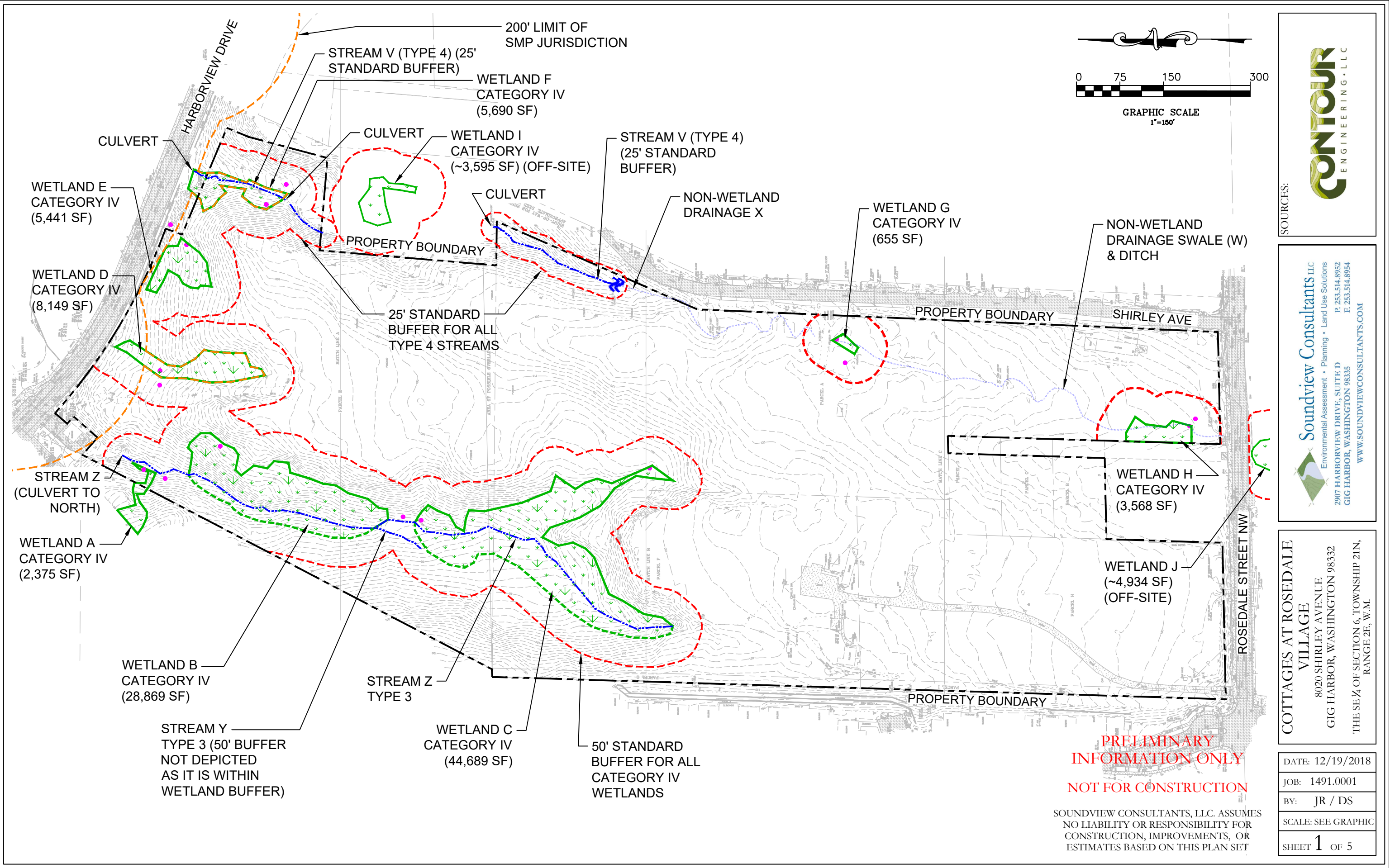


Appendix B7. Grette Associates 2005 Wetland Delineation Map

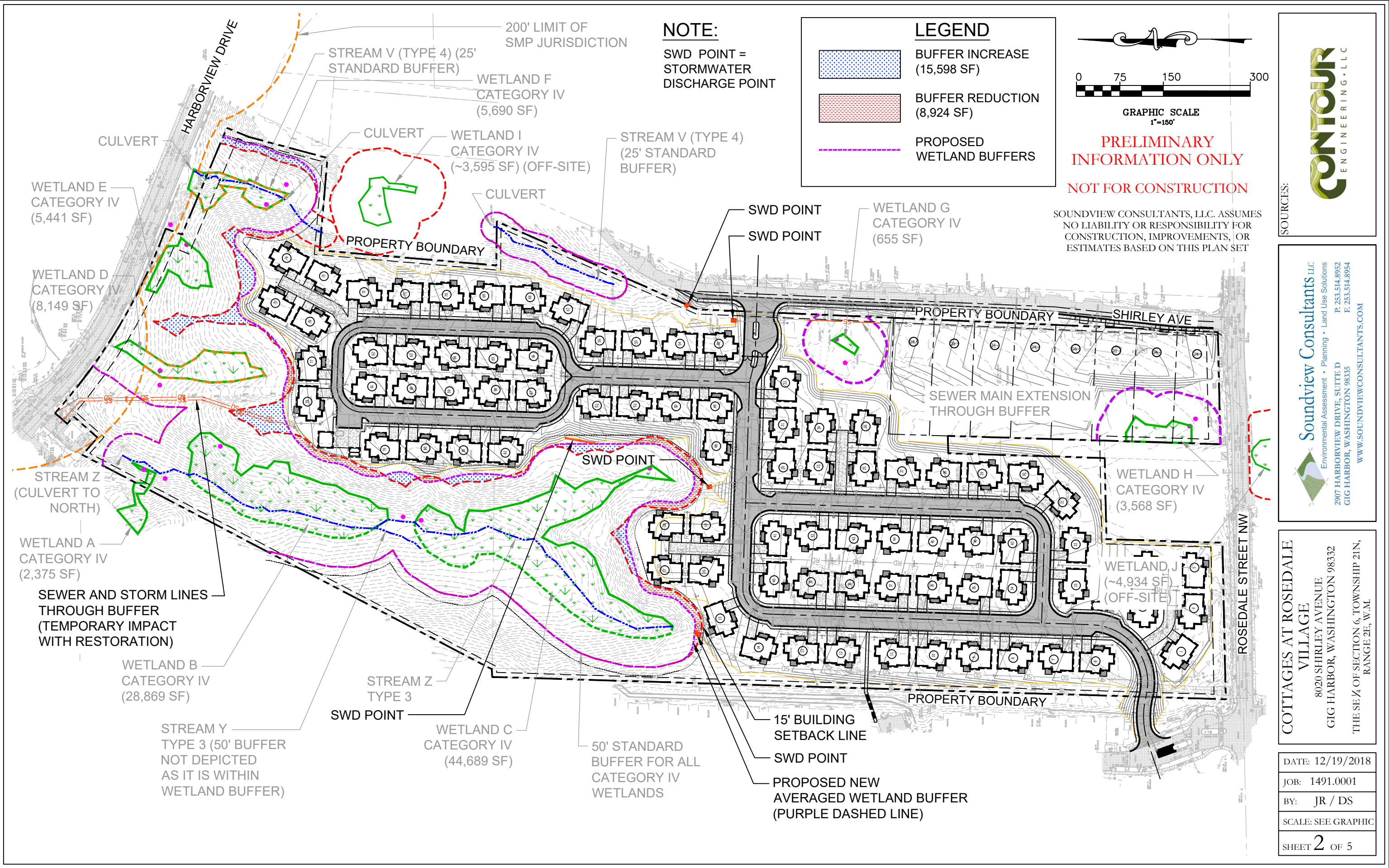


Appendix C — Site Plans

COTTAGES AT ROSEDALE VILLAGE - EXISTING CONDITIONS



COTTAGES AT ROSEDALE VILLAGE - BUFFER AVERAGING PLAN



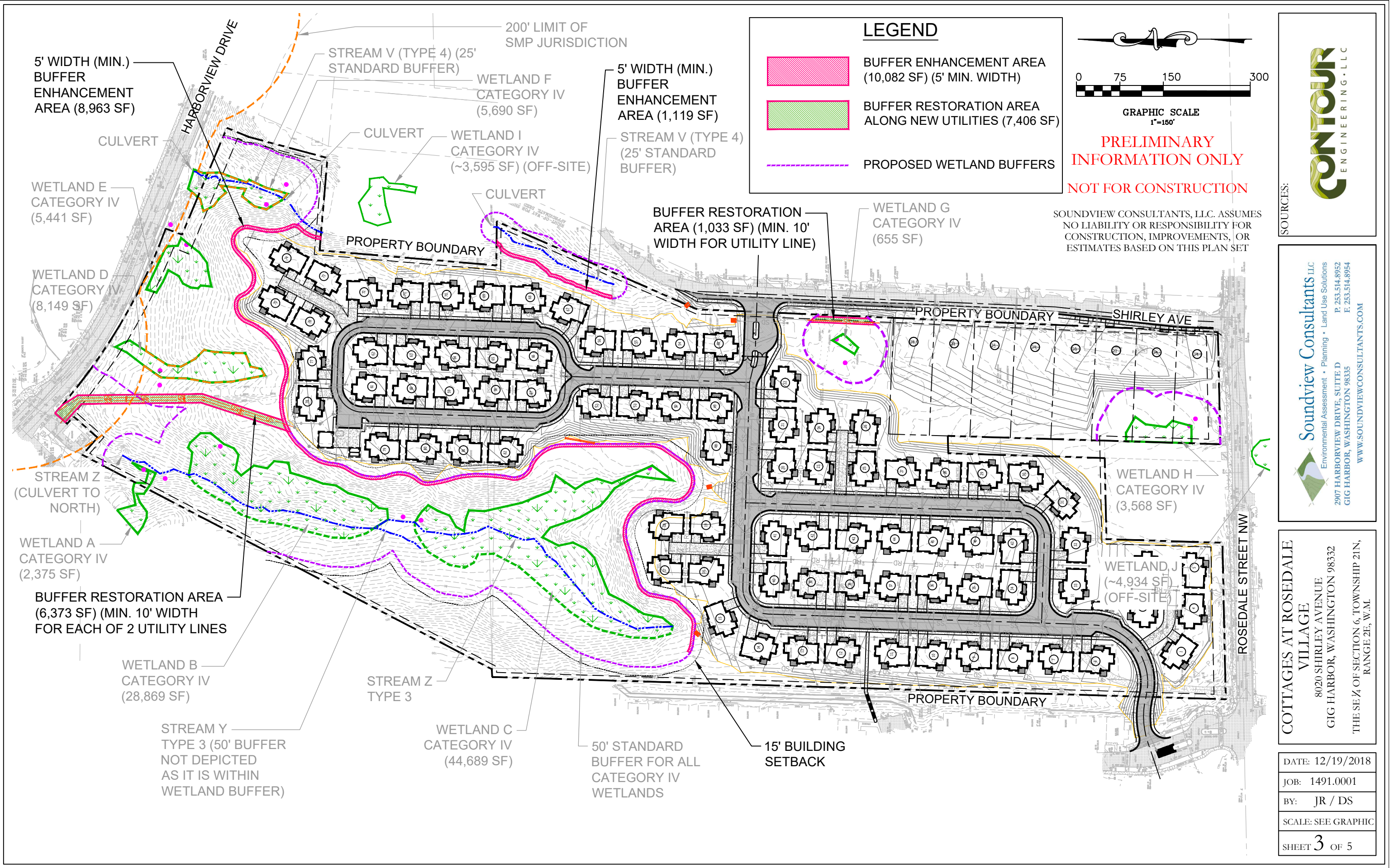
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2907 HARBORVIEW DRIVE, SUITE D
GIG HARBOR, WASHINGTON 98335
P. 253.514.8952
F. 253.514.8954
WWW.SOUNDVIEWCONSULTANTS.COM

COTTAGES AT ROSEDALE VILLAGE
8020 SHIRLEY AVENUE
GIG HARBOR, WASHINGTON 98332
THE SE 1/4 OF SECTION 6, TOWNSHIP 21N,
RANGE 2E, W.M.

DATE: 12/19/2018
JOB: 1491.0001
BY: JR / DS
SCALE: SEE GRAPHIC
SHEET 2 OF 5

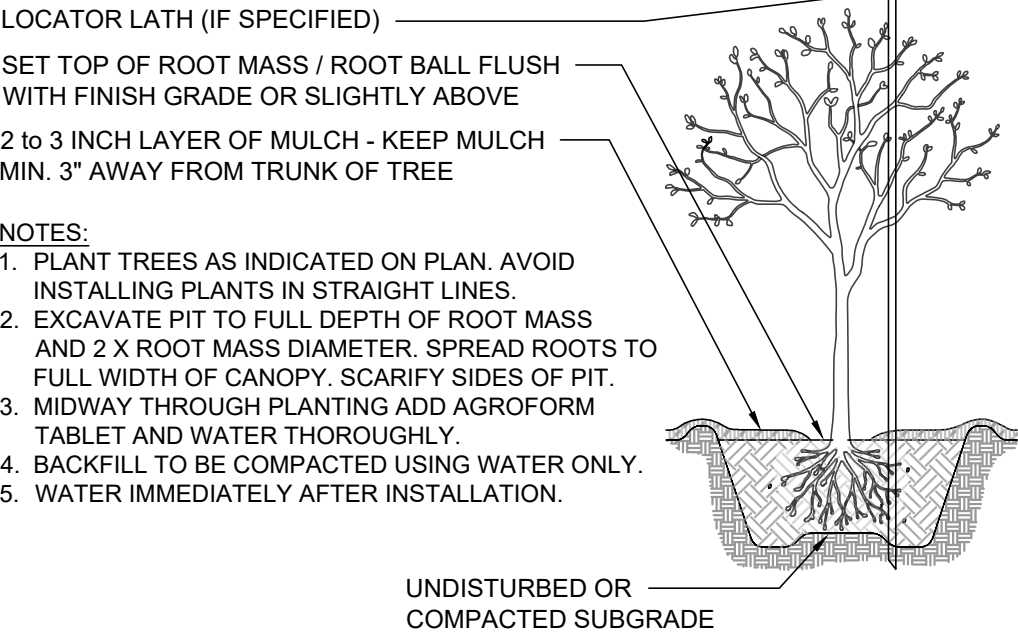
COTTAGES AT ROSEDALE VILLAGE - PROPOSED MITIGATION PLAN



COTTAGES AT ROSEDALE VILLAGE - PROPOSED MITIGATION PLAN

TREE PLANTING DETAIL

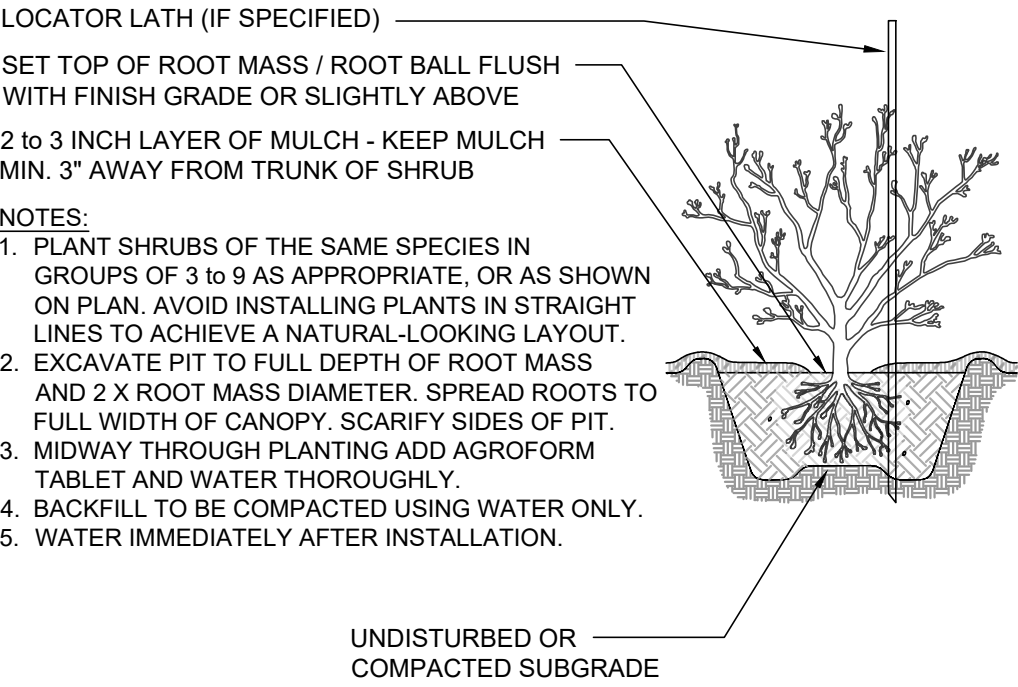
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- NOTES:
1. PLANT TREES AS INDICATED ON PLAN. AVOID INSTALLING PLANTS IN STRAIGHT LINES.
 2. EXCAVATE PIT TO FULL DEPTH OF ROOT MASS AND 2 X ROOT MASS DIAMETER. SPREAD ROOTS TO FULL WIDTH OF CANOPY. SCARIFY SIDES OF PIT.
 3. MIDWAY THROUGH PLANTING ADD AGROFORM TABLET AND WATER THOROUGHLY.
 4. BACKFILL TO BE COMPACTED USING WATER ONLY.
 5. WATER IMMEDIATELY AFTER INSTALLATION.

SHRUB PLANTING DETAIL

NOT TO SCALE



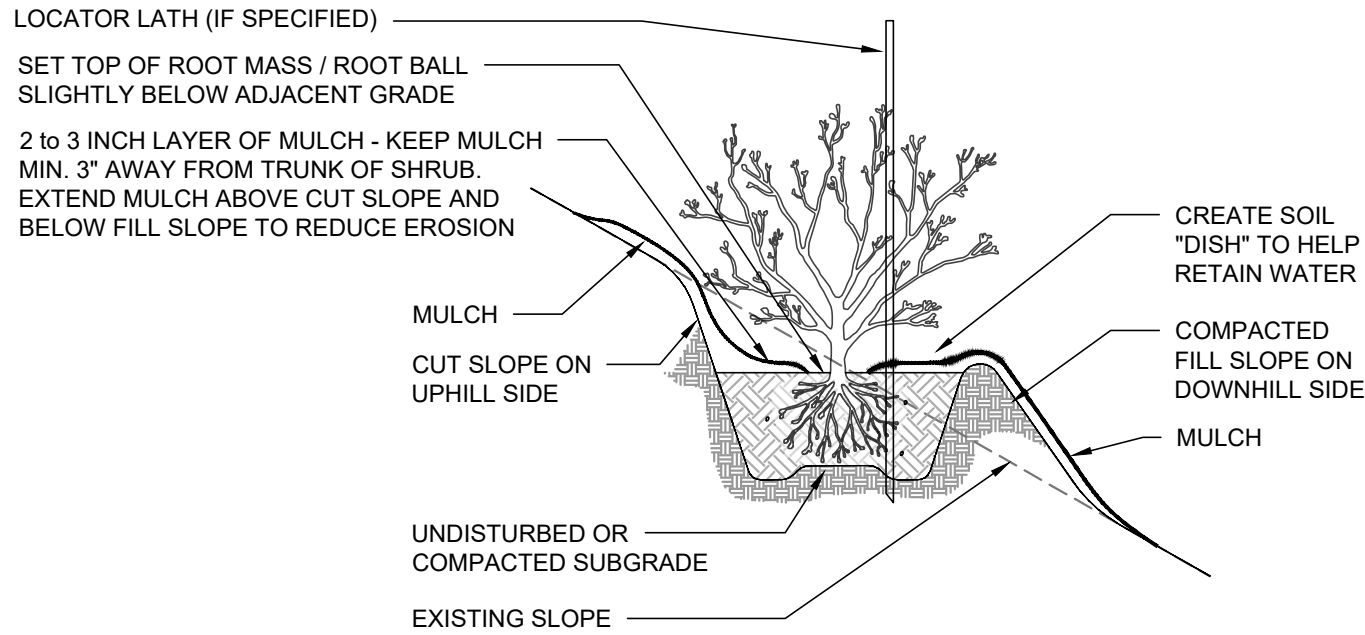
- NOTES:
1. PLANT SHRUBS OF THE SAME SPECIES IN GROUPS OF 3 to 9 AS APPROPRIATE, OR AS SHOWN ON PLAN. AVOID INSTALLING PLANTS IN STRAIGHT LINES TO ACHIEVE A NATURAL-LOOKING LAYOUT.
 2. EXCAVATE PIT TO FULL DEPTH OF ROOT MASS AND 2 X ROOT MASS DIAMETER. SPREAD ROOTS TO FULL WIDTH OF CANOPY. SCARIFY SIDES OF PIT.
 3. MIDWAY THROUGH PLANTING ADD AGROFORM TABLET AND WATER THOROUGHLY.
 4. BACKFILL TO BE COMPACTED USING WATER ONLY.
 5. WATER IMMEDIATELY AFTER INSTALLATION.

NATIVE PLANT SCHEDULE

Plant Name			Planting Areas			Spacing	Size	Condition	Planting Area
Scientific	Common	Plant Status	Buffer Enhancement and Restoration Areas (Non-SMZ)	SMZ Utility Corridor Restoration Area	Total				
		Sq. Feet:	15,166	2,322	17,488				
Trees		Acres:	0.35	0.05	0.40				
<i>Picea sitchensis</i>	Sitka spruce	FAC	18	10	28	12 - 15 ft	3 - 4 ft	Bare root	Moist
		Totals	18	10	28				
Shrubs									
<i>Acer circinatum</i>	Vine maple	FAC	36	-	36	4 - 5 ft	2 - 4 ft	Bare root	Dry/Moist
<i>Cornus sericea</i>	Red-twig dogwood	FACW	-	13	13	4 - 5 ft	2 - 4 ft	Bare root	Moist/Wet
<i>Corylus cornuta californica</i>	Western hazlenut	FACU	-	4	4	4 - 5 ft	2 - 4 ft	Bare root	Moist
<i>Gaultheria shallon</i>	Salal	FACU	-	24	24	4 - 5 ft	2 - 4 ft	Bare root	Dry
<i>Mahonia aquifolium</i>	Tall Oregon grape	FACU	180	29	209	4 - 5 ft	2 - 4 ft	Bare root	Dry
<i>Polystichum munitum</i>	Western swordfern	FACU	-	32	32	4 - 5 ft	2 - 4 ft	Bare root	Moist/Wet
<i>Ribes sanguineum</i>	Red-flowering currant	FACU	-	30	30	4 - 5 ft	2 - 4 ft	Bare root	Dry/Moist
<i>Rosa pisocarpa</i>	Clustered wild rose	FAC	180	-	180	4 - 5 ft	2 - 4 ft	Bare root	Wet
<i>Vaccinium ovatum</i>	Evergreen huckleberry	FACU	180	9	189	4 - 5 ft	2 - 4 ft	Bare root	Dry
		Totals	576	141	717				
Buffer Seed Mix 30 lbs/acre		% by wt.							
<i>Agrostis exarata</i>	Spike bentgrass	FACW	2						
<i>Bromus carinatus</i>	California brome	NR	35						
<i>Deschampsia cespitosa</i>	Tufted hairgrass	FACW	3						
<i>Festuca rubra</i>	Red fescue	NR	20						
<i>Hordeum brachyantherum</i>	Meadow barley	FACW	40						
		Total	100						
1 - Scientific names and species identification taken from <i>Flora of the Pacific Northwest (Hitchcock and Cronquist, 1973)</i> .									
2 - Over-sized or container plants are suitable for replacement pending project biologist's approval.									
3 - Native plant species may be substituted or added with project biologist's approval.									
4 - All plans and schedules are conceptual for regulatory review and impact analysis. Final plans may be needed for construction, and may be subject to regulatory approval.									
5 - Planting density and locations may require adjustment in the field, as directed by project biologist.									
6 - All disturbed and bare soil areas, including reinforced earth slope areas, to be seeded with buffer seed mix.									

TREE AND SHRUB PLANTING ON STEEP SLOPE

NOT TO SCALE



SOURCES:

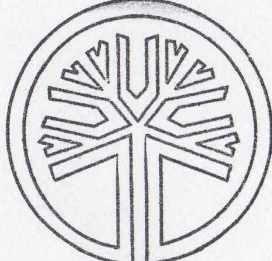


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F. 253.514.8954
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GIG HARBOR, WASHINGTON 98335

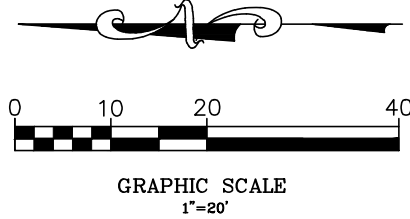
COTTAGES AT ROSEDALE VILLAGE
8020 SHIRLEY AVENUE
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THE SE ¼ OF SECTION 6, TOWNSHIP 21N, RANGE 21E, W.M.

DATE: 12/19/2018
JOB: 1491.0001
BY: JR / DS
SCALE: SEE GRAPHIC
SHEET 4 OF 5

COTTAGES AT ROSEDALE VILLAGE - MITIGATION PLANTING AT SMZ



STATE OF
WASHINGTON
REGISTERED
LANDSCAPE ARCHITECT
David H. Sorey
DAVID FORREST SOREY
CERTIFICATE NO. 871



PRELIMINARY
INFORMATION ONLY

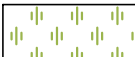
NOT FOR CONSTRUCTION

OUNDVIEW CONSULTANTS, LLC. ASSUMES
NO LIABILITY OR RESPONSIBILITY FOR
CONSTRUCTION, IMPROVEMENTS, OR
ESTIMATES BASED ON THIS PLAN SET

NT SYMBOL LEGEND

<u>TREES</u>	<u>QUANTITIES</u>
<i>PICEA SITCHENSIS</i> SITKA SPRUCE	10
<u>SHRUBS</u>	
<i>CORNUS SERICEA</i> / RED-OSIER DOGWOOD	13
<i>CORYLUS CORNUTA</i> WESTERN HAZELNUT	4
<i>GAULTHERIA SHALLON</i> SALAL	24
<i>MAHONIA AQUIFOLIUM</i> / TALL OREGON GRAPE	29
<i>POLYSTICHUM MUNITUM</i> / WESTERN SWORD FERN	32
<i>RIBES SANGUINEUM</i> / RED FLOWERING CURRANT	30
<i>VACCINIUM OVATUM</i> EVERGREEN HUCKLEBERRY	9

SEED MIXES



BUFFER / DRY SOIL SEED MIX
THROUGHOUT ALL DISTURBED AREAS:
SUNMARK SEEDS NATIVE EROSION CONTROL
MIX OR PROVEN EQUIVALENT
40% MEADOW BARLEY
35% CALIFORNIA BROME
20% NATIVE RED FESCUE
3% TUFTED HAIRGRASS
2% SPIKE BENTGRASS
EcoLive w/Mycorrhizae

NOTE: PLANTING DENSITY AND LOCATIONS
MAY REQUIRE ADJUSTMENT IN THE FIELD TO
ACCOMMODATE EXISTING NATIVE
VEGETATION TO REMAIN.

SOURCES:

The logo for Contour Engineering, LLC. The word "CONTOUR" is written in a large, bold, sans-serif font. The letters are filled with a green-to-yellow gradient and have a wavy, topographical pattern. To the right of "CONTOUR", the words "ENGINEERING • LLC" are written in a smaller, black, sans-serif font, stacked vertically.

Soundview Consultants LLC
Environmental Assessment • Planning • Land Use Solutions

2907 HARBORVIEW DRIVE, SUITE D
GIG HARBOR, WASHINGTON 98335
P. 253.514.8952
F. 253.514.8954
WWW.SOUNDVIEWCONSULTANTS.COM

COTTAGES AT ROSEDALE
VILLAGE
8020 SHIRLEY AVENUE
GIG HARBOR, WASHINGTON 98332

THE SE ¼ OF SECTION 6, TOWNSHIP 21N,
RANGE 2E, W.M.

DATE: 12/19/2018

JOB: 1491.0001

BY: JR / DS

SCALE: SEE GRAPHIC

SHEET 5 OF 5

Appendix D — Action Area Map

COTTAGES AT ROSEDALE VILLAGE - ACTION AREA



Soundview Consultants LLC

Environmental Assessment • Planning • Land Use Solutions

2907 HARBORVIEW DRIVE, SUITE D
GIG HARBOR, WASHINGTON 98335

P. 253.514.8952
F. 253.514.8954

WWW.SOUNDVIEWCONSULTANTS.COM

COTTAGES AT ROSEDALE VILLAGE

8020 Shirley Avenue
Gig Harbor, WA 98332

Pierce County Parcel Numbers:

0221064103, 0221064100, 0221064104, 0221064068,
0221064093, 0221068008, 0221068007, 0221068006,
0221064120, 0221064070, and 0221064154

DATE: 6/20/2017

JOB: 1491.0001

BY: DLS

SCALE: 1" = 750'

FIGURE NO. 1

Appendix E — Data Sheets

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP-1
 Investigator(s): Richard Peel, Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33583 Long: 122.59319 Datum: WGS 84
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: All three wetland criteria observed.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>5</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>83</u> (A/B)
1. <u>Acer macrophyllum</u>	<u>40</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alnus rubra</u>	<u>20</u>	<u>Y</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<u>80</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: 15 ft)				
1. <u>Rubus spectabilis</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
2. _____	_____	_____	_____	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☒ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
<u>60</u> = Total Cover				Hydrophytic Vegetation Present? Yes ☒ No ☐
Herb Stratum (Plot size: 5 ft)				
1. <u>Tolmiea menzeisii</u>	<u>20</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Athyrium felix-femina spp. cyclosorum</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>	
3. <u>Lysichiton americanum</u>	<u>10</u>	<u>Y</u>	<u>OBL</u>	Hydrophytic Vegetation Present? Yes ☒ No ☐
4. <u>Tiarella trifoliata</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
5. <u>wort sp</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
<u>85</u> = Total Cover				
Woody Vine Stratum (Plot size: 50 ft)				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
_____ = Total Cover				
% Bare Ground in Herb Stratum <u>15</u>				
Remarks:				

SOIL

Sampling Point: DP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-3	10YR 3/1	100	11				SalO	Sandy Loam
3-12	5BG 5/1	97	10YR/5/6	3	C/CS	M	GrLoSa	Gravelly Loamy Sand

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Sandy Redox (S5)	☐ 2 cm Muck (A10)
☐ Histic Epipedon (A2)	☐ Stripped Matrix (S6)	☐ Red Parent Material (TF2)
☐ Black Histic (A3)	☐ Loamy Mucky Mineral (F1) (except MLRA 1)	☐ Very Shallow Dark Surface (TF12)
☒ Hydrogen Sulfide (A4)	☐ Loamy Gleyed Matrix (F2)	☐ Other (Explain in Remarks)
☐ Depleted Below Dark Surface (A11)	☐ Depleted Matrix (F3)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
☐ Thick Dark Surface (A12)	☐ Redox Dark Surface (F6)	
☐ Sandy Mucky Mineral (S1)	☐ Depleted Dark Surface (F7)	
☒ Sandy Gleyed Matrix (S4)	☐ Redox Depressions (F8)	

Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
--	---

Remarks: Hydric soil indicators A4 and S4 observed.

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	Secondary Indicators (2 or more required) ☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☒ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No ☒ Depth (inches): <u>10</u> Saturation Present? Yes ☒ No ☐ Depth (inches): <u>6</u> (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
---	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Water observed at 110 inches below ground surface.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
Applicant/Owner: Norpoint State: WA Sampling Point: DP2
Investigator(s): Richard Peel /Emily Swaim Section, Township, Range: W6/21/02
Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): _____
Subregion (LRR): A2 Lat: 47.33592 Long: 122.59315 Datum: _____
Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation, Soil, or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation, Soil, or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☐ No ☒	Is the Sampled Area within a Wetland?	Yes ☐ No ☒
Hydric Soil Present?	Yes ☐ No ☒		
Wetland Hydrology Present?	Yes ☐ No ☒		
Remarks: No wetland criteria observed.			

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)		Absolute % Cover	Dominant Species?	Indicator Status
1.	<u>Acer macrophyllum</u>	<u>50</u>	<u>Y</u>	<u>FACU</u>
2.	<u>Alnus rubra</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>
3.				
4.				
		<u>90</u>	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft)				
1.	<u>Corylus cornuta</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>
2.				
3.				
4.				
5.				
		<u>30</u>	= Total Cover	
Herb Stratum (Plot size: 5 ft)				
1.	<u>Polystichum munitum</u>	<u>80</u>	<u>Y</u>	<u>FACU</u>
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
		<u>80</u>	= Total Cover	
Woody Vine Stratum (Plot size: 30 ft)				
1.				
2.				
			= Total Cover	
% Bare Ground in Herb Stratum		<u>20</u>		
Remarks: <50 percent FAC or wetter. Does not meet prevalence index.				

Dominance Test worksheet:	
Number of Dominant Species That Are OBL, FACW, or FAC:	<u>1</u> (A)
Total Number of Dominant Species Across All Strata:	<u>4</u> (B)
Percent of Dominant Species That Are OBL, FACW, or FAC:	<u>0</u> (A/B)
Prevalence Index worksheet:	
Total % Cover of:	Multiply by:
OBL species <u> </u>	x 1 = <u> </u>
FACW species <u> </u>	x 2 = <u> </u>
FAC species <u>40</u>	x 3 = <u>120</u>
FACU species <u>160</u>	x 4 = <u>640</u>
UPL species <u> </u>	x 5 = <u> </u>
Column Totals: <u>200</u>	(A) <u>760</u> (B)
Prevalence Index = B/A = <u>3.8</u>	
Hydrophytic Vegetation Indicators:	
☐ Rapid Test for Hydrophytic Vegetation	
☐ Dominance Test is >50%	
☐ Prevalence Index is ≤3.0 ¹	
☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)	
☐ Wetland Non-Vascular Plants ¹	
☐ Problematic Hydrophytic Vegetation ¹ (Explain)	
¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.	
Hydrophytic Vegetation Present?	
Yes ☐	No ☒

SOIL

Sampling Point: DP2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-2	10YR 4/3	98	10 YR 5/6	2	C	M	SiLo	Unconsolidated Silt loam
Silt 12-10	10YR5/1	100					SiLo	compressed Silt loam

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4)	Indicators for Problematic Hydric Soils³: ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8) ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)
--	---

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
--	---

Remarks: Chroma too high on A horizon

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)
☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes ☐ No ☒
---	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No hydrology found

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP3
 Investigator(s): Richard Peel /Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): _____
 Subregion (LRR): A2 Lat: 47.33556 Long: 122.59297 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: All three wetland parameters found.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>80</u> (A/B)
1. <u>Acer macrophyllum</u>	<u>40</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alnus rubra</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<u>80</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15 ft</u>)				
1. <u>Rubus spectabilis</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
2. _____	_____	_____	_____	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☐ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
<u>_____</u> = Total Cover				
Herb Stratum (Plot size: <u>5 ft</u>)				
1. <u>Tolmiea menziesii</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Lysichiton americanum</u>	<u>20</u>	<u>Y</u>	<u>OBL</u>	
3. <u>Athyrium felix-femina spp.cyclosorum</u>	<u>10</u>	<u>N</u>	<u>FAC</u>	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
<u>70</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>30 ft</u>)				
1. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
2. _____	_____	_____	_____	
<u>_____</u> = Total Cover				
% Bare Ground in Herb Stratum <u>30</u>				
Remarks: Greater than 50% FAC or wetter.				

SOIL

Sampling Point: DP3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-14	2.5Y 2.5/1	98	5 GY 4/1	2	D	M	SalO	Sandy Loam w/ organics

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☒ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4) ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
---	--

Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
--	---

Remarks: A4 Hydric soil indicators found

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☒ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)	

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☒ No ☐ Depth (inches): <u>0</u> (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
--	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Hydrology observed.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/27/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP4
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): _____
 Subregion (LRR): A2 Lat: 47.33449 Long: 122.593477 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: Not all three wetland criteria observed.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>25</u> (A/B)
1. <u>Acer macrophyllum</u>	<u>50</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alnus rubra</u>	<u>10</u>	<u>N</u>	<u>FAC</u>	
3. <u>Thuja plicata</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	
4. _____	_____	_____	_____	
<u>65</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15 ft</u>)				
1. <u>Vaccinium parvaflorum</u>	<u>40</u>	<u>Y</u>	<u>FACU</u>	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species <u>35</u> x 3 = <u>105</u> FACU species <u>140</u> x 4 = <u>560</u> UPL species _____ x 5 = _____ Column Totals: <u>175</u> (A) <u>665</u> (B) Prevalence Index = B/A = <u>3.8</u>
2. <u>Rubus spectabilis</u>	<u>20</u>	<u>Y</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
<u>60</u> = Total Cover				
Herb Stratum (Plot size: <u>5 ft</u>)				
1. <u>Polystichum munitum</u>	<u>50</u>	<u>Y</u>	<u>FACU</u>	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
<u>50</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>50 ft</u>)				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
_____ = Total Cover				
% Bare Ground in Herb Stratum <u>50</u>				
Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☐ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.				
Hydrophytic Vegetation Present? Yes ☐ No ☒				
Remarks: <50 percent vegetation FAC or wetter. Does not meet prevalence index.				

SOIL

Sampling Point: DP4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-3	10YR 2/2	100			c/cs	M	SaLo	Sandy loam
3-16	10YR 3/3	90	10YR 4/6	10	C/CS	M	SaLo	Unconsolidated

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4) ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☒ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
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Remarks: Hydric soil indicator F8 observed.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)	

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): <u>0</u> (includes capillary fringe)	Wetland Hydrology Present? Yes ☐ No ☒
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No hydrology indicators found

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/27/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP5
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.59355 Long: 122.593477 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: All three parameters observed	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>75</u> (A/B)
1. <u>Acer macrophyllum</u>	<u>40</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alnus rubra</u>	<u>30</u>	<u>y</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<u>70</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: 15 ft)				
1. <u>Rubus spectabilis</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
2. _____	_____	_____	_____	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☒ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
<u>40</u> = Total Cover				
Herb Stratum (Plot size: 5 ft)				
1. <u>Tolmiea menzeisii</u>	<u>80</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Macrophyllum tenuipes</u>	<u>10</u>	<u>N</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
<u>90</u> = Total Cover				
Woody Vine Stratum (Plot size: 50 ft)				
1. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
2. _____	_____	_____	_____	
_____ = Total Cover				
% Bare Ground in Herb Stratum <u>10</u>				
Remarks: Greater than 50 percent FAC or wetter				

SOIL

Sampling Point: DP5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-7	10YR 2/1	97	5GY 4/1	3	D	M	SA MU MI	redox in sand
7-12	5GY 4/1	95	10YR 4/4	5	CS	M	Gleyed sand	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☒ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4)	☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☒ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
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Remarks: S1 and F6 observed

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)
☐ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☒ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☒ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☒ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No ☐ Depth (inches): <u>8</u> Saturation Present? Yes ☒ No ☐ Depth (inches): <u>0</u> (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Direct observation of hydrology at 8 inches below ground surface.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP6
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33354 Long: 122.59328 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: All three wetland criteria met.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>67</u> (A/B)
1. <u>Acer macrophyllum</u>	<u>55</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alnus rubra</u>	<u>10</u>	<u>N</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<u>65</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: 15 ft)				
1. <u>Rubus spectabilis</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Oemlaria cerasiformis</u>	<u>2</u>	<u>N</u>	<u>FACU</u>	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☒ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
<u>12</u> = Total Cover				Hydrophytic Vegetation Present? Yes ☒ No ☐
Herb Stratum (Plot size: 5 ft)				
1. <u>Tolmiea menzeisii</u>	<u>5</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Athyrium felix-femina spp. cyclosorum</u>	<u>5</u>	<u>Y</u>	<u>FAC</u>	
3. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
4. <u>Ranunculus repens</u>	<u>5</u>	<u>Y</u>	<u>FAC</u>	
5. <u>Polystichum munitum</u>	<u>5</u>	<u>Y</u>	<u>FACU</u>	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
<u>20</u> = Total Cover				
Woody Vine Stratum (Plot size: 50 ft)				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
_____ = Total Cover				
% Bare Ground in Herb Stratum <u>80</u>				
Remarks: Greater than 50 percent of vegetation FAC or wetter.				

SOIL

Sampling Point: DP6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-5	10YR 3/1	100					SalO	Sandy loam
5-10	10YR3/1	97	5YR/4/6	3	C	M/PL	GrSaLo	Gravelly Sandy Loam
10-16	10YR 4/1	95	10YR 5/3	5	C/CS	M/PL	GrSa	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☒ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4)	☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
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Remarks: A4 present

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	Secondary Indicators (2 or more required) ☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☒ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No ☐ Depth (inches): <u>10</u> Saturation Present? Yes ☒ No ☐ Depth (inches): <u>6</u> (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: A3 observed at 10 inches

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/27/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP7
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33573 Long: 122.59269 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: All three wetland criteria observed.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>6</u> (A) Total Number of Dominant Species Across All Strata: <u>8</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>75</u> (A/B)
1. <u>Alnus rubra</u>	<u>50</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Acer macrophyllum</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<u>80</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: 15 ft)				
1. <u>Rubus spectabilis</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Thuja plicata</u>	<u>20</u>	<u>Y</u>	<u>FAC</u>	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☒ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
<u>60</u> = Total Cover				Hydrophytic Vegetation Present? Yes ☒ No ☐
Herb Stratum (Plot size: 5 ft)				
1. <u>Polystichum munitum</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Equisetum arvense</u>	<u>30</u>	<u>Y</u>	<u>FAC</u>	
3. <u>Lysichiton americanum</u>	<u>20</u>	<u>Y</u>	<u>OBL</u>	Hydrophytic Vegetation Present? Yes ☒ No ☐
4. <u>Tolmiea menzeisii</u>	<u>20</u>	<u>Y</u>	<u>FAC</u>	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
<u>100</u> = Total Cover				
Woody Vine Stratum (Plot size: 50 ft)				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
_____ = Total Cover				
% Bare Ground in Herb Stratum <u>30</u>				
Remarks:				

SOIL

Sampling Point: DP7

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-10	10YR 2/2	98	10YR 3/6	2	C	M	SalO	Sandy loam
10-18	10YR 5/1	90	10YR/5/8	10	C	M	SiLo	Silt loam

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☒ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4) ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
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Remarks: A11 observed

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)
☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☒ Water Marks (B1) ☐ Sediment Deposits (B2) ☒ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☒ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☒ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No direct observation of hydrology, but primary indicators B1 and B3 observed.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/27/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP8
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33572 Long: 122.59265 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: No wetland criteria observed.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>20</u> (A/B)
1. <u>Acer macrophyllum</u>	<u>75</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alnus rubra</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
			<u>80</u> = Total Cover	
Sapling/Shrub Stratum (Plot size: <u>15 ft</u>)				
1. <u>Oemleria cerasiformis</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species <u>45</u> x 3 = <u>135</u> FACU species <u>145</u> x 4 = <u>580</u> UPL species _____ x 5 = _____ Column Totals: <u>190</u> (A) <u>715</u> (B) Prevalence Index = B/A = <u>3.76</u>
2. <u>Rubus spectabilis</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>	
3. <u>Ilex aquifolium</u>	<u>10</u>	<u>N</u>	<u>FACU</u>	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
			<u>60</u> = Total Cover	
Herb Stratum (Plot size: <u>5 ft</u>)				
1. <u>Polystichum munitum</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
2. <u>Hedra helix</u>	<u>20</u>	<u>Y</u>	<u>FACU</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
			<u>50</u> = Total Cover	
Woody Vine Stratum (Plot size: <u>50 ft</u>)				
1. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☐ No ☒
2. _____	_____	_____	_____	
			_____ = Total Cover	
% Bare Ground in Herb Stratum <u>50</u>				
Remarks: Hydrophytic vegetation criteria not observed. Does not meet prevalence index.				

SOIL

Sampling Point: DP8

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-10	10YR 2/2	100					SaGrLo	Sandy Gravelly Loam

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4) ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
--	--

Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
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Remarks: Thick roots restricted layer. No hydric soils found.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)	

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes ☐ No ☒
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No hydrology found

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/28/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP9
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33560 Long: 122.59199 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: All three wetland criteria observed.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
1. <u>Alnus rubra</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Acer macrophyllum</u>	<u>10</u>	<u>N</u>	<u>FACU</u>	
3. <u>Thuja plicata</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<u>51</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: 15 ft)				
1. <u>Rubus spectabilis</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Rubus armeniacus</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☒ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
<u>45</u> = Total Cover				Hydrophytic Vegetation Present? Yes ☒ No ☐
Herb Stratum (Plot size: 5 ft)				
1. <u>Tolmiea menzeisii</u>	<u>15</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Equisetum arvense</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
3. <u>Lysichiton americanum</u>	<u>10</u>	<u>Y</u>	<u>OBL</u>	Hydrophytic Vegetation Present? Yes ☒ No ☐
4. <u>Equisetum arvense</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
5. <u>Maianthemum dilatatum</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
6. <u>Urtica dioica</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
7. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
<u>29</u> = Total Cover				
Woody Vine Stratum (Plot size: 50 ft)				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
_____ = Total Cover				
% Bare Ground in Herb Stratum <u>71</u>				
Remarks: Greater than 50 percent FAC or wetter.				

SOIL

Sampling Point: DP9

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-12	10YR 2/1	100			C	M	SalO	Sandy loam
12-16	5GY 4/1	90	10YR/3/6	10	C	M	Loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)	Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☒ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☒ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4)	☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☒ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)

Restrictive Layer (if present):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes ☒ No ☐

Remarks: A4 and A12 observed with prominent redoximorphic features.

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	Secondary Indicators (2 or more required) ☒ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☒ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)

Field Observations:	Wetland Hydrology Present?
Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): <u>14</u> Saturation Present? Yes ☐ No ☒ Depth (inches): <u>6</u> (includes capillary fringe)	Yes ☒ No ☐

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: A3 observed slight C1

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP10
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33576 Long: 122.59156 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☐ No ☒	
Remarks: Not all three wetland criteria observed.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>60</u> (A/B)
1. <u>Acer macrophyllum</u>	<u>90</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alnus rubra</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<u>95</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: 15 ft)				
1. <u>Rubus armeniacus</u>	<u>20</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Rubus spectabilis</u>	<u>15</u>	<u>Y</u>	<u>FAC</u>	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☒ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. <u>Corylus cornuta</u>	<u>1</u>	<u>N</u>	<u>FACU</u>	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
<u>36</u> = Total Cover				Hydrophytic Vegetation Present? Yes ☒ No ☐
Herb Stratum (Plot size: 5 ft)				
1. <u>Rubus ursinus</u>	<u>5</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Blechnum spicant</u>	<u>5</u>	<u>Y</u>	<u>FACU</u>	
3. <u>Phalaris arundanacea</u>	<u>1</u>	<u>N</u>	<u>FACW</u>	Hydrophytic Vegetation Present? Yes ☒ No ☐
4. <u>Carex leptopoda</u>	<u>3</u>	<u>Y</u>	<u>FAC</u>	
5. <u>Tolmiea menziesii</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
<u>15</u> = Total Cover				
Woody Vine Stratum (Plot size: 50 ft)				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
_____ = Total Cover				
% Bare Ground in Herb Stratum <u>85</u>				
Remarks:				

SOIL

Sampling Point: DP10

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-4	10YR 2/2	100					GSL	
4-6	2.5YR4/4	100					sand	
6-16	10YR 3/2	100					grasa	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☒ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4) ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
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Remarks:

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☒ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)	

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No hydrology indicators observed

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP11
 Investigator(s): Richard Peel/Emily Swain Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33535 Long: 122.59139 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks:	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>66</u> (A/B)
1. <u>Acer macrophyllum</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alnus rubra</u>	<u>15</u>	<u>Y</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<u>45</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: 15 ft)				
1. <u>Oemleria cerasiformis</u>	<u>5</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Rubus spectabilis</u>	<u>15</u>	<u>Y</u>	<u>FAC</u>	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☒ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. <u>Lonicera involucrata</u>	<u>5</u>	<u>Y</u>	<u>FAC</u>	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
<u>25</u> = Total Cover				Hydrophytic Vegetation Present? Yes ☒ No ☐
Herb Stratum (Plot size: 5 ft)				
1. <u>Ranunculus repens</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Equisetum arvense</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	
3. <u>Tolmieia menziesii</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	Hydrophytic Vegetation Present? Yes ☒ No ☐
4. <u>Urtica dioica</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	
5. <u>Oenanthe sarmentosa</u>	<u>1</u>	<u>N</u>	<u>OBL</u>	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
<u>52</u> = Total Cover				
Woody Vine Stratum (Plot size: 50 ft)				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
_____ = Total Cover				
% Bare Ground in Herb Stratum <u>48</u>				
Remarks: <u>Hydrophytic vegetation criteria observed.</u>				

SOIL

Sampling Point: DP11

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-12	7.5YR 2.5/1	100					SalO	Sandy loam
12-16	N4/1	100			C	M/PL	GrSa	Gravelly sand

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☒ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☒ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4)	☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
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Remarks: Hydric soil indicators A4 and A12 observed.

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	Secondary Indicators (2 or more required) ☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☒ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No ☐ Depth (inches): <u>16</u> Saturation Present? Yes ☒ No ☐ Depth (inches): <u>6</u> (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Primary indicators of wetland hydrology A3 and C1 observed.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP12
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33527 Long: 122.59117 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks:	

VEGETATION – Use scientific names of plants.

<u>Tree Stratum</u> (Plot size: <u>30 ft</u>) <table style="width: 100%;"> <thead> <tr> <th></th> <th style="text-align: center;">Absolute % Cover</th> <th style="text-align: center;">Dominant Species?</th> <th style="text-align: center;">Indicator Status</th> </tr> </thead> <tbody> <tr><td>1. <u>Alnus rubra</u></td><td style="text-align: center;">100</td><td style="text-align: center;">Y</td><td style="text-align: center;">FAC</td></tr> <tr><td>2. _____</td><td></td><td></td><td></td></tr> <tr><td>3. _____</td><td></td><td></td><td></td></tr> <tr><td>4. _____</td><td></td><td></td><td></td></tr> <tr><td colspan="4" style="text-align: right;">100 = Total Cover</td></tr> </tbody> </table> <u>Sapling/Shrub Stratum</u> (Plot size: <u>15 ft</u>) <table style="width: 100%;"> <tbody> <tr><td>1. <u>Rubus spectabilis</u></td><td style="text-align: center;">1</td><td style="text-align: center;">Y</td><td style="text-align: center;">FAC</td></tr> <tr><td>2. _____</td><td></td><td></td><td></td></tr> <tr><td>3. _____</td><td></td><td></td><td></td></tr> <tr><td>4. _____</td><td></td><td></td><td></td></tr> <tr><td>5. _____</td><td></td><td></td><td></td></tr> <tr><td colspan="4" style="text-align: right;">1 = Total Cover</td></tr> </tbody> </table> <u>Herb Stratum</u> (Plot size: <u>5 ft</u>) <table style="width: 100%;"> <tbody> <tr><td>1. <u>Ranunculus repens</u></td><td style="text-align: center;">40</td><td style="text-align: center;">Y</td><td style="text-align: center;">FAC</td></tr> <tr><td>2. <u>Urtica dioica</u></td><td style="text-align: center;">20</td><td style="text-align: center;">Y</td><td style="text-align: center;">FACW</td></tr> <tr><td>3. <u>Phalaris arundinacea</u></td><td style="text-align: center;">15</td><td style="text-align: center;">N</td><td style="text-align: center;">FACW</td></tr> <tr><td>4. <u>Equisetum arvense</u></td><td style="text-align: center;">5</td><td style="text-align: center;">N</td><td style="text-align: center;">FAC</td></tr> <tr><td>5. _____</td><td></td><td></td><td></td></tr> <tr><td>6. _____</td><td></td><td></td><td></td></tr> <tr><td>7. _____</td><td></td><td></td><td></td></tr> <tr><td>8. _____</td><td></td><td></td><td></td></tr> <tr><td>9. _____</td><td></td><td></td><td></td></tr> <tr><td>10. _____</td><td></td><td></td><td></td></tr> <tr><td>11. _____</td><td></td><td></td><td></td></tr> <tr><td colspan="4" style="text-align: right;">80 = Total Cover</td></tr> </tbody> </table> <u>Woody Vine Stratum</u> (Plot size: <u>50 ft</u>) <table style="width: 100%;"> <tbody> <tr><td>1. _____</td><td></td><td></td><td></td></tr> <tr><td>2. _____</td><td></td><td></td><td></td></tr> <tr><td colspan="4" style="text-align: right;">= Total Cover</td></tr> </tbody> </table> % Bare Ground in Herb Stratum <u>20</u>		Absolute % Cover	Dominant Species?	Indicator Status	1. <u>Alnus rubra</u>	100	Y	FAC	2. _____				3. _____				4. _____				100 = Total Cover				1. <u>Rubus spectabilis</u>	1	Y	FAC	2. _____				3. _____				4. _____				5. _____				1 = Total Cover				1. <u>Ranunculus repens</u>	40	Y	FAC	2. <u>Urtica dioica</u>	20	Y	FACW	3. <u>Phalaris arundinacea</u>	15	N	FACW	4. <u>Equisetum arvense</u>	5	N	FAC	5. _____				6. _____				7. _____				8. _____				9. _____				10. _____				11. _____				80 = Total Cover				1. _____				2. _____				= Total Cover				Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B) Prevalence Index worksheet: <table style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Total % Cover of:</th> <th style="text-align: left;">Multiply by:</th> </tr> </thead> <tbody> <tr><td>OBL species _____</td><td>x 1 = _____</td></tr> <tr><td>FACW species _____</td><td>x 2 = _____</td></tr> <tr><td>FAC species _____</td><td>x 3 = _____</td></tr> <tr><td>FACU species _____</td><td>x 4 = _____</td></tr> <tr><td>UPL species _____</td><td>x 5 = _____</td></tr> <tr><td>Column Totals: _____</td><td>(A) _____ (B) _____</td></tr> <tr><td colspan="2" style="text-align: center;">Prevalence Index = B/A = _____</td></tr> </tbody> </table> Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☒ Dominance Test is >50% ☐ Prevalence Index is ≤3.0¹ ☐ Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants¹ ☐ Problematic Hydrophytic Vegetation¹ (Explain) ¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic. Hydrophytic Vegetation Present? Yes ☒ No ☐	Total % Cover of:	Multiply by:	OBL species _____	x 1 = _____	FACW species _____	x 2 = _____	FAC species _____	x 3 = _____	FACU species _____	x 4 = _____	UPL species _____	x 5 = _____	Column Totals: _____	(A) _____ (B) _____	Prevalence Index = B/A = _____	
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SOIL

Sampling Point: DP12

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-6	10 YR 2/2	100					SalO	Sandy Loam
6-16	2.5YR 4/2	99	10YR 3/3	1	CS	M	Sa	Sand

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4) ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
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Remarks: No hydric soils indicators observed.

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	Secondary Indicators (2 or more required) ☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☒ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks) ☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes ☐ No ☒
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No primary hydrology indicators observed

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP13
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33259 Long: 122.59222 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: All three wetland criteria observed.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>6</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
1. <u>Alnus rubra</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Thuja plicata</u>	<u>5</u>	<u>Y</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<u>15</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15 ft</u>)				
1. <u>Fraxinus latifolia</u>	<u>10</u>	<u>Y</u>	<u>FACW</u>	
2. <u>Rubus armeniacus</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>	Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☒ Dominance Test is >50% ☐ Prevalence Index is ≤3.0 ¹ ☐ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. <u>Oemleria cerasiformis</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	
4. <u>Rosa nootkana</u>	<u>15</u>	<u>Y</u>	<u>FAC</u>	
5. _____	_____	_____	_____	
<u>40</u> = Total Cover				
Herb Stratum (Plot size: <u>5 ft</u>)				
1. <u>Carex obnupta</u>	<u>30</u>	<u>Y</u>	<u>OBL</u>	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
<u>30</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>50 ft</u>)				
1. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes ☒ No ☐
2. _____	_____	_____	_____	
_____ = Total Cover				
% Bare Ground in Herb Stratum <u>70</u>				
Remarks: Hydrophytic vegetation criteria observed.				

SOIL

Sampling Point: DP13

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-8	10YR 2/1	95	7.5 YR2.5/3	5	C	PL	SiLo	Silt loam
8-16	10YR3/3	98	10YR 4/4	2	C	PL	SiLo	Silt loam

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4) ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☒ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☒ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
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Remarks: F6 observed

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)
☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☒ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☒ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Geomorphic position/ FAC neutral and Oxidized rhizospheres

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP14
 Investigator(s): Richard Pee/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33246 Long: 122.59228 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: No wetland parameters observed.	

VEGETATION – Use scientific names of plants.

<u>Tree Stratum</u> (Plot size: <u>30 ft</u>) <table style="width: 100%;"> <thead> <tr> <th></th> <th style="text-align: center;">Absolute % Cover</th> <th style="text-align: center;">Dominant Species?</th> <th style="text-align: center;">Indicator Status</th> </tr> </thead> <tbody> <tr><td>1. <u>Acer macrophyllum</u></td><td style="text-align: center;"><u>20</u></td><td style="text-align: center;"><u>Y</u></td><td style="text-align: center;"><u>FACU</u></td></tr> <tr><td>2. <u>Alnus rubra</u></td><td style="text-align: center;"><u>20</u></td><td style="text-align: center;"><u>Y</u></td><td style="text-align: center;"><u>FAC</u></td></tr> <tr><td>3. <u>Thuja plicata</u></td><td style="text-align: center;"><u>10</u></td><td style="text-align: center;"><u>Y</u></td><td style="text-align: center;"><u>FAC</u></td></tr> <tr><td>4. _____</td><td></td><td></td><td></td></tr> <tr><td colspan="4" style="text-align: right;"><u>50</u> = Total Cover</td></tr> </tbody> </table> <u>Sapling/Shrub Stratum</u> (Plot size: <u>15 ft</u>) <table style="width: 100%;"> <tbody> <tr><td>1. <u>Corylus cornuta</u></td><td style="text-align: center;"><u>30</u></td><td style="text-align: center;"><u>Y</u></td><td style="text-align: center;"><u>FACU</u></td></tr> <tr><td>2. <u>Oemlaria cerasiformis</u></td><td style="text-align: center;"><u>5</u></td><td style="text-align: center;"><u>N</u></td><td style="text-align: center;"><u>FACU</u></td></tr> <tr><td>3. <u>Ilex aquifolium</u></td><td style="text-align: center;"><u>5</u></td><td style="text-align: center;"><u>N</u></td><td style="text-align: center;"><u>FAC</u></td></tr> <tr><td>4. <u>Thuja plicata</u></td><td style="text-align: center;"><u>1</u></td><td style="text-align: center;"><u>N</u></td><td style="text-align: center;"><u>FAC</u></td></tr> <tr><td>5. _____</td><td></td><td></td><td></td></tr> <tr><td colspan="4" style="text-align: right;"><u>41</u> = Total Cover</td></tr> </tbody> </table> <u>Herb Stratum</u> (Plot size: <u>5 ft</u>) <table style="width: 100%;"> <tbody> <tr><td>1. <u>Polystichum munitum</u></td><td style="text-align: center;"><u>25</u></td><td style="text-align: center;"><u>Y</u></td><td style="text-align: center;"><u>FACU</u></td></tr> <tr><td>2. <u>Rubus ursinus</u></td><td style="text-align: center;"><u>5</u></td><td style="text-align: center;"><u>N</u></td><td style="text-align: center;"><u>FACU</u></td></tr> <tr><td>3. <u>Carex lepoda</u></td><td style="text-align: center;"><u>5</u></td><td style="text-align: center;"><u>N</u></td><td style="text-align: center;"><u>FAC</u></td></tr> <tr><td>4. <u>Tolmiea menziesii</u></td><td style="text-align: center;"><u>5</u></td><td style="text-align: center;"><u>N</u></td><td style="text-align: center;"><u>FAC</u></td></tr> <tr><td>5. _____</td><td></td><td></td><td></td></tr> <tr><td>6. _____</td><td></td><td></td><td></td></tr> <tr><td>7. _____</td><td></td><td></td><td></td></tr> <tr><td>8. _____</td><td></td><td></td><td></td></tr> <tr><td>9. _____</td><td></td><td></td><td></td></tr> <tr><td>10. _____</td><td></td><td></td><td></td></tr> <tr><td>11. _____</td><td></td><td></td><td></td></tr> <tr><td colspan="4" style="text-align: right;"><u>40</u> = Total Cover</td></tr> </tbody> </table> <u>Woody Vine Stratum</u> (Plot size: <u>50 ft</u>) <table style="width: 100%;"> <tbody> <tr><td>1. _____</td><td></td><td></td><td></td></tr> <tr><td>2. _____</td><td></td><td></td><td></td></tr> <tr><td colspan="4" style="text-align: right;">_____ = Total Cover</td></tr> </tbody> </table> % Bare Ground in Herb Stratum <u>60</u>		Absolute % Cover	Dominant Species?	Indicator Status	1. <u>Acer macrophyllum</u>	<u>20</u>	<u>Y</u>	<u>FACU</u>	2. <u>Alnus rubra</u>	<u>20</u>	<u>Y</u>	<u>FAC</u>	3. <u>Thuja plicata</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>	4. _____				<u>50</u> = Total Cover				1. <u>Corylus cornuta</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>	2. <u>Oemlaria cerasiformis</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	3. <u>Ilex aquifolium</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	4. <u>Thuja plicata</u>	<u>1</u>	<u>N</u>	<u>FAC</u>	5. _____				<u>41</u> = Total Cover				1. <u>Polystichum munitum</u>	<u>25</u>	<u>Y</u>	<u>FACU</u>	2. <u>Rubus ursinus</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	3. <u>Carex lepoda</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	4. <u>Tolmiea menziesii</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	5. _____				6. _____				7. _____				8. _____				9. _____				10. _____				11. _____				<u>40</u> = Total Cover				1. _____				2. _____				_____ = Total Cover				Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>40</u> (A/B) Prevalence Index worksheet: <table style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Total % Cover of:</th> <th style="text-align: left;">Multiply by:</th> </tr> </thead> <tbody> <tr><td>OBL species _____</td><td>x 1 = _____</td></tr> <tr><td>FACW species _____</td><td>x 2 = _____</td></tr> <tr><td>FAC species <u>46</u></td><td>x 3 = <u>138</u></td></tr> <tr><td>FACU species <u>85</u></td><td>x 4 = <u>340</u></td></tr> <tr><td>UPL species _____</td><td>x 5 = _____</td></tr> <tr><td>Column Totals: <u>131</u> (A)</td><td><u>478</u> (B)</td></tr> </tbody> </table> Prevalence Index = B/A = <u>3.64</u> Hydrophytic Vegetation Indicators: ☐ Rapid Test for Hydrophytic Vegetation ☐ Dominance Test is >50% ☐ Prevalence Index is ≤3.0¹ ☐ Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet) ☐ Wetland Non-Vascular Plants¹ ☐ Problematic Hydrophytic Vegetation¹ (Explain) ¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic. Hydrophytic Vegetation Present? Yes ☐ No ☒	Total % Cover of:	Multiply by:	OBL species _____	x 1 = _____	FACW species _____	x 2 = _____	FAC species <u>46</u>	x 3 = <u>138</u>	FACU species <u>85</u>	x 4 = <u>340</u>	UPL species _____	x 5 = _____	Column Totals: <u>131</u> (A)	<u>478</u> (B)
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Remarks: Hydrophytic vegetation criteria not observed. Does not meet prevalence index.																																																																																																																											

SOIL

Sampling Point: DP14

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-18	10YR 4/3	100					SiLo	Silt Loam

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Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4) ☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
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Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☐ No ☒
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Remarks: No hydric soils criteria observed.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☒ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☒ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☐ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)	

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes ☐ No ☒
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No primary nor secondary indicators of hydrology observed.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/2016
 Applicant/Owner: Norpoint State: WA Sampling Point: DP15
 Investigator(s): Richard Peel/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33079 Long: 122.59274 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present? Yes ☐ No ☒	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks: Did not meet all three wetland criteria	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>5</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
_____ = Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum (Plot size: 15 ft) 1. <u>Rubus armeniacus</u> <u>10</u> <u>Y</u> <u>FAC</u> 2. <u>Viburnum opulus</u> <u>5</u> <u>Y</u> <u>FACW</u> 3. <u>Spiraea douglasii</u> <u>5</u> <u>Y</u> <u>FACW</u> 4. _____ 5. _____ _____ = Total Cover				
Herb Stratum (Plot size: 5 ft) 1. <u>Ranunculus repens</u> <u>20</u> <u>Y</u> <u>FAC</u> 2. <u>Phalaris arundinacea</u> <u>50</u> <u>Y</u> <u>FACW</u> 3. <u>Carex leptopoda</u> <u>5</u> <u>N</u> <u>FAC</u> 4. <u>Tolmiea menzeisii</u> <u>5</u> <u>N</u> <u>FAC</u> 5. _____ 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ _____ = Total Cover				
Woody Vine Stratum (Plot size: 50 ft) 1. _____ 2. _____ _____ = Total Cover				
% Bare Ground in Herb Stratum <u>20</u> Remarks: Hydrophytic vegetation criteria observed.				

SOIL

Sampling Point: DP15

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-14	10yR 3/2	98	7.5 YR 3/6	2	C	M	SiLo	
14-18	10YR5/1	95	10YR 4/6	5	C	M	SiLo	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☐ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4)	☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☐ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☐ Redox Depressions (F8)	☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks)
Restrictive Layer (if present): Type: _____ Depth (inches): _____		³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
Hydric Soil Present? Yes ☐ No ☒		

Remarks: No hydric soils observed. Does not meet A12 Thick dark surface requirements as the layer above the depleted layer does not have a low enough chroma or value.

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one required; check all that apply) ☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	Secondary Indicators (2 or more required) ☒ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☒ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:	
Remarks: More than two secondary indicators of hydrology observed (B9, B10, D5).	

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1491.0001 Norpoint City/County: Gig Harbor, Pierce Sampling Date: 9/26/16
 Applicant/Owner: Norpoint State: WA Sampling Point: DP16
 Investigator(s): Alex Callender/Emily Swaim Section, Township, Range: 6/21/02
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): none Slope (%): 20
 Subregion (LRR): A2 Lat: 47.33095 Long: 122.59286 Datum: _____
 Soil Map Unit Name: Kitsap NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
Hydric Soil Present? Yes ☒ No ☐	
Wetland Hydrology Present? Yes ☒ No ☐	
Remarks:	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>5</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
_____ = Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum (Plot size: 15 ft) 1. <u>Rubus armeniacus</u> <u>10</u> <u>Y</u> <u>FAC</u> 2. <u>Spiraea douglasii</u> <u>10</u> <u>Y</u> <u>FACW</u> 3. <u>Crataegus monogyna</u> <u>5</u> <u>Y</u> <u>FACW</u> 4. _____ 5. _____ _____ = Total Cover				
Herb Stratum (Plot size: 5 ft) 1. <u>Phalaris arundanacea</u> <u>80</u> <u>Y</u> <u>FACW</u> 2. <u>Ranunculus repens</u> <u>20</u> <u>Y</u> <u>FAC</u> 3. _____ 4. _____ 5. _____ 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ _____ = Total Cover				
Woody Vine Stratum (Plot size: 50 ft) 1. _____ 2. _____ _____ = Total Cover				
% Bare Ground in Herb Stratum _____ Remarks: Hydrophytic vegetation criteria observed.				

SOIL

Sampling Point: DP16

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0-14	7.5 YR2.5/1	95	7.5 YR 3/6	5	C	M	silo	
14-18	10YR5/1	90	10YR 4/6	10	C	M	silo	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) ☐ Histosol (A1) ☐ Histic Epipedon (A2) ☐ Black Histic (A3) ☐ Hydrogen Sulfide (A4) ☐ Depleted Below Dark Surface (A11) ☒ Thick Dark Surface (A12) ☐ Sandy Mucky Mineral (S1) ☐ Sandy Gleyed Matrix (S4)	☐ Sandy Redox (S5) ☐ Stripped Matrix (S6) ☐ Loamy Mucky Mineral (F1) (except MLRA 1) ☐ Loamy Gleyed Matrix (F2) ☐ Depleted Matrix (F3) ☒ Redox Dark Surface (F6) ☐ Depleted Dark Surface (F7) ☒ Redox Depressions (F8)	Indicators for Problematic Hydric Soils³: ☐ 2 cm Muck (A10) ☐ Red Parent Material (TF2) ☐ Very Shallow Dark Surface (TF12) ☐ Other (Explain in Remarks) ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
---	--	--

Restrictive Layer (if present): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
--	---

Remarks: Redoximorphic features present but of low prevalence.

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)
☒ Surface Water (A1) ☒ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) ☐ Salt Crust (B11) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Stunted or Stressed Plants (D1) (LRR A) ☐ Other (Explain in Remarks)	☒ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) ☒ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Raised Ant Mounds (D6) (LRR A) ☐ Frost-Heave Hummocks (D7)

Field Observations: Surface Water Present? Yes ☒ No ☐ Depth (inches): <u>0</u> Water Table Present? Yes ☒ No ☐ Depth (inches): <u>0</u> Saturation Present? Yes ☒ No ☐ Depth (inches): <u>0</u> (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
--	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Hydrology indicators confirmed on 1/5/2017.

Appendix F — Wetland Rating Forms

RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland A Date of site visit: 9/26/2016

Rated by AC/JD/RP/MD Trained by Ecology? ☒ Yes ☐ No Date of training Various

HGM Class used for rating Slope Wetland has multiple HGM classes? ☐ Yes ☒ No

NOTE: Form is not complete with out the figures requested (figures can be combined).

Source of base aerial photo/map Google Earth

OVERALL WETLAND CATEGORY IV (based on functions ☒ or special characteristics ☐)

1. Category of wetland based on FUNCTIONS

 Category I - Total score = 23 - 27
 Category II - Total score = 20 - 22
 Category III - Total score = 16 - 19
 X Category IV - Total score = 9 - 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>List appropriate rating (H, M, L)</i>				
Site Potential	L	L	L	
Landscape Potential	L	L	L	
Value	L	L	H	
Score Based on Ratings	3	3	5	11

**Score for each
function based
on three
ratings**
*(order of ratings
is not
important)*

9 = H, H, H
8 = H, H, M
7 = H, H, L
7 = H, M, M
6 = H, M, L
6 = M, M, M
5 = H, L, L
5 = M, M, L
4 = M, L, L
3 = L, L, L

2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	Category
Estuarine	
Wetland of High Conservation Value	
Bog	
Mature Forest	
Old Growth Forest	
Coastal Lagoon	
Interdunal	
None of the above	X

Maps and Figures required to answer questions correctly for Western Washington

Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	
Hydroperiods	D 1.4, H 1.2	
Location of outlet (<i>can be added to map of hydroperiods</i>)	D 1.1, D 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	D 2.2, D 5.2	
Map of the contributing basin	D 4.3, D 5.3	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	

Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream (<i>can be added to another figure</i>)	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of dense trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of dense, rigid trees, shrubs, and herbaceous plants (<i>can be added to another figure</i>)	S 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

HGM Classification of Wetland in Western Washington

For questions 1 -7, the criteria described must apply to the entire unit being rated.
If hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1 - 7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides except during floods?

☒ NO - go to 2

☐ YES - the wetland class is **Tidal Fringe** - go to 1.1

1.1 Is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?

☒ NO - **Saltwater Tidal Fringe (Estuarine)**

☐ YES - **Freshwater Tidal Fringe**

*If your wetland can be classified as a Freshwater Tidal Fringe use the forms for **Riverine** wetlands. If it is Saltwater Tidal Fringe it is an **Estuarine** wetland and is not scored. This method **cannot** be used to score functions for estuarine wetlands.*

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it. Groundwater and surface water runoff are NOT sources of water to the unit.

☒ NO - go to 3

☐ YES - The wetland class is **Flats**

*If your wetland can be classified as a Flats wetland, use the form for **Depressional** wetlands.*

3. Does the entire wetland unit **meet all** of the following criteria?

☐ The vegetated part of the wetland is on the shores of a body of permanent open water (without any plants on the surface at any time of the year) at least 20 ac (8 ha) in size;

☐ At least 30% of the open water area is deeper than 6.6 ft (2 m).

☒ NO - go to 4

☐ YES - The wetland class is **Lake Fringe** (Lacustrine Fringe)

4. Does the entire wetland unit **meet all** of the following criteria?

☒ The wetland is on a slope (*slope can be very gradual*),

☒ The water flows through the wetland in one direction (unidirectional) and usually comes from seeps. It may flow subsurface, as sheetflow, or in a swale without distinct banks.

☒ The water leaves the wetland **without being impounded**.

☐ NO - go to 5

☒ YES - The wetland class is **Slope**

NOTE: Surface water does not pond in these type of wetlands except occasionally in very small and shallow depressions or behind hummocks (depressions are usually <3 ft diameter and less than 1 ft deep).

5. Does the entire wetland unit **meet all** of the following criteria?

☐ The unit is in a valley, or stream channel, where it gets inundated by overbank flooding from that stream or river,

☐ The overbank flooding occurs at least once every 2 years.

☒ NO - go to 6

☐ YES - The wetland class is **Riverine**

NOTE: The Riverine unit can contain depressions that are filled with water when the river is not flooding.

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year? *This means that any outlet, if present, is higher than the interior of the wetland.*

☒ NO - go to 7

☐ YES - The wetland class is **Depressional**

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding? The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

☒ NO - go to 8

☐ YES - The wetland class is **Depressional**

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a Depressional wetland has a zone of flooding along its sides. **GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT** (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within the wetland unit being scored.

NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the HGM class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.

HGM classes within the wetland unit being rated	HGM class to use in rating
Slope + Riverine	Riverine
Slope + Depressional	Depressional
Slope + Lake Fringe	Lake Fringe
Depressional + Riverine along stream within boundary of depression	Depressional
Depressional + Lake Fringe	Depressional
Riverine + Lake Fringe	Riverine
Salt Water Tidal Fringe and any other class of freshwater wetland	Treat as ESTUARINE

*If you are still unable to determine which of the above criteria apply to your wetland, or if you have **more than 2 HGM classes** within a wetland boundary, classify the wetland as Depressional for the rating.*

Wetland name or number

SLOPE WETLANDS**Water Quality Functions** - Indicators that the site functions to improve water quality

S 1.0. Does the site have the potential to improve water quality?

S 1.1. Characteristics of the average slope of the wetland: (*a 1% slope has a 1 ft vertical drop in elevation for every 100 ft of horizontal distance*)

Slope is 1% or less	points = 3	0
Slope is > 1% - 2%	points = 2	
Slope is > 2% - 5%	points = 1	
Slope is greater than 5%	points = 0	

S 1.2. The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions):

Yes = 3 No = 0

0

S 1.3. Characteristics of the plants in the wetland that trap sediments and pollutants:

Choose the points appropriate for the description that best fits the plants in the wetland. *Dense means you have trouble seeing the soil surface (>75% cover), and uncut means not grazed or mowed and plants are higher than 6 in.*

Dense, uncut, herbaceous plants > 90% of the wetland area	points = 6	3
Dense, uncut, herbaceous plants > ½ of area	points = 3	
Dense, woody, plants > ½ of area	points = 2	
Dense, uncut, herbaceous plants > ¼ of area	points = 1	
Does not meet any of the criteria above for plants	points = 0	

Total for S 1

Add the points in the boxes above

3

Rating of Site Potential If score is: ☐ 12 = H ☐ 6 - 11 = M ☒ 0 - 5 = L

Record the rating on the first page

S 2.0. Does the landscape have the potential to support the water quality function of the site?

S 2.1. Is > 10% of the area within 150 ft on the uphill side of the wetland in land uses that generate pollutants?

Yes = 1 No = 0

0

S 2.2. Are there other sources of pollutants coming into the wetland that are not listed in question S 2.1?

Other Sources

Yes = 1 No = 0

0

Total for S 2

Add the points in the boxes above

0

Rating of Landscape Potential If score is: ☐ 1 - 2 = M ☒ 0 = L

Record the rating on the first page

S 3.0. Is the water quality improvement provided by the site valuable to society?

S 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?

Yes = 1 No = 0

0

S 3.2. Is the wetland in a basin or sub-basin where water quality is an issue? *At least one aquatic resource in the basin is on the 303(d) list.*

Yes = 1 No = 0

0

S 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality? *Answer YES if there is a TMDL for the basin in which the unit is found?*

Yes = 2 No = 0

0

Total for S 3

Add the points in the boxes above

0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

SLOPE WETLANDS**Hydrologic Functions** - Indicators that the site functions to reduce flooding and stream erosion

S 4.0. Does the site have the potential to reduce flooding and stream erosion?

S 4.1. Characteristics of plants that reduce the velocity of surface flows during storms: Choose the points appropriate for the description that best fits conditions in the wetland. <i>Stems of plants should be thick enough (usually > $\frac{1}{8}$ in), or dense enough, to remain erect during surface flows.</i>	0
Dense, uncut, rigid plants cover > 90% of the area of the wetland	points = 1
All other conditions	points = 0

Rating of Site Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 5.0. Does the landscape have the potential to support hydrologic functions of the site?

S 5.1. Is more than 25% of the area within 150 ft upslope of wetland in land uses or cover that generate excess surface runoff?	Yes = 1 No = 0	0
---	----------------	---

Rating of Landscape Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 6.0. Are the hydrologic functions provided by the site valuable to society?

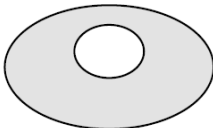
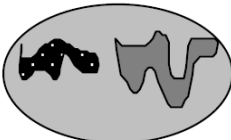
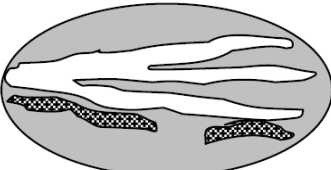
S 6.1. Distance to the nearest areas downstream that have flooding problems:		
The sub-basin immediately down-gradient of site has flooding problems that result in damage to human or natural resources (e.g., houses or salmon redds)	points = 2	0
Surface flooding problems are in a sub-basin farther down-gradient	points = 1	
No flooding problems anywhere downstream	points = 0	
S 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?	Yes = 2 No = 0	0
Total for S 6	Add the points in the boxes above	0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

NOTES and FIELD OBSERVATIONS:

Wetland name or number

These questions apply to wetlands of all HGM classes.	
HABITAT FUNCTIONS - Indicators that site functions to provide important habitat	
H 1.0. Does the site have the potential to provide habitat?	
H 1.1. Structure of plant community: <i>Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.</i> ☐ Aquatic bed ☐ Emergent ☐ Scrub-shrub (areas where shrubs have > 30% cover) ☒ Forested (areas where trees have > 30% cover) <i>If the unit has a Forested class, check if:</i> ☒ The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon 4 structures or more: points = 4 3 structures: points = 2 2 structures: points = 1 1 structure: points = 0	1
H 1.2. Hydroperiods Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (see text for descriptions of hydroperiods). ☐ Permanently flooded or inundated ☐ Seasonally flooded or inundated ☐ Occasionally flooded or inundated ☒ Saturated only ☒ Permanently flowing stream or river in, or adjacent to, the wetland ☐ Seasonally flowing stream or in, or adjacent to, the wetland ☐ Lake Fringe wetland ☐ Freshwater tidal wetland 4 or more types present: points = 3 3 types present: points = 2 2 types present: points = 1 1 types present: points = 0 2 points 2 points	1
H 1.3. Richness of plant species Count the number of plant species in the wetland that cover at least 10 ft². Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle If you counted: > 19 species 5 - 19 species < 5 species points = 2 points = 1 points = 0	1
H 1.4. Interspersion of habitats Decide from the diagrams below whether interspersion among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. <i>If you have four or more plant classes or three classes and open water, the rating is always high.</i>  None = 0 points  Low = 1 point  Moderate = 2 points All three diagrams in this row are HIGH = 3 points   	0

H 1.5. Special habitat features: Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i>		3
☒ Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long) ☒ Standing snags (dbh > 4 in) within the wetland ☐ Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m) ☐ Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>) ☐ At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>) ☒ Invasive plants cover less than 25% of the wetland area in every stratum of plants (see H 1.1 for list of strata)		
Total for H 1 Add the points in the boxes above		
Rating of Site Potential If Score is: ☐ 15 - 18 = H ☐ 7 - 14 = M ☒ 0 - 6 = L Record the rating on the first page		

H 2.0. Does the landscape have the potential to support the habitat function of the site?		
H 2.1 Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>). <i>Calculate:</i> 9.7 % undisturbed habitat + (0.2 % moderate & low intensity land uses / 2) = 9.8%		
If total accessible habitat is: > 1/3 (33.3%) of 1 km Polygon points = 3 20 - 33% of 1 km Polygon points = 2 10 - 19% of 1 km Polygon points = 1 < 10 % of 1 km Polygon points = 0	0	
H 2.2. Undisturbed habitat in 1 km Polygon around the wetland. <i>Calculate:</i> 9.7 % undisturbed habitat + (8.1 % moderate & low intensity land uses / 2) = 13.75%		
Undisturbed habitat > 50% of Polygon points = 3 Undisturbed habitat 10 - 50% and in 1-3 patches points = 2 Undisturbed habitat 10 - 50% and > 3 patches points = 1 Undisturbed habitat < 10% of 1 km Polygon points = 0	1	
H 2.3 Land use intensity in 1 km Polygon: If > 50% of 1 km Polygon is high intensity land use points = (-2) ≤ 50% of 1km Polygon is high intensity points = 0		
Total for H 2 Add the points in the boxes above		-1
Rating of Landscape Potential If Score is: ☐ 4 - 6 = H ☐ 1 - 3 = M ☒ < 1 = L Record the rating on the first page		

H 3.0. Is the habitat provided by the site valuable to society?		
H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? Choose only the highest score that applies to the wetland being rated.		
Site meets ANY of the following criteria: points = 2 ☒ It has 3 or more priority habitats within 100 m (see next page) ☐ It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists) ☐ It is mapped as a location for an individual WDFW priority species ☐ It is a Wetland of High Conservation Value as determined by the Department of Natural Resources ☐ It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan	2	
Site has 1 or 2 priority habitats (listed on next page) within 100m points = 1		

Wetland name or number

Site does not meet any of the criteria above

points = 0

Rating of Value If Score is: ☒ **2 = H** ☐ **1 = M** ☐ **0 = L**

Record the rating on the first page

WDFW Priority Habitats

Priority habitats listed by WDFW (see complete descriptions of WDFW priority habitats, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington. 177 pp.

<http://wdfw.wa.gov/publications/00165/wdfw00165.pdf> or access the list from here:

<http://wdfw.wa.gov/conservation/phs/list/>

Count how many of the following priority habitats are within 330 ft (100 m) of the wetland unit: **NOTE:** *This question is independent of the land use between the wetland unit and the priority habitat.*

- ☐ **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).
- ☐ **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife (*full descriptions in WDFW PHS report*).
- ☐ **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.
- ☒ **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in (81 cm) dbh or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.
- ☐ **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important (*full descriptions in WDFW PHS report p. 158 – see web link above*).
- ☒ **Riparian:** The area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.
- ☐ **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie (*full descriptions in WDFW PHS report p. 161 – see web link above*).
- ☒ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources.
- ☐ **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore. (*full descriptions of habitats and the definition of relatively undisturbed are in WDFW report – see web link on previous page*).
- ☐ **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.
- ☐ **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.
- ☐ **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.
- ☒ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.

Note: All vegetated wetlands are by definition a priority habitat but are not included in this list because they are

Wetland name or number
addressed elsewhere.

CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Wetland Type	Category
<i>Check off any criteria that apply to the wetland. List the category when the appropriate criteria are met.</i>	
SC 1.0. Estuarine Wetlands Does the wetland meet the following criteria for Estuarine wetlands? ☐ The dominant water regime is tidal, ☐ Vegetated, and ☐ With a salinity greater than 0.5 ppt ☐ Yes - Go to SC 1.1 ☒ No = Not an estuarine wetland	
SC 1.1. Is the wetland within a National Wildlife Refuge, National Park, National Estuary Reserve, Natural Area Preserve, State Park or Educational, Environmental, or Scientific Reserve designated under WAC 332-30-151? ☐ Yes = Category I ☐ No - Go to SC 1.2	
SC 1.2. Is the wetland unit at least 1 ac in size and meets at least two of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing, and has less than 10% cover of non-native plant species. (If non-native species are <i>Spartina</i> , see page 25) ☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or ungrazed or un-mowed grassland. ☐ The wetland has at least two of the following features: tidal channels, depressions with open water, or contiguous freshwater wetlands. ☐ Yes = Category I ☐ No = Category II	
SC 2.0. Wetlands of High Conservation Value (WHCV)	
SC 2.1. Has the WA Department of Natural Resources updated their website to include the list of Wetlands of High Conservation Value? ☐ Yes - Go to SC 2.2 ☒ No - Go to SC 2.3	
SC 2.2. Is the wetland listed on the WDNR database as a Wetland of High Conservation Value? ☐ Yes = Category I ☒ No = Not WHCV	
SC 2.3. Is the wetland in a Section/Township/Range that contains a Natural Heritage wetland? http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpwetlands.pdf ☐ Yes - Contact WNHP/WDNR and to SC 2.4 ☒ No = Not WHCV	
SC 2.4. Has WDNR identified the wetland within the S/T/R as a Wetland of High Conservation Value and listed it on their website? ☐ Yes = Category I ☒ No = Not WHCV	
SC 3.0. Bogs Does the wetland (or any part of the unit) meet both the criteria for soils and vegetation in bogs? <i>Use the key below. If you answer YES you will still need to rate the wetland based on its functions.</i>	
SC 3.1. Does an area within the wetland unit have organic soil horizons, either peats or mucks, that compose 16 in or more of the first 32 in of the soil profile? ☐ Yes - Go to SC 3.3 ☒ No - Go to SC 3.2	
SC 3.2. Does an area within the wetland unit have organic soils, either peats or mucks, that are less than 16 in deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on top of a lake or pond? ☐ Yes - Go to SC 3.3 ☒ No = Is not a bog	
SC 3.3. Does an area with peats or mucks have more than 70% cover of mosses at ground level, AND at least a 30% cover of plant species listed in Table 4? ☐ Yes = Is a Category I bog ☐ No - Go to SC 3.4 NOTE: If you are uncertain about the extent of mosses in the understory, you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16 in deep. If the pH is less than 5.0 and the plant species in Table 4 are present, the wetland is a bog.	
SC 3.4. Is an area with peats or mucks forested (> 30% cover) with Sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Engelmann spruce, or western white pine, AND any of the species (or combination of species) listed	

Wetland name or number

in Table 4 provide more than 30% of the cover under the canopy?

☐ Yes = **Is a Category I bog**

☐ No = **Is not a bog**

SC 4.0. Forested Wetlands Does the wetland have at least <u>1 contiguous acre</u> of forest that meets one of these criteria for the WA Department of Fish and Wildlife's forests as priority habitats? <i>If you answer YES you will still need to rate the wetland based on its functions.</i> ☐ Old-growth forests (west of Cascade crest): Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 in (81 cm) or more. ☐ Mature forests (west of the Cascade Crest): Stands where the largest trees are 80-200 years old OR the species that make up the canopy have an average diameter (dbh) exceeding 21 in (53 cm). ☐ Yes = Category I ☒ No = Not a forested wetland for this section	
SC 5.0. Wetlands in Coastal Lagoons Does the wetland meet all of the following criteria of a wetland in a coastal lagoon? ☐ The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks ☐ The lagoon in which the wetland is located contains ponded water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon (<i>needs to be measured near the bottom</i>) ☐ Yes - Go to SC 5.1 ☒ No = Not a wetland in a coastal lagoon SC 5.1. Does the wetland meet all of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of aggressive, opportunistic plant species (see list of species on p. 100). ☐ At least $\frac{3}{4}$ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland. ☐ The wetland is larger than $\frac{1}{10}$ ac (4350 ft²) ☐ Yes = Category I ☐ No = Category II	
SC 6.0. Interdunal Wetlands Is the wetland west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)? <i>If you answer yes you will still need to rate the wetland based on its habitat functions.</i> In practical terms that means the following geographic areas: ☐ Long Beach Peninsula: Lands west of SR 103 ☐ Grayland-Westport: Lands west of SR 105 ☐ Ocean Shores-Copalis: Lands west of SR 115 and SR 109 ☐ Yes - Go to SC 6.1 ☒ No = Not an interdunal wetland for rating SC 6.1. Is the wetland 1 ac or larger and scores an 8 or 9 for the habitat functions on the form (rates H,H,H or H,H,M for the three aspects of function)? ☐ Yes = Category I ☐ No - Go to SC 6.2 SC 6.2. Is the wetland 1 ac or larger, or is it in a mosaic of wetlands that is 1 ac or larger? ☐ Yes = Category II ☐ No - Go to SC 6.3 SC 6.3. Is the unit between 0.1 and 1 ac, or is it in a mosaic of wetlands that is between 0.1 and 1 ac? ☐ Yes = Category III ☐ No = Category IV	
Category of wetland based on Special Characteristics If you answered No for all types, enter "Not Applicable" on Summary Form	

RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland B Date of site visit: 9/26/2016 Rated by AC/JD/RP/MD Trained by Ecology? ☒ Yes ☐ No Date of training Various HGM Class used for rating Slope Wetland has multiple HGM classes? ☐ Yes ☒ No**NOTE: Form is not complete with out the figures requested (figures can be combined).**Source of base aerial photo/map Google Earth **OVERALL WETLAND CATEGORY** IV (based on functions ☒ or special characteristics ☐)**1. Category of wetland based on FUNCTIONS**

 Category I - Total score = 23 - 27
 Category II - Total score = 20 - 22
 Category III - Total score = 16 - 19
 X Category IV - Total score = 9 - 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>List appropriate rating (H, M, L)</i>				
Site Potential	L	L	M	
Landscape Potential	L	L	L	
Value	L	L	H	Total
Score Based on Ratings	3	3	6	12

**Score for each
function based
on three
ratings**
*(order of ratings
is not
important)*

9 = H, H, H
8 = H, H, M
7 = H, H, L
7 = H, M, M
6 = H, M, L
6 = M, M, M
5 = H, L, L
5 = M, M, L
4 = M, L, L
3 = L, L, L

2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	Category
Estuarine	
Wetland of High Conservation Value	
Bog	
Mature Forest	
Old Growth Forest	
Coastal Lagoon	
Interdunal	
None of the above	X

Maps and Figures required to answer questions correctly for Western Washington

Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	
Hydroperiods	D 1.4, H 1.2	
Location of outlet (<i>can be added to map of hydroperiods</i>)	D 1.1, D 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	D 2.2, D 5.2	
Map of the contributing basin	D 4.3, D 5.3	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	

Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream (<i>can be added to another figure</i>)	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of dense trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of dense, rigid trees, shrubs, and herbaceous plants (<i>can be added to another figure</i>)	S 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

HGM Classification of Wetland in Western Washington

For questions 1 -7, the criteria described must apply to the entire unit being rated.
If hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1 - 7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides except during floods?

☒ NO - go to 2

☐ YES - the wetland class is **Tidal Fringe** - go to 1.1

1.1 Is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?

☒ **NO - Saltwater Tidal Fringe (Estuarine)**

☐ **YES - Freshwater Tidal Fringe**

*If your wetland can be classified as a Freshwater Tidal Fringe use the forms for **Riverine** wetlands.
If it is Saltwater Tidal Fringe it is an **Estuarine** wetland and is not scored. This method **cannot** be used to score functions for estuarine wetlands.*

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it.
Groundwater and surface water runoff are NOT sources of water to the unit.

☒ NO - go to 3

☐ YES - The wetland class is **Flats**

*If your wetland can be classified as a Flats wetland, use the form for **Depressional** wetlands.*

3. Does the entire wetland unit **meet all** of the following criteria?

☐ The vegetated part of the wetland is on the shores of a body of permanent open water (without any plants on the surface at any time of the year) at least 20 ac (8 ha) in size;

☐ At least 30% of the open water area is deeper than 6.6 ft (2 m).

☒ NO - go to 4

☐ YES - The wetland class is **Lake Fringe** (Lacustrine Fringe)

4. Does the entire wetland unit **meet all** of the following criteria?

☒ The wetland is on a slope (*slope can be very gradual*),

☒ The water flows through the wetland in one direction (unidirectional) and usually comes from seeps.
It may flow subsurface, as sheetflow, or in a swale without distinct banks.

☒ The water leaves the wetland **without being impounded**.

☐ NO - go to 5

☒ YES - The wetland class is **Slope**

NOTE: Surface water does not pond in these type of wetlands except occasionally in very small and shallow depressions or behind hummocks (depressions are usually <3 ft diameter and less than 1 ft deep).

5. Does the entire wetland unit **meet all** of the following criteria?

☐ The unit is in a valley, or stream channel, where it gets inundated by overbank flooding from that stream or river,

☐ The overbank flooding occurs at least once every 2 years.

☒ NO - go to 6

☐ YES - The wetland class is **Riverine**

NOTE: The Riverine unit can contain depressions that are filled with water when the river is not flooding.

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year? *This means that any outlet, if present, is higher than the interior of the wetland.*

☒ NO - go to 7

☐ YES - The wetland class is **Depressional**

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding? The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

☒ NO - go to 8

☐ YES - The wetland class is **Depressional**

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a Depressional wetland has a zone of flooding along its sides. **GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT** (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within the wetland unit being scored.

NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the HGM class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.

HGM classes within the wetland unit being rated	HGM class to use in rating
Slope + Riverine	Riverine
Slope + Depressional	Depressional
Slope + Lake Fringe	Lake Fringe
Depressional + Riverine along stream within boundary of depression	Depressional
Depressional + Lake Fringe	Depressional
Riverine + Lake Fringe	Riverine
Salt Water Tidal Fringe and any other class of freshwater wetland	Treat as ESTUARINE

*If you are still unable to determine which of the above criteria apply to your wetland, or if you have **more than 2 HGM classes** within a wetland boundary, classify the wetland as Depressional for the rating.*

Wetland name or number B

SLOPE WETLANDS**Water Quality Functions** - Indicators that the site functions to improve water quality

S 1.0. Does the site have the potential to improve water quality?

S 1.1. Characteristics of the average slope of the wetland: (*a 1% slope has a 1 ft vertical drop in elevation for every 100 ft of horizontal distance*)

Slope is 1% or less	points = 3	0
Slope is > 1% - 2%	points = 2	
Slope is > 2% - 5%	points = 1	
Slope is greater than 5%	points = 0	

S 1.2. The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions):

Yes = 3 No = 0

0

S 1.3. Characteristics of the plants in the wetland that trap sediments and pollutants:

Choose the points appropriate for the description that best fits the plants in the wetland. *Dense means you have trouble seeing the soil surface (>75% cover), and uncut means not grazed or mowed and plants are higher than 6 in.*

Dense, uncut, herbaceous plants > 90% of the wetland area	points = 6	2
Dense, uncut, herbaceous plants > ½ of area	points = 3	
Dense, woody, plants > ½ of area	points = 2	
Dense, uncut, herbaceous plants > ¼ of area	points = 1	
Does not meet any of the criteria above for plants	points = 0	

Total for S 1

Add the points in the boxes above

2

Rating of Site Potential If score is: ☐ 12 = H ☐ 6 - 11 = M ☒ 0 - 5 = L

Record the rating on the first page

S 2.0. Does the landscape have the potential to support the water quality function of the site?

S 2.1. Is > 10% of the area within 150 ft on the uphill side of the wetland in land uses that generate pollutants?

Yes = 1 No = 0

0

S 2.2. Are there other sources of pollutants coming into the wetland that are not listed in question S 2.1?

Other Sources

Yes = 1 No = 0

0

Total for S 2

Add the points in the boxes above

0

Rating of Landscape Potential If score is: ☐ 1 - 2 = M ☒ 0 = L

Record the rating on the first page

S 3.0. Is the water quality improvement provided by the site valuable to society?

S 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?

Yes = 1 No = 0

0

S 3.2. Is the wetland in a basin or sub-basin where water quality is an issue? *At least one aquatic resource in the basin is on the 303(d) list.*

Yes = 1 No = 0

0

S 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality? *Answer YES if there is a TMDL for the basin in which the unit is found?*

Yes = 2 No = 0

0

Total for S 3

Add the points in the boxes above

0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

SLOPE WETLANDS**Hydrologic Functions** - Indicators that the site functions to reduce flooding and stream erosion

S 4.0. Does the site have the potential to reduce flooding and stream erosion?

S 4.1. Characteristics of plants that reduce the velocity of surface flows during storms: Choose the points appropriate for the description that best fits conditions in the wetland. <i>Stems of plants should be thick enough (usually > $\frac{1}{8}$ in), or dense enough, to remain erect during surface flows.</i>	0
Dense, uncut, rigid plants cover > 90% of the area of the wetland	points = 1
All other conditions	points = 0

Rating of Site Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 5.0. Does the landscape have the potential to support hydrologic functions of the site?

S 5.1. Is more than 25% of the area within 150 ft upslope of wetland in land uses or cover that generate excess surface runoff?	Yes = 1 No = 0	0
---	----------------	---

Rating of Landscape Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 6.0. Are the hydrologic functions provided by the site valuable to society?

S 6.1. Distance to the nearest areas downstream that have flooding problems:		
The sub-basin immediately down-gradient of site has flooding problems that result in damage to human or natural resources (e.g., houses or salmon redds)	points = 2	0
Surface flooding problems are in a sub-basin farther down-gradient	points = 1	
No flooding problems anywhere downstream	points = 0	

S 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?	Yes = 2 No = 0	0
--	----------------	---

Total for S 6	Add the points in the boxes above	0
---------------	-----------------------------------	---

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

NOTES and FIELD OBSERVATIONS:

Wetland name or number B

These questions apply to wetlands of all HGM classes.

HABITAT FUNCTIONS - Indicators that site functions to provide important habitat

H 1.0. Does the site have the potential to provide habitat?

H 1.1. Structure of plant community: *Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.*

- | | | |
|--|----------------------------------|---|
| ☐ Aquatic bed | 4 structures or more: points = 4 | 2 |
| ☐ Emergent | 3 structures: points = 2 | |
| ☒ Scrub-shrub (areas where shrubs have > 30% cover) | 2 structures: points = 1 | |
| ☒ Forested (areas where trees have > 30% cover) | 1 structure: points = 0 | |
| <i>If the unit has a Forested class, check if:</i> | | |
| ☒ The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon | | |

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (*see text for descriptions of hydroperiods*).

- | | | |
|---|-------------------------------------|---|
| ☐ Permanently flooded or inundated | 4 or more types present: points = 3 | 1 |
| ☐ Seasonally flooded or inundated | 3 types present: points = 2 | |
| ☐ Occasionally flooded or inundated | 2 types present: points = 1 | |
| ☒ Saturated only | 1 types present: points = 0 | |
| ☒ Permanently flowing stream or river in, or adjacent to, the wetland | | |
| ☐ Seasonally flowing stream or in, or adjacent to, the wetland | | |
| ☐ Lake Fringe wetland | 2 points | |
| ☐ Freshwater tidal wetland | 2 points | |

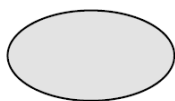
H 1.3. Richness of plant species

Count the number of plant species in the wetland that cover at least 10 ft². *Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. **Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle***

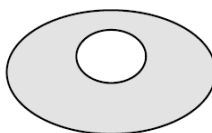
- | | | | |
|-----------------|----------------|------------|---|
| If you counted: | > 19 species | points = 2 | 2 |
| | 5 - 19 species | points = 1 | |
| | < 5 species | points = 0 | |

H 1.4. Interspersion of habitats

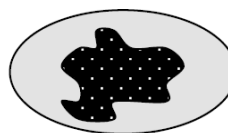
Decide from the diagrams below whether interspersion among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. *If you have four or more plant classes or three classes and open water, the rating is always high.*



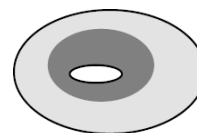
None = 0 points



Low = 1 point

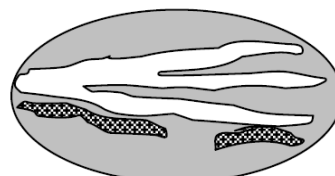


Moderate = 2 points



2

All three diagrams in this row are
HIGH = 3 points



H 1.5. Special habitat features: Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i>		3
☒ Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long) ☒ Standing snags (dbh > 4 in) within the wetland ☐ Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m) ☐ Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>) ☐ At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>) ☒ Invasive plants cover less than 25% of the wetland area in every stratum of plants (see <i>H 1.1 for list of strata</i>)		
Total for H 1 Add the points in the boxes above		
Rating of Site Potential If Score is: ☐ 15 - 18 = H ☒ 7 - 14 = M ☐ 0 - 6 = L <i>Record the rating on the first page</i>		
10		

H 2.0. Does the landscape have the potential to support the habitat function of the site?		
H 2.1 Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>). <i>Calculate:</i> 9.7 % undisturbed habitat + (<u> 0.2 </u> % moderate & low intensity land uses / 2) = 9.8%		
If total accessible habitat is: > 1/3 (33.3%) of 1 km Polygon points = 3 20 - 33% of 1 km Polygon points = 2 10 - 19% of 1 km Polygon points = 1 < 10 % of 1 km Polygon points = 0		0
H 2.2. Undisturbed habitat in 1 km Polygon around the wetland. <i>Calculate:</i> 9.7 % undisturbed habitat + (<u> 8.1 </u> % moderate & low intensity land uses / 2) = 13.75%		
Undisturbed habitat > 50% of Polygon points = 3 Undisturbed habitat 10 - 50% and in 1-3 patches points = 2 Undisturbed habitat 10 - 50% and > 3 patches points = 1 Undisturbed habitat < 10% of 1 km Polygon points = 0		1
H 2.3 Land use intensity in 1 km Polygon: If > 50% of 1 km Polygon is high intensity land use points = (-2) ≤ 50% of 1km Polygon is high intensity points = 0		-2
Total for H 2 Add the points in the boxes above		-1
Rating of Landscape Potential If Score is: ☐ 4 - 6 = H ☐ 1 - 3 = M ☒ < 1 = L <i>Record the rating on the first page</i>		

H 3.0. Is the habitat provided by the site valuable to society?		
H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? Choose only the highest score that applies to the wetland being rated .		
Site meets ANY of the following criteria: points = 2		2
☒ It has 3 or more priority habitats within 100 m (see next page) ☐ It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists) ☐ It is mapped as a location for an individual WDFW priority species ☐ It is a Wetland of High Conservation Value as determined by the Department of Natural Resources ☐ It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan		
Site has 1 or 2 priority habitats (listed on next page) within 100m points = 1		

Wetland name or number B

Site does not meet any of the criteria above

points = 0

Rating of Value If Score is: ☒ **2 = H** ☐ **1 = M** ☐ **0 = L**

Record the rating on the first page

WDFW Priority Habitats

Priority habitats listed by WDFW (see complete descriptions of WDFW priority habitats, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington. 177 pp.

<http://wdfw.wa.gov/publications/00165/wdfw00165.pdf> or access the list from here:

<http://wdfw.wa.gov/conservation/phs/list/>

Count how many of the following priority habitats are within 330 ft (100 m) of the wetland unit: **NOTE**: *This question is independent of the land use between the wetland unit and the priority habitat.*

- ☐ **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).
- ☐ **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife (*full descriptions in WDFW PHS report*).
- ☐ **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.
- ☒ **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in (81 cm) dbh or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.
- ☐ **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important (*full descriptions in WDFW PHS report p. 158 – see web link above*).
- ☒ **Riparian:** The area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.
- ☐ **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie (*full descriptions in WDFW PHS report p. 161 – see web link above*).
- ☒ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources.
- ☐ **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore. (*full descriptions of habitats and the definition of relatively undisturbed are in WDFW report – see web link on previous page*).
- ☐ **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.
- ☐ **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.
- ☐ **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.
- ☒ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.

Note: All vegetated wetlands are by definition a priority habitat but are not included in this list because they are

Wetland name or number B

addressed elsewhere.

CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Wetland Type	Category
<i>Check off any criteria that apply to the wetland. List the category when the appropriate criteria are met.</i>	
SC 1.0. Estuarine Wetlands Does the wetland meet the following criteria for Estuarine wetlands? ☐ The dominant water regime is tidal, ☐ Vegetated, and ☐ With a salinity greater than 0.5 ppt ☐ Yes - Go to SC 1.1 ☒ No = Not an estuarine wetland	
SC 1.1. Is the wetland within a National Wildlife Refuge, National Park, National Estuary Reserve, Natural Area Preserve, State Park or Educational, Environmental, or Scientific Reserve designated under WAC 332-30-151? ☐ Yes = Category I ☐ No - Go to SC 1.2	
SC 1.2. Is the wetland unit at least 1 ac in size and meets at least two of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing, and has less than 10% cover of non-native plant species. (If non-native species are <i>Spartina</i> , see page 25) ☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or ungrazed or un-mowed grassland. ☐ The wetland has at least two of the following features: tidal channels, depressions with open water, or contiguous freshwater wetlands. ☐ Yes = Category I ☐ No = Category II	
SC 2.0. Wetlands of High Conservation Value (WHCV) SC 2.1. Has the WA Department of Natural Resources updated their website to include the list of Wetlands of High Conservation Value? ☐ Yes - Go to SC 2.2 ☒ No - Go to SC 2.3 SC 2.2. Is the wetland listed on the WDNR database as a Wetland of High Conservation Value? ☐ Yes = Category I ☐ No = Not WHCV SC 2.3. Is the wetland in a Section/Township/Range that contains a Natural Heritage wetland? http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpnwetlands.pdf ☐ Yes - Contact WNHP/WDNR and to SC 2.4 ☒ No = Not WHCV SC 2.4. Has WDNR identified the wetland within the S/T/R as a Wetland of High Conservation Value and listed it on their website? ☐ Yes = Category I ☐ No = Not WHCV	
SC 3.0. Bogs Does the wetland (or any part of the unit) meet both the criteria for soils and vegetation in bogs? <i>Use the key below. If you answer YES you will still need to rate the wetland based on its functions.</i> SC 3.1. Does an area within the wetland unit have organic soil horizons, either peats or mucks, that compose 16 in or more of the first 32 in of the soil profile? ☐ Yes - Go to SC 3.3 ☒ No - Go to SC 3.2 SC 3.2. Does an area within the wetland unit have organic soils, either peats or mucks, that are less than 16 in deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on top of a lake or pond? ☐ Yes - Go to SC 3.3 ☒ No = Is not a bog SC 3.3. Does an area with peats or mucks have more than 70% cover of mosses at ground level, AND at least a 30% cover of plant species listed in Table 4? ☐ Yes = Is a Category I bog ☐ No - Go to SC 3.4 NOTE: If you are uncertain about the extent of mosses in the understory, you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16 in deep. If the pH is less than 5.0 and the plant species in Table 4 are present, the wetland is a bog. SC 3.4. Is an area with peats or mucks forested (> 30% cover) with Sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Engelmann spruce, or western white pine, AND any of the species (or combination of species) listed	

Wetland name or number B

in Table 4 provide more than 30% of the cover under the canopy?

☐ Yes = **Is a Category I bog**

☐ No = **Is not a bog**

SC 4.0. Forested Wetlands

Does the wetland have at least 1 contiguous acre of forest that meets one of these criteria for the WA Department of Fish and Wildlife's forests as priority habitats? ***If you answer YES you will still need to rate the wetland based on its functions.***

- ☐ **Old-growth forests** (west of Cascade crest): Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 in (81 cm) or more.
- ☐ **Mature forests** (west of the Cascade Crest): Stands where the largest trees are 80-200 years old OR the species that make up the canopy have an average diameter (dbh) exceeding 21 in (53 cm).

☐ Yes = **Category I** ☒ No = **Not a forested wetland for this section**

SC 5.0. Wetlands in Coastal Lagoons

Does the wetland meet all of the following criteria of a wetland in a coastal lagoon?

- ☐ The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks
- ☐ The lagoon in which the wetland is located contains ponded water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon (*needs to be measured near the bottom*)

☐ Yes - Go to **SC 5.1** ☒ No = **Not a wetland in a coastal lagoon**

SC 5.1. Does the wetland meet all of the following three conditions?

- ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of aggressive, opportunistic plant species (see list of species on p. 100).
- ☐ At least $\frac{3}{4}$ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland.
- ☐ The wetland is larger than $\frac{1}{10}$ ac (4350 ft²)

☐ Yes = **Category I** ☐ No = **Category II**

SC 6.0. Interdunal Wetlands

Is the wetland west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)? ***If you answer yes you will still need to rate the wetland based on its habitat functions.***

In practical terms that means the following geographic areas:

- ☐ Long Beach Peninsula: Lands west of SR 103
- ☐ Grayland-Westport: Lands west of SR 105
- ☐ Ocean Shores-Copalis: Lands west of SR 115 and SR 109

☐ Yes - Go to **SC 6.1** ☒ No = **Not an interdunal wetland for rating**

SC 6.1. Is the wetland 1 ac or larger and scores an 8 or 9 for the habitat functions on the form (rates H,H,H or H,H,M for the three aspects of function)?

☐ Yes = **Category I** ☐ No - Go to **SC 6.2**

SC 6.2. Is the wetland 1 ac or larger, or is it in a mosaic of wetlands that is 1 ac or larger?

☐ Yes = **Category II** ☐ No - Go to **SC 6.3**

SC 6.3. Is the unit between 0.1 and 1 ac, or is it in a mosaic of wetlands that is between 0.1 and 1 ac?

☐ Yes = **Category III** ☐ No = **Category IV**

Category of wetland based on Special Characteristics

If you answered No for all types, enter "Not Applicable" on Summary Form

RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland C Date of site visit: 9/27/2016Rated by AC/JD/RP/MD Trained by Ecology? ☒ Yes ☐ No Date of training VariousHGM Class used for rating Slope Wetland has multiple HGM classes? ☐ Yes ☒ No**NOTE: Form is not complete with out the figures requested (figures can be combined).**Source of base aerial photo/map Google Earth**OVERALL WETLAND CATEGORY** IV (based on functions ☒ or special characteristics ☐)**1. Category of wetland based on FUNCTIONS**

 Category I - Total score = 23 - 27
 Category II - Total score = 20 - 22
 Category III - Total score = 16 - 19
 X Category IV - Total score = 9 - 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>List appropriate rating (H, M, L)</i>				
Site Potential	L	L	M	
Landscape Potential	M	L	L	
Value	L	L	H	Total
Score Based on Ratings	4	3	6	13

**Score for each
function based
on three
ratings***(order of ratings
is not
important)*

9 = H, H, H
8 = H, H, M
7 = H, H, L
7 = H, M, M
6 = H, M, L
6 = M, M, M
5 = H, L, L
5 = M, M, L
4 = M, L, L
3 = L, L, L

2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	Category
Estuarine	
Wetland of High Conservation Value	
Bog	
Mature Forest	
Old Growth Forest	
Coastal Lagoon	
Interdunal	
None of the above	X

Maps and Figures required to answer questions correctly for Western Washington

Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	
Hydroperiods	D 1.4, H 1.2	
Location of outlet (<i>can be added to map of hydroperiods</i>)	D 1.1, D 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	D 2.2, D 5.2	
Map of the contributing basin	D 4.3, D 5.3	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	

Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream (<i>can be added to another figure</i>)	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of dense trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of dense, rigid trees, shrubs, and herbaceous plants (<i>can be added to another figure</i>)	S 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

HGM Classification of Wetland in Western Washington

For questions 1 -7, the criteria described must apply to the entire unit being rated.
If hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1 - 7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides except during floods?

☒ NO - go to 2

☐ YES - the wetland class is **Tidal Fringe** - go to 1.1

1.1 Is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?

☒ **NO - Saltwater Tidal Fringe (Estuarine)**

☐ **YES - Freshwater Tidal Fringe**

*If your wetland can be classified as a Freshwater Tidal Fringe use the forms for **Riverine** wetlands.
If it is Saltwater Tidal Fringe it is an **Estuarine** wetland and is not scored. This method **cannot** be used to score functions for estuarine wetlands.*

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it.
Groundwater and surface water runoff are NOT sources of water to the unit.

☒ NO - go to 3

☐ YES - The wetland class is **Flats**

*If your wetland can be classified as a Flats wetland, use the form for **Depressional** wetlands.*

3. Does the entire wetland unit **meet all** of the following criteria?

☐ The vegetated part of the wetland is on the shores of a body of permanent open water (without any plants on the surface at any time of the year) at least 20 ac (8 ha) in size;

☐ At least 30% of the open water area is deeper than 6.6 ft (2 m).

☒ NO - go to 4

☐ YES - The wetland class is **Lake Fringe** (Lacustrine Fringe)

4. Does the entire wetland unit **meet all** of the following criteria?

☒ The wetland is on a slope (*slope can be very gradual*),

☒ The water flows through the wetland in one direction (unidirectional) and usually comes from seeps.
It may flow subsurface, as sheetflow, or in a swale without distinct banks.

☒ The water leaves the wetland **without being impounded**.

☐ NO - go to 5

☒ YES - The wetland class is **Slope**

NOTE: Surface water does not pond in these type of wetlands except occasionally in very small and shallow depressions or behind hummocks (depressions are usually <3 ft diameter and less than 1 ft deep).

5. Does the entire wetland unit **meet all** of the following criteria?

☐ The unit is in a valley, or stream channel, where it gets inundated by overbank flooding from that stream or river,

☐ The overbank flooding occurs at least once every 2 years.

☒ NO - go to 6

☐ YES - The wetland class is **Riverine**

NOTE: The Riverine unit can contain depressions that are filled with water when the river is not flooding.

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year? *This means that any outlet, if present, is higher than the interior of the wetland.*

☒ NO - go to 7

☐ YES - The wetland class is **Depressional**

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding? The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

☒ NO - go to 8

☐ YES - The wetland class is **Depressional**

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a Depressional wetland has a zone of flooding along its sides. **GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT** (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within the wetland unit being scored.

NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the HGM class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.

HGM classes within the wetland unit being rated	HGM class to use in rating
Slope + Riverine	Riverine
Slope + Depressional	Depressional
Slope + Lake Fringe	Lake Fringe
Depressional + Riverine along stream within boundary of depression	Depressional
Depressional + Lake Fringe	Depressional
Riverine + Lake Fringe	Riverine
Salt Water Tidal Fringe and any other class of freshwater wetland	Treat as ESTUARINE

*If you are still unable to determine which of the above criteria apply to your wetland, or if you have **more than 2 HGM classes** within a wetland boundary, classify the wetland as Depressional for the rating.*

Wetland name or number C

SLOPE WETLANDS**Water Quality Functions** - Indicators that the site functions to improve water quality

S 1.0. Does the site have the potential to improve water quality?

S 1.1. Characteristics of the average slope of the wetland: (*a 1% slope has a 1 ft vertical drop in elevation for every 100 ft of horizontal distance*)

Slope is 1% or less	points = 3	0
Slope is > 1% - 2%	points = 2	
Slope is > 2% - 5%	points = 1	
Slope is greater than 5%	points = 0	

S 1.2. The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions):

Yes = 3 No = 0

0

S 1.3. Characteristics of the plants in the wetland that trap sediments and pollutants:

Choose the points appropriate for the description that best fits the plants in the wetland. *Dense means you have trouble seeing the soil surface (>75% cover), and uncut means not grazed or mowed and plants are higher than 6 in.*

Dense, uncut, herbaceous plants > 90% of the wetland area	points = 6	2
Dense, uncut, herbaceous plants > ½ of area	points = 3	
Dense, woody, plants > ½ of area	points = 2	
Dense, uncut, herbaceous plants > ¼ of area	points = 1	
Does not meet any of the criteria above for plants	points = 0	

Total for S 1

Add the points in the boxes above

2

Rating of Site Potential If score is: ☐ 12 = H ☐ 6 - 11 = M ☒ 0 - 5 = L

Record the rating on the first page

S 2.0. Does the landscape have the potential to support the water quality function of the site?

S 2.1. Is > 10% of the area within 150 ft on the uphill side of the wetland in land uses that generate pollutants?

Yes = 1 No = 0

0

S 2.2. Are there other sources of pollutants coming into the wetland that are not listed in question S 2.1?

Other Sources

Yes = 1 No = 0

1

Total for S 2

Add the points in the boxes above

1

Rating of Landscape Potential If score is: ☒ 1 - 2 = M ☐ 0 = L

Record the rating on the first page

S 3.0. Is the water quality improvement provided by the site valuable to society?

S 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?

Yes = 1 No = 0

0

S 3.2. Is the wetland in a basin or sub-basin where water quality is an issue?

At least one aquatic resource in the basin is on the 303(d) list.

Yes = 1 No = 0

0

S 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality? Answer YES if there is a TMDL for the basin in which the unit is found?

Yes = 2 No = 0

0

Total for S 3

Add the points in the boxes above

0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

SLOPE WETLANDS**Hydrologic Functions** - Indicators that the site functions to reduce flooding and stream erosion

S 4.0. Does the site have the potential to reduce flooding and stream erosion?

S 4.1. Characteristics of plants that reduce the velocity of surface flows during storms: Choose the points appropriate for the description that best fits conditions in the wetland. <i>Stems of plants should be thick enough (usually > $\frac{1}{8}$ in), or dense enough, to remain erect during surface flows.</i>	0
Dense, uncut, rigid plants cover > 90% of the area of the wetland	points = 1
All other conditions	points = 0

Rating of Site Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 5.0. Does the landscape have the potential to support hydrologic functions of the site?

S 5.1. Is more than 25% of the area within 150 ft upslope of wetland in land uses or cover that generate excess surface runoff?	Yes = 1 No = 0	0
---	----------------	---

Rating of Landscape Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 6.0. Are the hydrologic functions provided by the site valuable to society?

S 6.1. Distance to the nearest areas downstream that have flooding problems:		
The sub-basin immediately down-gradient of site has flooding problems that result in damage to human or natural resources (e.g., houses or salmon redds)	points = 2	0
Surface flooding problems are in a sub-basin farther down-gradient	points = 1	
No flooding problems anywhere downstream	points = 0	
S 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?	Yes = 2 No = 0	0
Total for S 6	Add the points in the boxes above	0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

NOTES and FIELD OBSERVATIONS:

Wetland name or number C

These questions apply to wetlands of all HGM classes.

HABITAT FUNCTIONS - Indicators that site functions to provide important habitat

H 1.0. Does the site have the potential to provide habitat?

H 1.1. Structure of plant community: *Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.*

- | | | |
|--|----------------------------------|---|
| ☐ Aquatic bed | 4 structures or more: points = 4 | 2 |
| ☐ Emergent | 3 structures: points = 2 | |
| ☒ Scrub-shrub (areas where shrubs have > 30% cover) | 2 structures: points = 1 | |
| ☒ Forested (areas where trees have > 30% cover) | 1 structure: points = 0 | |
| <i>If the unit has a Forested class, check if:</i> | | |
| ☒ The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon | | |

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (*see text for descriptions of hydroperiods*).

- | | | |
|---|-------------------------------------|---|
| ☐ Permanently flooded or inundated | 4 or more types present: points = 3 | 1 |
| ☐ Seasonally flooded or inundated | 3 types present: points = 2 | |
| ☐ Occasionally flooded or inundated | 2 types present: points = 1 | |
| ☒ Saturated only | 1 types present: points = 0 | |
| ☒ Permanently flowing stream or river in, or adjacent to, the wetland | | |
| ☐ Seasonally flowing stream or in, or adjacent to, the wetland | | |
| ☐ Lake Fringe wetland | 2 points | |
| ☐ Freshwater tidal wetland | 2 points | |

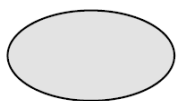
H 1.3. Richness of plant species

Count the number of plant species in the wetland that cover at least 10 ft². *Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle*

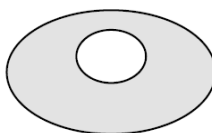
- | | | | |
|-----------------|----------------|------------|---|
| If you counted: | > 19 species | points = 2 | 1 |
| | 5 - 19 species | points = 1 | |
| | < 5 species | points = 0 | |

H 1.4. Interspersion of habitats

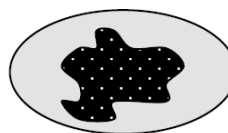
Decide from the diagrams below whether interspersion among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. *If you have four or more plant classes or three classes and open water, the rating is always high.*



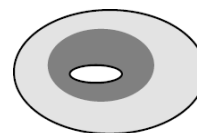
None = 0 points



Low = 1 point

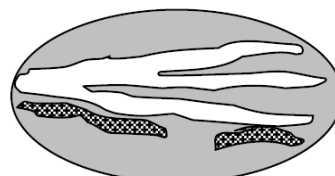


Moderate = 2 points



2

All three diagrams in this row are
HIGH = 3 points



H 1.5. Special habitat features: Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i>		3
☒ Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long) ☒ Standing snags (dbh > 4 in) within the wetland ☐ Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m) ☐ Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>) ☐ At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>) ☒ Invasive plants cover less than 25% of the wetland area in every stratum of plants (see H 1.1 for list of strata)		
Total for H 1		
Add the points in the boxes above		
9		
Rating of Site Potential If Score is: ☐ 15 - 18 = H ☒ 7 - 14 = M ☐ 0 - 6 = L Record the rating on the first page		

H 2.0. Does the landscape have the potential to support the habitat function of the site?		
H 2.1 Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>). <i>Calculate:</i> 9.7 % undisturbed habitat + (0.2 % moderate & low intensity land uses / 2) = 9.8%		
If total accessible habitat is: > 1/3 (33.3%) of 1 km Polygon points = 3 20 - 33% of 1 km Polygon points = 2 10 - 19% of 1 km Polygon points = 1 < 10 % of 1 km Polygon points = 0		0
H 2.2. Undisturbed habitat in 1 km Polygon around the wetland. <i>Calculate:</i> 9.7 % undisturbed habitat + (8.1 % moderate & low intensity land uses / 2) = 13.75%		
Undisturbed habitat > 50% of Polygon points = 3 Undisturbed habitat 10 - 50% and in 1-3 patches points = 2 Undisturbed habitat 10 - 50% and > 3 patches points = 1 Undisturbed habitat < 10% of 1 km Polygon points = 0		1
H 2.3 Land use intensity in 1 km Polygon: If > 50% of 1 km Polygon is high intensity land use points = (-2) ≤ 50% of 1km Polygon is high intensity points = 0		-2
Total for H 2		
Add the points in the boxes above		-1
Rating of Landscape Potential If Score is: ☐ 4 - 6 = H ☐ 1 - 3 = M ☒ < 1 = L Record the rating on the first page		

H 3.0. Is the habitat provided by the site valuable to society?		
H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? Choose only the highest score that applies to the wetland being rated.		
Site meets ANY of the following criteria: points = 2 ☒ It has 3 or more priority habitats within 100 m (see next page) ☐ It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists) ☐ It is mapped as a location for an individual WDFW priority species ☐ It is a Wetland of High Conservation Value as determined by the Department of Natural Resources ☐ It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan		2
Site has 1 or 2 priority habitats (listed on next page) with in 100m points = 1		

Wetland name or number C

Site does not meet any of the criteria above

points = 0

Rating of Value If Score is: ☒ **2 = H** ☐ **1 = M** ☐ **0 = L**

Record the rating on the first page

WDFW Priority Habitats

Priority habitats listed by WDFW (see complete descriptions of WDFW priority habitats, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington. 177 pp.

<http://wdfw.wa.gov/publications/00165/wdfw00165.pdf> or access the list from here:

<http://wdfw.wa.gov/conservation/phs/list/>

Count how many of the following priority habitats are within 330 ft (100 m) of the wetland unit: **NOTE:** *This question is independent of the land use between the wetland unit and the priority habitat.*

- ☐ **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).
- ☐ **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife (*full descriptions in WDFW PHS report*).
- ☐ **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.
- ☒ **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in (81 cm) dbh or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.
- ☐ **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important (*full descriptions in WDFW PHS report p. 158 – see web link above*).
- ☒ **Riparian:** The area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.
- ☐ **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie (*full descriptions in WDFW PHS report p. 161 – see web link above*).
- ☒ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources.
- ☐ **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore. (*full descriptions of habitats and the definition of relatively undisturbed are in WDFW report – see web link on previous page*).
- ☐ **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.
- ☐ **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.
- ☐ **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.
- ☒ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.

Note: All vegetated wetlands are by definition a priority habitat but are not included in this list because they are

Wetland name or number C

addressed elsewhere.

CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Wetland Type	Category
<i>Check off any criteria that apply to the wetland. List the category when the appropriate criteria are met.</i>	
SC 1.0. Estuarine Wetlands Does the wetland meet the following criteria for Estuarine wetlands? ☐ The dominant water regime is tidal, ☐ Vegetated, and ☐ With a salinity greater than 0.5 ppt ☐ Yes - Go to SC 1.1 ☒ No = Not an estuarine wetland	
SC 1.1. Is the wetland within a National Wildlife Refuge, National Park, National Estuary Reserve, Natural Area Preserve, State Park or Educational, Environmental, or Scientific Reserve designated under WAC 332-30-151? ☐ Yes = Category I ☐ No - Go to SC 1.2	
SC 1.2. Is the wetland unit at least 1 ac in size and meets at least two of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing, and has less than 10% cover of non-native plant species. (If non-native species are <i>Spartina</i> , see page 25) ☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or ungrazed or un-mowed grassland. ☐ The wetland has at least two of the following features: tidal channels, depressions with open water, or contiguous freshwater wetlands. ☐ Yes = Category I ☐ No = Category II	
SC 2.0. Wetlands of High Conservation Value (WHCV) SC 2.1. Has the WA Department of Natural Resources updated their website to include the list of Wetlands of High Conservation Value? ☐ Yes - Go to SC 2.2 ☒ No - Go to SC 2.3 SC 2.2. Is the wetland listed on the WDNR database as a Wetland of High Conservation Value? ☐ Yes = Category I ☐ No = Not WHCV SC 2.3. Is the wetland in a Section/Township/Range that contains a Natural Heritage wetland? http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpwetlands.pdf ☐ Yes - Contact WNHP/WDNR and to SC 2.4 ☒ No = Not WHCV SC 2.4. Has WDNR identified the wetland within the S/T/R as a Wetland of High Conservation Value and listed it on their website? ☐ Yes = Category I ☐ No = Not WHCV	
SC 3.0. Bogs Does the wetland (or any part of the unit) meet both the criteria for soils and vegetation in bogs? <i>Use the key below. If you answer YES you will still need to rate the wetland based on its functions.</i> SC 3.1. Does an area within the wetland unit have organic soil horizons, either peats or mucks, that compose 16 in or more of the first 32 in of the soil profile? ☐ Yes - Go to SC 3.3 ☒ No - Go to SC 3.2 SC 3.2. Does an area within the wetland unit have organic soils, either peats or mucks, that are less than 16 in deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on top of a lake or pond? ☐ Yes - Go to SC 3.3 ☒ No = Is not a bog SC 3.3. Does an area with peats or mucks have more than 70% cover of mosses at ground level, AND at least a 30% cover of plant species listed in Table 4? ☐ Yes = Is a Category I bog ☐ No - Go to SC 3.4 NOTE: If you are uncertain about the extent of mosses in the understory, you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16 in deep. If the pH is less than 5.0 and the plant species in Table 4 are present, the wetland is a bog. SC 3.4. Is an area with peats or mucks forested (> 30% cover) with Sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Engelmann spruce, or western white pine, AND any of the species (or combination of species) listed	

Wetland name or number C

in Table 4 provide more than 30% of the cover under the canopy?

☐ Yes = **Is a Category I bog**

☐ No = **Is not a bog**

SC 4.0. Forested Wetlands Does the wetland have at least <u>1 contiguous acre</u> of forest that meets one of these criteria for the WA Department of Fish and Wildlife's forests as priority habitats? <i>If you answer YES you will still need to rate the wetland based on its functions.</i> ☐ Old-growth forests (west of Cascade crest): Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 in (81 cm) or more. ☐ Mature forests (west of the Cascade Crest): Stands where the largest trees are 80-200 years old OR the species that make up the canopy have an average diameter (dbh) exceeding 21 in (53 cm). ☐ Yes = Category I ☒ No = Not a forested wetland for this section	
SC 5.0. Wetlands in Coastal Lagoons Does the wetland meet all of the following criteria of a wetland in a coastal lagoon? ☐ The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks ☐ The lagoon in which the wetland is located contains ponded water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon (<i>needs to be measured near the bottom</i>) ☐ Yes - Go to SC 5.1 ☒ No = Not a wetland in a coastal lagoon SC 5.1. Does the wetland meet all of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of aggressive, opportunistic plant species (see list of species on p. 100). ☐ At least $\frac{3}{4}$ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland. ☐ The wetland is larger than $\frac{1}{10}$ ac (4350 ft²) ☐ Yes = Category I ☐ No = Category II	
SC 6.0. Interdunal Wetlands Is the wetland west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)? <i>If you answer yes you will still need to rate the wetland based on its habitat functions.</i> In practical terms that means the following geographic areas: ☐ Long Beach Peninsula: Lands west of SR 103 ☐ Grayland-Westport: Lands west of SR 105 ☐ Ocean Shores-Copalis: Lands west of SR 115 and SR 109 ☐ Yes - Go to SC 6.1 ☒ No = Not an interdunal wetland for rating SC 6.1. Is the wetland 1 ac or larger and scores an 8 or 9 for the habitat functions on the form (rates H,H,H or H,H,M for the three aspects of function)? ☐ Yes = Category I ☐ No - Go to SC 6.2 SC 6.2. Is the wetland 1 ac or larger, or is it in a mosaic of wetlands that is 1 ac or larger? ☐ Yes = Category II ☐ No - Go to SC 6.3 SC 6.3. Is the unit between 0.1 and 1 ac, or is it in a mosaic of wetlands that is between 0.1 and 1 ac? ☐ Yes = Category III ☐ No = Category IV	
Category of wetland based on Special Characteristics If you answered No for all types, enter "Not Applicable" on Summary Form	

RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland D Date of site visit: 9/26/2016Rated by AC/JD/RP/ES/MD Trained by Ecology? ☒ Yes ☐ No Date of training VariousHGM Class used for rating Slope Wetland has multiple HGM classes? ☐ Yes ☒ No**NOTE: Form is not complete with out the figures requested (figures can be combined).**Source of base aerial photo/map Google Earth**OVERALL WETLAND CATEGORY** IV (based on functions ☒ or special characteristics ☐)**1. Category of wetland based on FUNCTIONS**

 Category I - Total score = 23 - 27
 Category II - Total score = 20 - 22
 Category III - Total score = 16 - 19
 X Category IV - Total score = 9 - 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>List appropriate rating (H, M, L)</i>				
Site Potential	L	L	L	
Landscape Potential	L	L	L	
Value	L	L	H	Total
Score Based on Ratings	3	3	5	11

**Score for each
function based
on three
ratings***(order of ratings
is not
important)*

9 = H, H, H
8 = H, H, M
7 = H, H, L
7 = H, M, M
6 = H, M, L
6 = M, M, M
5 = H, L, L
5 = M, M, L
4 = M, L, L
3 = L, L, L

2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	Category
Estuarine	
Wetland of High Conservation Value	
Bog	
Mature Forest	
Old Growth Forest	
Coastal Lagoon	
Interdunal	
None of the above	X

Maps and Figures required to answer questions correctly for Western Washington

Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	
Hydroperiods	D 1.4, H 1.2	
Location of outlet (<i>can be added to map of hydroperiods</i>)	D 1.1, D 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	D 2.2, D 5.2	
Map of the contributing basin	D 4.3, D 5.3	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	

Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream (<i>can be added to another figure</i>)	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of dense trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of dense, rigid trees, shrubs, and herbaceous plants (<i>can be added to another figure</i>)	S 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

HGM Classification of Wetland in Western Washington

For questions 1 -7, the criteria described must apply to the entire unit being rated.
If hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1 - 7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides except during floods?

☒ NO - go to 2

☐ YES - the wetland class is **Tidal Fringe** - go to 1.1

1.1 Is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?

☒ NO - **Saltwater Tidal Fringe (Estuarine)**

☐ YES - **Freshwater Tidal Fringe**

*If your wetland can be classified as a Freshwater Tidal Fringe use the forms for **Riverine** wetlands.
If it is Saltwater Tidal Fringe it is an **Estuarine** wetland and is not scored. This method **cannot** be used to score functions for estuarine wetlands.*

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it.
Groundwater and surface water runoff are NOT sources of water to the unit.

☒ NO - go to 3

☐ YES - The wetland class is **Flats**

*If your wetland can be classified as a Flats wetland, use the form for **Depressional** wetlands.*

3. Does the entire wetland unit **meet all** of the following criteria?

☐ The vegetated part of the wetland is on the shores of a body of permanent open water (without any plants on the surface at any time of the year) at least 20 ac (8 ha) in size;

☐ At least 30% of the open water area is deeper than 6.6 ft (2 m).

☒ NO - go to 4

☐ YES - The wetland class is **Lake Fringe** (Lacustrine Fringe)

4. Does the entire wetland unit **meet all** of the following criteria?

☒ The wetland is on a slope (*slope can be very gradual*),

☒ The water flows through the wetland in one direction (unidirectional) and usually comes from seeps.
It may flow subsurface, as sheetflow, or in a swale without distinct banks.

☒ The water leaves the wetland **without being impounded**.

☐ NO - go to 5

☒ YES - The wetland class is **Slope**

NOTE: Surface water does not pond in these type of wetlands except occasionally in very small and shallow depressions or behind hummocks (depressions are usually <3 ft diameter and less than 1 ft deep).

5. Does the entire wetland unit **meet all** of the following criteria?

☐ The unit is in a valley, or stream channel, where it gets inundated by overbank flooding
from that stream or river,

☐ The overbank flooding occurs at least once every 2 years.

☒ NO - go to 6

☐ YES - The wetland class is **Riverine**

NOTE: The Riverine unit can contain depressions that are filled with water when the river is not flooding.

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year? *This means that any outlet, if present, is higher than the interior of the wetland.*

☒ NO - go to 7

☐ YES - The wetland class is **Depressional**

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding? The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

☒ NO - go to 8

☐ YES - The wetland class is **Depressional**

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a Depressional wetland has a zone of flooding along its sides. **GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT** (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within the wetland unit being scored.

NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the HGM class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.

HGM classes within the wetland unit being rated	HGM class to use in rating
Slope + Riverine	Riverine
Slope + Depressional	Depressional
Slope + Lake Fringe	Lake Fringe
Depressional + Riverine along stream within boundary of depression	Depressional
Depressional + Lake Fringe	Depressional
Riverine + Lake Fringe	Riverine
Salt Water Tidal Fringe and any other class of freshwater wetland	Treat as ESTUARINE

*If you are still unable to determine which of the above criteria apply to your wetland, or if you have **more than 2 HGM classes** within a wetland boundary, classify the wetland as Depressional for the rating.*

Wetland name or number D

SLOPE WETLANDS**Water Quality Functions** - Indicators that the site functions to improve water quality

S 1.0. Does the site have the potential to improve water quality?

S 1.1. Characteristics of the average slope of the wetland: (*a 1% slope has a 1 ft vertical drop in elevation for every 100 ft of horizontal distance*)

Slope is 1% or less	points = 3	0
Slope is > 1% - 2%	points = 2	
Slope is > 2% - 5%	points = 1	
Slope is greater than 5%	points = 0	

S 1.2. The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions):

Yes = 3 No = 0

0

S 1.3. Characteristics of the plants in the wetland that trap sediments and pollutants:

Choose the points appropriate for the description that best fits the plants in the wetland. *Dense means you have trouble seeing the soil surface (>75% cover), and uncut means not grazed or mowed and plants are higher than 6 in.*

Dense, uncut, herbaceous plants > 90% of the wetland area	points = 6	2
Dense, uncut, herbaceous plants > ½ of area	points = 3	
Dense, woody, plants > ½ of area	points = 2	
Dense, uncut, herbaceous plants > ¼ of area	points = 1	
Does not meet any of the criteria above for plants	points = 0	

Total for S 1

Add the points in the boxes above

2

Rating of Site Potential If score is: ☐ 12 = H ☐ 6 - 11 = M ☒ 0 - 5 = L

Record the rating on the first page

S 2.0. Does the landscape have the potential to support the water quality function of the site?

S 2.1. Is > 10% of the area within 150 ft on the uphill side of the wetland in land uses that generate pollutants?

Yes = 1 No = 0

0

S 2.2. Are there other sources of pollutants coming into the wetland that are not listed in question S 2.1?

Other Sources

Yes = 1 No = 0

0

Total for S 2

Add the points in the boxes above

0

Rating of Landscape Potential If score is: ☐ 1 - 2 = M ☒ 0 = L

Record the rating on the first page

S 3.0. Is the water quality improvement provided by the site valuable to society?

S 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?

Yes = 1 No = 0

0

S 3.2. Is the wetland in a basin or sub-basin where water quality is an issue? *At least one aquatic resource in the basin is on the 303(d) list.*

Yes = 1 No = 0

0

S 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality? *Answer YES if there is a TMDL for the basin in which the unit is found?*

Yes = 2 No = 0

0

Total for S 3

Add the points in the boxes above

0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

SLOPE WETLANDS**Hydrologic Functions** - Indicators that the site functions to reduce flooding and stream erosion

S 4.0. Does the site have the potential to reduce flooding and stream erosion?

S 4.1. Characteristics of plants that reduce the velocity of surface flows during storms: Choose the points appropriate for the description that best fits conditions in the wetland. <i>Stems of plants should be thick enough (usually > $\frac{1}{8}$ in), or dense enough, to remain erect during surface flows.</i>	0
Dense, uncut, rigid plants cover > 90% of the area of the wetland	points = 1
All other conditions	points = 0

Rating of Site Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 5.0. Does the landscape have the potential to support hydrologic functions of the site?

S 5.1. Is more than 25% of the area within 150 ft upslope of wetland in land uses or cover that generate excess surface runoff?	Yes = 1 No = 0	0
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Rating of Landscape Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 6.0. Are the hydrologic functions provided by the site valuable to society?

S 6.1. Distance to the nearest areas downstream that have flooding problems:		0
The sub-basin immediately down-gradient of site has flooding problems that result in damage to human or natural resources (e.g., houses or salmon redds)	points = 2	
Surface flooding problems are in a sub-basin farther down-gradient	points = 1	
No flooding problems anywhere downstream	points = 0	

S 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?	Yes = 2 No = 0	0
--	----------------	---

Total for S 6	Add the points in the boxes above	0
---------------	-----------------------------------	---

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

NOTES and FIELD OBSERVATIONS:

Wetland name or number D

These questions apply to wetlands of all HGM classes.

HABITAT FUNCTIONS - Indicators that site functions to provide important habitat

H 1.0. Does the site have the potential to provide habitat?

H 1.1. Structure of plant community: *Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.*

- | | | |
|---|----------------------------------|---|
| ☐ Aquatic bed | 4 structures or more: points = 4 | 0 |
| ☐ Emergent | 3 structures: points = 2 | |
| ☒ Scrub-shrub (areas where shrubs have > 30% cover) | 2 structures: points = 1 | |
| ☐ Forested (areas where trees have > 30% cover) | 1 structure: points = 0 | |
| <i>If the unit has a Forested class, check if:</i> | | |
| ☐ The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon | | |

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (*see text for descriptions of hydroperiods*).

- | | | |
|--|-------------------------------------|-----------------|
| ☐ Permanently flooded or inundated | 4 or more types present: points = 3 | 0 |
| ☐ Seasonally flooded or inundated | 3 types present: points = 2 | |
| ☐ Occasionally flooded or inundated | 2 types present: points = 1 | |
| ☒ Saturated only | 1 types present: points = 0 | |
| ☐ Permanently flowing stream or river in, or adjacent to, the wetland | | |
| ☐ Seasonally flowing stream or in, or adjacent to, the wetland | | |
| ☐ Lake Fringe wetland | | 2 points |
| ☐ Freshwater tidal wetland | | 2 points |

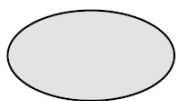
H 1.3. Richness of plant species

Count the number of plant species in the wetland that cover at least 10 ft². *Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. **Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle***

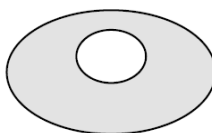
- | | | | |
|-----------------|----------------|------------|---|
| If you counted: | > 19 species | points = 2 | 1 |
| | 5 - 19 species | points = 1 | |
| | < 5 species | points = 0 | |

H 1.4. Interspersion of habitats

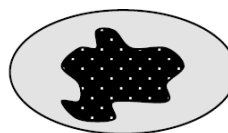
Decide from the diagrams below whether interspersion among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. *If you have four or more plant classes or three classes and open water, the rating is always high.*



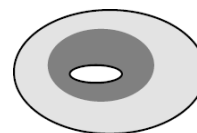
None = 0 points



Low = 1 point

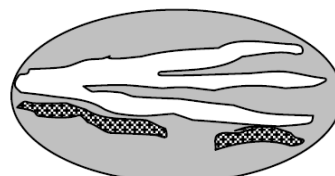


Moderate = 2 points



0

All three diagrams in this row are **HIGH = 3 points**



H 1.5. Special habitat features: Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i>		1
☒ Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long) ☐ Standing snags (dbh > 4 in) within the wetland ☐ Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m) ☐ Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>) ☐ At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>) ☐ Invasive plants cover less than 25% of the wetland area in every stratum of plants (see H 1.1 for list of strata)		
Total for H 1 Add the points in the boxes above		
Rating of Site Potential If Score is: ☐ 15 - 18 = H ☐ 7 - 14 = M ☒ 0 - 6 = L <i>Record the rating on the first page</i>		

H 2.0. Does the landscape have the potential to support the habitat function of the site?		
H 2.1 Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>). <i>Calculate:</i> 9.7 % undisturbed habitat + (<u> 0.2 </u> % moderate & low intensity land uses / 2) = 9.8% If total accessible habitat is: > 1/3 (33.3%) of 1 km Polygon points = 3 20 - 33% of 1 km Polygon points = 2 10 - 19% of 1 km Polygon points = 1 < 10 % of 1 km Polygon points = 0		0
H 2.2. Undisturbed habitat in 1 km Polygon around the wetland. <i>Calculate:</i> 9.7 % undisturbed habitat + (<u> 8.1 </u> % moderate & low intensity land uses / 2) = 13.75% Undisturbed habitat > 50% of Polygon points = 3 Undisturbed habitat 10 - 50% and in 1-3 patches points = 2 Undisturbed habitat 10 - 50% and > 3 patches points = 1 Undisturbed habitat < 10% of 1 km Polygon points = 0		
H 2.3 Land use intensity in 1 km Polygon: If > 50% of 1 km Polygon is high intensity land use points = (-2) ≤ 50% of 1km Polygon is high intensity points = 0		-2
Total for H 2 Add the points in the boxes above		-1
Rating of Landscape Potential If Score is: ☐ 4 - 6 = H ☐ 1 - 3 = M ☒ < 1 = L <i>Record the rating on the first page</i>		

H 3.0. Is the habitat provided by the site valuable to society?		
H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? Choose only the highest score that applies to the wetland being rated . Site meets ANY of the following criteria: points = 2		2
☒ It has 3 or more priority habitats within 100 m (see next page) ☐ It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists) ☐ It is mapped as a location for an individual WDFW priority species ☐ It is a Wetland of High Conservation Value as determined by the Department of Natural Resources ☐ It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan		
Site has 1 or 2 priority habitats (listed on next page) within 100m points = 1		

Wetland name or number D

Site does not meet any of the criteria above

points = 0

Rating of Value If Score is: ☒ **2 = H** ☐ **1 = M** ☐ **0 = L**

Record the rating on the first page

WDFW Priority Habitats

Priority habitats listed by WDFW (see complete descriptions of WDFW priority habitats, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington. 177 pp.

<http://wdfw.wa.gov/publications/00165/wdfw00165.pdf> or access the list from here:

<http://wdfw.wa.gov/conservation/phs/list/>

Count how many of the following priority habitats are within 330 ft (100 m) of the wetland unit: **NOTE:** *This question is independent of the land use between the wetland unit and the priority habitat.*

- ☐ **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).
- ☐ **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife (*full descriptions in WDFW PHS report*).
- ☐ **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.
- ☒ **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in (81 cm) dbh or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.
- ☐ **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important (*full descriptions in WDFW PHS report p. 158 – see web link above*).
- ☒ **Riparian:** The area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.
- ☐ **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie (*full descriptions in WDFW PHS report p. 161 – see web link above*).
- ☒ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources.
- ☐ **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore. (*full descriptions of habitats and the definition of relatively undisturbed are in WDFW report – see web link on previous page*).
- ☐ **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.
- ☐ **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.
- ☐ **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.
- ☒ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.

Note: All vegetated wetlands are by definition a priority habitat but are not included in this list because they are

Wetland name or number D

addressed elsewhere.

CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Wetland Type	Category
<i>Check off any criteria that apply to the wetland. List the category when the appropriate criteria are met.</i>	
SC 1.0. Estuarine Wetlands Does the wetland meet the following criteria for Estuarine wetlands? ☐ The dominant water regime is tidal, ☐ Vegetated, and ☐ With a salinity greater than 0.5 ppt ☐ Yes - Go to SC 1.1 ☒ No = Not an estuarine wetland	
SC 1.1. Is the wetland within a National Wildlife Refuge, National Park, National Estuary Reserve, Natural Area Preserve, State Park or Educational, Environmental, or Scientific Reserve designated under WAC 332-30-151? ☐ Yes = Category I ☐ No - Go to SC 1.2	
SC 1.2. Is the wetland unit at least 1 ac in size and meets at least two of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing, and has less than 10% cover of non-native plant species. (If non-native species are <i>Spartina</i> , see page 25) ☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or ungrazed or un-mowed grassland. ☐ The wetland has at least two of the following features: tidal channels, depressions with open water, or contiguous freshwater wetlands. ☐ Yes = Category I ☐ No = Category II	
SC 2.0. Wetlands of High Conservation Value (WHCV) SC 2.1. Has the WA Department of Natural Resources updated their website to include the list of Wetlands of High Conservation Value? ☐ Yes - Go to SC 2.2 ☒ No - Go to SC 2.3 SC 2.2. Is the wetland listed on the WDNR database as a Wetland of High Conservation Value? ☐ Yes = Category I ☐ No = Not WHCV SC 2.3. Is the wetland in a Section/Township/Range that contains a Natural Heritage wetland? http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpwetlands.pdf ☐ Yes - Contact WNHP/WDNR and to SC 2.4 ☒ No = Not WHCV SC 2.4. Has WDNR identified the wetland within the S/T/R as a Wetland of High Conservation Value and listed it on their website? ☐ Yes = Category I ☐ No = Not WHCV	
SC 3.0. Bogs Does the wetland (or any part of the unit) meet both the criteria for soils and vegetation in bogs? <i>Use the key below. If you answer YES you will still need to rate the wetland based on its functions.</i> SC 3.1. Does an area within the wetland unit have organic soil horizons, either peats or mucks, that compose 16 in or more of the first 32 in of the soil profile? ☐ Yes - Go to SC 3.3 ☒ No - Go to SC 3.2 SC 3.2. Does an area within the wetland unit have organic soils, either peats or mucks, that are less than 16 in deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on top of a lake or pond? ☐ Yes - Go to SC 3.3 ☒ No = Is not a bog SC 3.3. Does an area with peats or mucks have more than 70% cover of mosses at ground level, AND at least a 30% cover of plant species listed in Table 4? ☐ Yes = Is a Category I bog ☐ No - Go to SC 3.4 NOTE: If you are uncertain about the extent of mosses in the understory, you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16 in deep. If the pH is less than 5.0 and the plant species in Table 4 are present, the wetland is a bog. SC 3.4. Is an area with peats or mucks forested (> 30% cover) with Sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Engelmann spruce, or western white pine, AND any of the species (or combination of species) listed	

Wetland name or number D

in Table 4 provide more than 30% of the cover under the canopy?

☐ Yes = **Is a Category I bog**

☒ No = **Is not a bog**

SC 4.0. Forested Wetlands

Does the wetland have at least 1 contiguous acre of forest that meets one of these criteria for the WA Department of Fish and Wildlife's forests as priority habitats? ***If you answer YES you will still need to rate the wetland based on its functions.***

- ☐ **Old-growth forests** (west of Cascade crest): Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 in (81 cm) or more.
- ☐ **Mature forests** (west of the Cascade Crest): Stands where the largest trees are 80-200 years old OR the species that make up the canopy have an average diameter (dbh) exceeding 21 in (53 cm).

☐ Yes = **Category I** ☒ No = **Not a forested wetland for this section**

SC 5.0. Wetlands in Coastal Lagoons

Does the wetland meet all of the following criteria of a wetland in a coastal lagoon?

- ☐ The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks
- ☐ The lagoon in which the wetland is located contains ponded water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon (*needs to be measured near the bottom*)

☐ Yes - Go to **SC 5.1** ☒ No = **Not a wetland in a coastal lagoon**

SC 5.1. Does the wetland meet all of the following three conditions?

- ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of aggressive, opportunistic plant species (see list of species on p. 100).
- ☐ At least $\frac{3}{4}$ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland.
- ☐ The wetland is larger than $\frac{1}{10}$ ac (4350 ft²)

☐ Yes = **Category I** ☐ No = **Category II**

SC 6.0. Interdunal Wetlands

Is the wetland west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)? ***If you answer yes you will still need to rate the wetland based on its habitat functions.***

In practical terms that means the following geographic areas:

- ☐ Long Beach Peninsula: Lands west of SR 103
- ☐ Grayland-Westport: Lands west of SR 105
- ☐ Ocean Shores-Copalis: Lands west of SR 115 and SR 109

☐ Yes - Go to **SC 6.1** ☒ No = **Not an interdunal wetland for rating**

SC 6.1. Is the wetland 1 ac or larger and scores an 8 or 9 for the habitat functions on the form (rates H,H,H or H,H,M for the three aspects of function)?

☐ Yes = **Category I** ☐ No - Go to **SC 6.2**

SC 6.2. Is the wetland 1 ac or larger, or is it in a mosaic of wetlands that is 1 ac or larger?

☐ Yes = **Category II** ☐ No - Go to **SC 6.3**

SC 6.3. Is the unit between 0.1 and 1 ac, or is it in a mosaic of wetlands that is between 0.1 and 1 ac?

☐ Yes = **Category III** ☐ No = **Category IV**

Category of wetland based on Special Characteristics

If you answered No for all types, enter "Not Applicable" on Summary Form

RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland E Date of site visit: 9/28/2016Rated by AC/JD/RP/ES/MD Trained by Ecology? ☒ Yes ☐ No Date of training VariousHGM Class used for rating Slope Wetland has multiple HGM classes? ☐ Yes ☒ No**NOTE: Form is not complete with out the figures requested (figures can be combined).**

Source of base aerial photo/map _____

OVERALL WETLAND CATEGORY IV (based on functions ☒ or special characteristics ☐)**1. Category of wetland based on FUNCTIONS**

_____ **Category I** - Total score = 23 - 27

_____ **Category II** - Total score = 20 - 22

_____ **Category III** - Total score = 16 - 19

 X **Category IV** - Total score = 9 - 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>List appropriate rating (H, M, L)</i>				
Site Potential	L	L	L	
Landscape Potential	L	L	L	
Value	L	L	M	
Score Based on Ratings	3	3	4	10

**Score for each
function based
on three
ratings***(order of ratings
is not
important)*

9 = H, H, H
 8 = H, H, M
 7 = H, H, L
 7 = H, M, M
 6 = H, M, L
 6 = M, M, M
 5 = H, L, L
 5 = M, M, L
 4 = M, L, L
 3 = L, L, L

2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	Category
Estuarine	
Wetland of High Conservation Value	
Bog	
Mature Forest	
Old Growth Forest	
Coastal Lagoon	
Interdunal	
None of the above	X

Maps and Figures required to answer questions correctly for Western Washington

Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	
Hydroperiods	D 1.4, H 1.2	
Location of outlet (<i>can be added to map of hydroperiods</i>)	D 1.1, D 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	D 2.2, D 5.2	
Map of the contributing basin	D 4.3, D 5.3	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	

Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream (<i>can be added to another figure</i>)	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of dense trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of dense, rigid trees, shrubs, and herbaceous plants (<i>can be added to another figure</i>)	S 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

HGM Classification of Wetland in Western Washington

For questions 1 -7, the criteria described must apply to the entire unit being rated.
If hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1 - 7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides except during floods?

☒ NO - go to 2

☐ YES - the wetland class is **Tidal Fringe** - go to 1.1

1.1 Is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?

☒ **NO - Saltwater Tidal Fringe (Estuarine)**

☐ **YES - Freshwater Tidal Fringe**

*If your wetland can be classified as a Freshwater Tidal Fringe use the forms for **Riverine** wetlands.
If it is Saltwater Tidal Fringe it is an **Estuarine** wetland and is not scored. This method **cannot** be used to score functions for estuarine wetlands.*

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it.
Groundwater and surface water runoff are NOT sources of water to the unit.

☒ NO - go to 3

☐ YES - The wetland class is **Flats**

*If your wetland can be classified as a Flats wetland, use the form for **Depressional** wetlands.*

3. Does the entire wetland unit **meet all** of the following criteria?

☐ The vegetated part of the wetland is on the shores of a body of permanent open water (without any plants on the surface at any time of the year) at least 20 ac (8 ha) in size;

☐ At least 30% of the open water area is deeper than 6.6 ft (2 m).

☒ NO - go to 4

☐ YES - The wetland class is **Lake Fringe** (Lacustrine Fringe)

4. Does the entire wetland unit **meet all** of the following criteria?

☒ The wetland is on a slope (*slope can be very gradual*),

☒ The water flows through the wetland in one direction (unidirectional) and usually comes from seeps.
It may flow subsurface, as sheetflow, or in a swale without distinct banks.

☒ The water leaves the wetland **without being impounded**.

☐ NO - go to 5

☒ YES - The wetland class is **Slope**

NOTE: Surface water does not pond in these type of wetlands except occasionally in very small and shallow depressions or behind hummocks (depressions are usually <3 ft diameter and less than 1 ft deep).

5. Does the entire wetland unit **meet all** of the following criteria?

☐ The unit is in a valley, or stream channel, where it gets inundated by overbank flooding
from that stream or river,

☐ The overbank flooding occurs at least once every 2 years.

☒ NO - go to 6

☐ YES - The wetland class is **Riverine**

NOTE: The Riverine unit can contain depressions that are filled with water when the river is not flooding.

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year? *This means that any outlet, if present, is higher than the interior of the wetland.*

☒ NO - go to 7

☐ YES - The wetland class is **Depressional**

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding? The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

☒ NO - go to 8

☐ YES - The wetland class is **Depressional**

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a Depressional wetland has a zone of flooding along its sides. **GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT** (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within the wetland unit being scored.

NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the HGM class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.

HGM classes within the wetland unit being rated	HGM class to use in rating
Slope + Riverine	Riverine
Slope + Depressional	Depressional
Slope + Lake Fringe	Lake Fringe
Depressional + Riverine along stream within boundary of depression	Depressional
Depressional + Lake Fringe	Depressional
Riverine + Lake Fringe	Riverine
Salt Water Tidal Fringe and any other class of freshwater wetland	Treat as ESTUARINE

*If you are still unable to determine which of the above criteria apply to your wetland, or if you have **more than 2 HGM classes** within a wetland boundary, classify the wetland as Depressional for the rating.*

Wetland name or number E

SLOPE WETLANDS**Water Quality Functions** - Indicators that the site functions to improve water quality

S 1.0. Does the site have the potential to improve water quality?

S 1.1. Characteristics of the average slope of the wetland: (*a 1% slope has a 1 ft vertical drop in elevation for every 100 ft of horizontal distance*)

Slope is 1% or less	points = 3	1
Slope is > 1% - 2%	points = 2	
Slope is > 2% - 5%	points = 1	
Slope is greater than 5%	points = 0	

S 1.2. The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions):

Yes = 3 No = 0

0

S 1.3. Characteristics of the plants in the wetland that trap sediments and pollutants:

Choose the points appropriate for the description that best fits the plants in the wetland. *Dense means you have trouble seeing the soil surface (>75% cover), and uncut means not grazed or mowed and plants are higher than 6 in.*

Dense, uncut, herbaceous plants > 90% of the wetland area	points = 6	2
Dense, uncut, herbaceous plants > ½ of area	points = 3	
Dense, woody, plants > ½ of area	points = 2	
Dense, uncut, herbaceous plants > ¼ of area	points = 1	
Does not meet any of the criteria above for plants	points = 0	

Total for S 1

Add the points in the boxes above

3

Rating of Site Potential If score is: ☐ 12 = H ☐ 6 - 11 = M ☒ 0 - 5 = L

Record the rating on the first page

S 2.0. Does the landscape have the potential to support the water quality function of the site?

S 2.1. Is > 10% of the area within 150 ft on the uphill side of the wetland in land uses that generate pollutants?

Yes = 1 No = 0

0

S 2.2. Are there other sources of pollutants coming into the wetland that are not listed in question S 2.1?

Other Sources

Yes = 1 No = 0

0

Total for S 2

Add the points in the boxes above

0

Rating of Landscape Potential If score is: ☐ 1 - 2 = M ☒ 0 = L

Record the rating on the first page

S 3.0. Is the water quality improvement provided by the site valuable to society?

S 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?

Yes = 1 No = 0

0

S 3.2. Is the wetland in a basin or sub-basin where water quality is an issue? *At least one aquatic resource in the basin is on the 303(d) list.*

Yes = 1 No = 0

0

S 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality? *Answer YES if there is a TMDL for the basin in which the unit is found?*

Yes = 2 No = 0

0

Total for S 3

Add the points in the boxes above

0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

SLOPE WETLANDS**Hydrologic Functions** - Indicators that the site functions to reduce flooding and stream erosion

S 4.0. Does the site have the potential to reduce flooding and stream erosion?

S 4.1. Characteristics of plants that reduce the velocity of surface flows during storms: Choose the points appropriate for the description that best fits conditions in the wetland. <i>Stems of plants should be thick enough (usually > $\frac{1}{8}$ in), or dense enough, to remain erect during surface flows.</i>	0
Dense, uncut, rigid plants cover > 90% of the area of the wetland	points = 1
All other conditions	points = 0

Rating of Site Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 5.0. Does the landscape have the potential to support hydrologic functions of the site?

S 5.1. Is more than 25% of the area within 150 ft upslope of wetland in land uses or cover that generate excess surface runoff?	Yes = 1 No = 0	0
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Rating of Landscape Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 6.0. Are the hydrologic functions provided by the site valuable to society?

S 6.1. Distance to the nearest areas downstream that have flooding problems:		
The sub-basin immediately down-gradient of site has flooding problems that result in damage to human or natural resources (e.g., houses or salmon redds)	points = 2	0
Surface flooding problems are in a sub-basin farther down-gradient	points = 1	
No flooding problems anywhere downstream	points = 0	
S 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?	Yes = 2 No = 0	0
Total for S 6	Add the points in the boxes above	0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

NOTES and FIELD OBSERVATIONS:

Wetland name or number E

These questions apply to wetlands of all HGM classes.**HABITAT FUNCTIONS** - Indicators that site functions to provide important habitat**H 1.0. Does the site have the potential to provide habitat?**

H 1.1. Structure of plant community: *Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.*

- | | | |
|---|----------------------------------|---|
| ☐ Aquatic bed | 4 structures or more: points = 4 | 0 |
| ☐ Emergent | 3 structures: points = 2 | |
| ☒ Scrub-shrub (areas where shrubs have > 30% cover) | 2 structures: points = 1 | |
| ☐ Forested (areas where trees have > 30% cover) | 1 structure: points = 0 | |
| <i>If the unit has a Forested class, check if:</i> | | |
| ☐ The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon | | |

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (*see text for descriptions of hydroperiods*).

- | | | |
|--|-------------------------------------|-----------------|
| ☐ Permanently flooded or inundated | 4 or more types present: points = 3 | 0 |
| ☐ Seasonally flooded or inundated | 3 types present: points = 2 | |
| ☐ Occasionally flooded or inundated | 2 types present: points = 1 | |
| ☒ Saturated only | 1 types present: points = 0 | |
| ☐ Permanently flowing stream or river in, or adjacent to, the wetland | | |
| ☐ Seasonally flowing stream or in, or adjacent to, the wetland | | |
| ☐ Lake Fringe wetland | | 2 points |
| ☐ Freshwater tidal wetland | | 2 points |

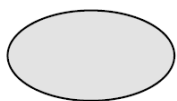
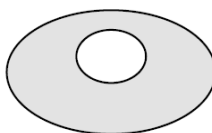
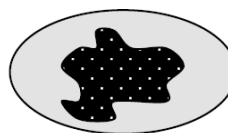
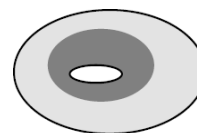
H 1.3. Richness of plant species

Count the number of plant species in the wetland that cover at least 10 ft². *Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle*

- | | | | |
|-----------------|----------------|------------|---|
| If you counted: | > 19 species | points = 2 | 1 |
| | 5 - 19 species | points = 1 | |
| | < 5 species | points = 0 | |

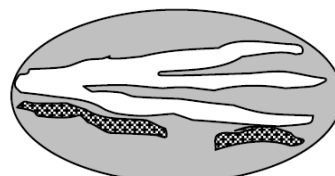
H 1.4. Interspersion of habitats

Decide from the diagrams below whether interspersion among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. *If you have four or more plant classes or three classes and open water, the rating is always high.*

**None = 0 points****Low = 1 point****Moderate = 2 points**

0

All three diagrams
in this row are
HIGH = 3 points



H 1.5. Special habitat features: Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i>		1
☐ Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long) ☒ Standing snags (dbh > 4 in) within the wetland ☐ Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m) ☐ Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>) ☐ At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>) ☐ Invasive plants cover less than 25% of the wetland area in every stratum of plants (see H 1.1 for list of strata)		
Total for H 1 Add the points in the boxes above		
Rating of Site Potential If Score is: ☐ 15 - 18 = H ☐ 7 - 14 = M ☒ 0 - 6 = L <i>Record the rating on the first page</i>		

H 2.0. Does the landscape have the potential to support the habitat function of the site?		
H 2.1 Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>). <i>Calculate:</i> 9.7 % undisturbed habitat + (0.2 % moderate & low intensity land uses / 2) = 9.8%		
If total accessible habitat is: > 1/3 (33.3%) of 1 km Polygon points = 3 20 - 33% of 1 km Polygon points = 2 10 - 19% of 1 km Polygon points = 1 < 10 % of 1 km Polygon points = 0		0
H 2.2. Undisturbed habitat in 1 km Polygon around the wetland. <i>Calculate:</i> 9.7 % undisturbed habitat + (8.1 % moderate & low intensity land uses / 2) = 13.75%		
Undisturbed habitat > 50% of Polygon points = 3 Undisturbed habitat 10 - 50% and in 1-3 patches points = 2 Undisturbed habitat 10 - 50% and > 3 patches points = 1 Undisturbed habitat < 10% of 1 km Polygon points = 0		1
H 2.3 Land use intensity in 1 km Polygon: If > 50% of 1 km Polygon is high intensity land use points = (-2) ≤ 50% of 1km Polygon is high intensity points = 0		-2
Total for H 2 Add the points in the boxes above		-1
Rating of Landscape Potential If Score is: ☐ 4 - 6 = H ☐ 1 - 3 = M ☒ < 1 = L <i>Record the rating on the first page</i>		

H 3.0. Is the habitat provided by the site valuable to society?		
H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? Choose only the highest score that applies to the wetland being rated .		
Site meets ANY of the following criteria: points = 2		1
☐ It has 3 or more priority habitats within 100 m (see next page) ☐ It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists) ☐ It is mapped as a location for an individual WDFW priority species ☐ It is a Wetland of High Conservation Value as determined by the Department of Natural Resources ☐ It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan		
Site has 1 or 2 priority habitats (listed on next page) with in 100m points = 1		

Wetland name or number _____ E _____

Site does not meet any of the criteria above

points = 0

Rating of Value If Score is: ☐ 2 = H ☒ 1 = M ☐ 0 = L

Record the rating on the first page

WDFW Priority Habitats

Priority habitats listed by WDFW (see complete descriptions of WDFW priority habitats, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington. 177 pp.

<http://wdfw.wa.gov/publications/00165/wdfw00165.pdf> or access the list from here:

<http://wdfw.wa.gov/conservation/phs/list/>

Count how many of the following priority habitats are within 330 ft (100 m) of the wetland unit: **NOTE:** *This question is independent of the land use between the wetland unit and the priority habitat.*

- ☐ **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).
- ☐ **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife (*full descriptions in WDFW PHS report*).
- ☐ **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.
- ☐ **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in (81 cm) dbh or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.
- ☐ **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important (*full descriptions in WDFW PHS report p. 158 – see web link above*).
- ☐ **Riparian:** The area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.
- ☐ **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie (*full descriptions in WDFW PHS report p. 161 – see web link above*).
- ☐ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources.
- ☐ **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore. (*full descriptions of habitats and the definition of relatively undisturbed are in WDFW report – see web link on previous page*).
- ☐ **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.
- ☐ **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.
- ☐ **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.
- ☒ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.

Note: All vegetated wetlands are by definition a priority habitat but are not included in this list because they are

Wetland name or number E

addressed elsewhere.

CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Wetland Type	Category
<i>Check off any criteria that apply to the wetland. List the category when the appropriate criteria are met.</i>	
SC 1.0. Estuarine Wetlands Does the wetland meet the following criteria for Estuarine wetlands? ☐ The dominant water regime is tidal, ☐ Vegetated, and ☐ With a salinity greater than 0.5 ppt ☐ Yes - Go to SC 1.1 ☒ No = Not an estuarine wetland	
SC 1.1. Is the wetland within a National Wildlife Refuge, National Park, National Estuary Reserve, Natural Area Preserve, State Park or Educational, Environmental, or Scientific Reserve designated under WAC 332-30-151? ☐ Yes = Category I ☐ No - Go to SC 1.2	
SC 1.2. Is the wetland unit at least 1 ac in size and meets at least two of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing, and has less than 10% cover of non-native plant species. (If non-native species are <i>Spartina</i> , see page 25) ☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or ungrazed or un-mowed grassland. ☐ The wetland has at least two of the following features: tidal channels, depressions with open water, or contiguous freshwater wetlands. ☐ Yes = Category I ☐ No = Category II	
SC 2.0. Wetlands of High Conservation Value (WHCV) SC 2.1. Has the WA Department of Natural Resources updated their website to include the list of Wetlands of High Conservation Value? ☐ Yes - Go to SC 2.2 ☒ No - Go to SC 2.3 SC 2.2. Is the wetland listed on the WDNR database as a Wetland of High Conservation Value? ☐ Yes = Category I ☐ No = Not WHCV SC 2.3. Is the wetland in a Section/Township/Range that contains a Natural Heritage wetland? http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpnwetlands.pdf ☐ Yes - Contact WNHP/WDNR and to SC 2.4 ☒ No = Not WHCV SC 2.4. Has WDNR identified the wetland within the S/T/R as a Wetland of High Conservation Value and listed it on their website? ☐ Yes = Category I ☐ No = Not WHCV	
SC 3.0. Bogs Does the wetland (or any part of the unit) meet both the criteria for soils and vegetation in bogs? <i>Use the key below. If you answer YES you will still need to rate the wetland based on its functions.</i> SC 3.1. Does an area within the wetland unit have organic soil horizons, either peats or mucks, that compose 16 in or more of the first 32 in of the soil profile? ☐ Yes - Go to SC 3.3 ☒ No - Go to SC 3.2 SC 3.2. Does an area within the wetland unit have organic soils, either peats or mucks, that are less than 16 in deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on top of a lake or pond? ☐ Yes - Go to SC 3.3 ☒ No = Is not a bog SC 3.3. Does an area with peats or mucks have more than 70% cover of mosses at ground level, AND at least a 30% cover of plant species listed in Table 4? ☐ Yes = Is a Category I bog ☐ No - Go to SC 3.4 NOTE: If you are uncertain about the extent of mosses in the understory, you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16 in deep. If the pH is less than 5.0 and the plant species in Table 4 are present, the wetland is a bog. SC 3.4. Is an area with peats or mucks forested (> 30% cover) with Sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Engelmann spruce, or western white pine, AND any of the species (or combination of species) listed	

Wetland name or number E

in Table 4 provide more than 30% of the cover under the canopy?

☐ Yes = **Is a Category I bog**

☒ No = **Is not a bog**

SC 4.0. Forested Wetlands

Does the wetland have at least 1 contiguous acre of forest that meets one of these criteria for the WA Department of Fish and Wildlife's forests as priority habitats? ***If you answer YES you will still need to rate the wetland based on its functions.***

- ☐ **Old-growth forests** (west of Cascade crest): Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 in (81 cm) or more.
- ☐ **Mature forests** (west of the Cascade Crest): Stands where the largest trees are 80-200 years old OR the species that make up the canopy have an average diameter (dbh) exceeding 21 in (53 cm).

☐ Yes = **Category I** ☒ No = **Not a forested wetland for this section**

SC 5.0. Wetlands in Coastal Lagoons

Does the wetland meet all of the following criteria of a wetland in a coastal lagoon?

- ☐ The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks
- ☐ The lagoon in which the wetland is located contains ponded water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon (*needs to be measured near the bottom*)

☐ Yes - Go to **SC 5.1** ☒ No = **Not a wetland in a coastal lagoon**

SC 5.1. Does the wetland meet all of the following three conditions?

- ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of aggressive, opportunistic plant species (see list of species on p. 100).
- ☐ At least $\frac{3}{4}$ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland.
- ☐ The wetland is larger than $\frac{1}{10}$ ac (4350 ft²)

☐ Yes = **Category I** ☐ No = **Category II**

SC 6.0. Interdunal Wetlands

Is the wetland west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)? ***If you answer yes you will still need to rate the wetland based on its habitat functions.***

In practical terms that means the following geographic areas:

- ☐ Long Beach Peninsula: Lands west of SR 103
- ☐ Grayland-Westport: Lands west of SR 105
- ☐ Ocean Shores-Copalis: Lands west of SR 115 and SR 109

☐ Yes - Go to **SC 6.1** ☒ No = **Not an interdunal wetland for rating**

SC 6.1. Is the wetland 1 ac or larger and scores an 8 or 9 for the habitat functions on the form (rates H,H,H or H,H,M for the three aspects of function)?

☐ Yes = **Category I** ☐ No - Go to **SC 6.2**

SC 6.2. Is the wetland 1 ac or larger, or is it in a mosaic of wetlands that is 1 ac or larger?

☐ Yes = **Category II** ☐ No - Go to **SC 6.3**

SC 6.3. Is the unit between 0.1 and 1 ac, or is it in a mosaic of wetlands that is between 0.1 and 1 ac?

☐ Yes = **Category III** ☐ No = **Category IV**

Category of wetland based on Special Characteristics

If you answered No for all types, enter "Not Applicable" on Summary Form

RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland F Date of site visit: 9/28/2016Rated by AC/JD/RP/ES/MD Trained by Ecology? ☒ Yes ☐ No Date of training VariousHGM Class used for rating Slope Wetland has multiple HGM classes? ☐ Yes ☒ No**NOTE: Form is not complete with out the figures requested (figures can be combined).**Source of base aerial photo/map Google Earth 2016**OVERALL WETLAND CATEGORY** IV (based on functions ☒ or special characteristics ☐)**1. Category of wetland based on FUNCTIONS**

 Category I - Total score = 23 - 27
 Category II - Total score = 20 - 22
 Category III - Total score = 16 - 19
 X Category IV - Total score = 9 - 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>List appropriate rating (H, M, L)</i>				
Site Potential	L	L	L	
Landscape Potential	M	L	L	
Value	L	L	L	Total
Score Based on Ratings	5	3	3	11

**Score for each
function based
on three
ratings**
*(order of ratings
is not
important)*

9 = H, H, H
8 = H, H, M
7 = H, H, L
7 = H, M, M
6 = H, M, L
6 = M, M, M
5 = H, L, L
5 = M, M, L
4 = M, L, L
3 = L, L, L

2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	Category
Estuarine	
Wetland of High Conservation Value	
Bog	
Mature Forest	
Old Growth Forest	
Coastal Lagoon	
Interdunal	
None of the above	X

Maps and Figures required to answer questions correctly for Western Washington

Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	
Hydroperiods	D 1.4, H 1.2	
Location of outlet (<i>can be added to map of hydroperiods</i>)	D 1.1, D 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	D 2.2, D 5.2	
Map of the contributing basin	D 4.3, D 5.3	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	

Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream (<i>can be added to another figure</i>)	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of dense trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of dense, rigid trees, shrubs, and herbaceous plants (<i>can be added to another figure</i>)	S 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

HGM Classification of Wetland in Western Washington

For questions 1 -7, the criteria described must apply to the entire unit being rated.
If hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1 - 7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides except during floods?

☒ NO - go to 2

☐ YES - the wetland class is **Tidal Fringe** - go to 1.1

1.1 Is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?

☒ NO - **Saltwater Tidal Fringe (Estuarine)**

☐ YES - **Freshwater Tidal Fringe**

*If your wetland can be classified as a Freshwater Tidal Fringe use the forms for **Riverine** wetlands.
If it is Saltwater Tidal Fringe it is an **Estuarine** wetland and is not scored. This method **cannot** be used to score functions for estuarine wetlands.*

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it.
Groundwater and surface water runoff are NOT sources of water to the unit.

☒ NO - go to 3

☐ YES - The wetland class is **Flats**

*If your wetland can be classified as a Flats wetland, use the form for **Depressional** wetlands.*

3. Does the entire wetland unit **meet all** of the following criteria?

☐ The vegetated part of the wetland is on the shores of a body of permanent open water (without any plants on the surface at any time of the year) at least 20 ac (8 ha) in size;

☐ At least 30% of the open water area is deeper than 6.6 ft (2 m).

☒ NO - go to 4

☐ YES - The wetland class is **Lake Fringe** (Lacustrine Fringe)

4. Does the entire wetland unit **meet all** of the following criteria?

☒ The wetland is on a slope (*slope can be very gradual*),

☒ The water flows through the wetland in one direction (unidirectional) and usually comes from seeps.
It may flow subsurface, as sheetflow, or in a swale without distinct banks.

☒ The water leaves the wetland **without being impounded**.

☐ NO - go to 5

☒ YES - The wetland class is **Slope**

NOTE: Surface water does not pond in these type of wetlands except occasionally in very small and shallow depressions or behind hummocks (depressions are usually <3 ft diameter and less than 1 ft deep).

5. Does the entire wetland unit **meet all** of the following criteria?

☐ The unit is in a valley, or stream channel, where it gets inundated by overbank flooding from that stream or river,

☐ The overbank flooding occurs at least once every 2 years.

☒ NO - go to 6

☐ YES - The wetland class is **Riverine**

NOTE: The Riverine unit can contain depressions that are filled with water when the river is not flooding.

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year? *This means that any outlet, if present, is higher than the interior of the wetland.*

☒ NO - go to 7

☐ YES - The wetland class is **Depressional**

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding? The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

☒ NO - go to 8

☐ YES - The wetland class is **Depressional**

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a Depressional wetland has a zone of flooding along its sides. **GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT** (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within the wetland unit being scored.

NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the HGM class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.

HGM classes within the wetland unit being rated	HGM class to use in rating
Slope + Riverine	Riverine
Slope + Depressional	Depressional
Slope + Lake Fringe	Lake Fringe
Depressional + Riverine along stream within boundary of depression	Depressional
Depressional + Lake Fringe	Depressional
Riverine + Lake Fringe	Riverine
Salt Water Tidal Fringe and any other class of freshwater wetland	Treat as ESTUARINE

*If you are still unable to determine which of the above criteria apply to your wetland, or if you have **more than 2 HGM classes** within a wetland boundary, classify the wetland as Depressional for the rating.*

SLOPE WETLANDS**Water Quality Functions** - Indicators that the site functions to improve water quality

S 1.0. Does the site have the potential to improve water quality?

S 1.1. Characteristics of the average slope of the wetland: (*a 1% slope has a 1 ft vertical drop in elevation for every 100 ft of horizontal distance*)

Slope is 1% or less	points = 3	0
Slope is > 1% - 2%	points = 2	
Slope is > 2% - 5%	points = 1	
Slope is greater than 5%	points = 0	

S 1.2. The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions):

Yes = 3 No = 0

0

S 1.3. Characteristics of the plants in the wetland that trap sediments and pollutants:

Choose the points appropriate for the description that best fits the plants in the wetland. *Dense means you have trouble seeing the soil surface (>75% cover), and uncut means not grazed or mowed and plants are higher than 6 in.*

Dense, uncut, herbaceous plants > 90% of the wetland area	points = 6	2
Dense, uncut, herbaceous plants > ½ of area	points = 3	
Dense, woody, plants > ½ of area	points = 2	
Dense, uncut, herbaceous plants > ¼ of area	points = 1	
Does not meet any of the criteria above for plants	points = 0	

Total for S 1

Add the points in the boxes above

2

Rating of Site Potential If score is: ☐ 12 = H ☐ 6 - 11 = M ☒ 0 - 5 = L

Record the rating on the first page

S 2.0. Does the landscape have the potential to support the water quality function of the site?

S 2.1. Is > 10% of the area within 150 ft on the uphill side of the wetland in land uses that generate pollutants?

Yes = 1 No = 0

0

S 2.2. Are there other sources of pollutants coming into the wetland that are not listed in question S 2.1?

Other Sources

Yes = 1 No = 0

1

Total for S 2

Add the points in the boxes above

1

Rating of Landscape Potential If score is: ☒ 1 - 2 = M ☐ 0 = L

Record the rating on the first page

S 3.0. Is the water quality improvement provided by the site valuable to society?

S 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?

Yes = 1 No = 0

0

S 3.2. Is the wetland in a basin or sub-basin where water quality is an issue?

At least one aquatic resource in the basin is on the 303(d) list.

Yes = 1 No = 0

0

S 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality? Answer YES if there is a TMDL for the basin in which the unit is found?

Yes = 2 No = 0

0

Total for S 3

Add the points in the boxes above

0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

SLOPE WETLANDS**Hydrologic Functions** - Indicators that the site functions to reduce flooding and stream erosion

S 4.0. Does the site have the potential to reduce flooding and stream erosion?

S 4.1. Characteristics of plants that reduce the velocity of surface flows during storms: Choose the points appropriate for the description that best fits conditions in the wetland. <i>Stems of plants should be thick enough (usually > $\frac{1}{8}$ in), or dense enough, to remain erect during surface flows.</i>	0
Dense, uncut, rigid plants cover > 90% of the area of the wetland	points = 1
All other conditions	points = 0

Rating of Site Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 5.0. Does the landscape have the potential to support hydrologic functions of the site?

S 5.1. Is more than 25% of the area within 150 ft upslope of wetland in land uses or cover that generate excess surface runoff?	Yes = 1 No = 0	0
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Rating of Landscape Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 6.0. Are the hydrologic functions provided by the site valuable to society?

S 6.1. Distance to the nearest areas downstream that have flooding problems:		
The sub-basin immediately down-gradient of site has flooding problems that result in damage to human or natural resources (e.g., houses or salmon redds)	points = 2	0
Surface flooding problems are in a sub-basin farther down-gradient	points = 1	
No flooding problems anywhere downstream	points = 0	

S 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?	Yes = 2 No = 0	0
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Total for S 6	Add the points in the boxes above	0
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Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

NOTES and FIELD OBSERVATIONS:

These questions apply to wetlands of all HGM classes.**HABITAT FUNCTIONS** - Indicators that site functions to provide important habitat**H 1.0. Does the site have the potential to provide habitat?**

H 1.1. Structure of plant community: *Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.*

- | | | |
|---|----------------------------------|---|
| ☐ Aquatic bed | 4 structures or more: points = 4 | 0 |
| ☐ Emergent | 3 structures: points = 2 | |
| ☒ Scrub-shrub (areas where shrubs have > 30% cover) | 2 structures: points = 1 | |
| ☐ Forested (areas where trees have > 30% cover) | 1 structure: points = 0 | |
| <i>If the unit has a Forested class, check if:</i> | | |
| ☐ The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon | | |

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (*see text for descriptions of hydroperiods*).

- | | | |
|--|-------------------------------------|-----------------|
| ☐ Permanently flooded or inundated | 4 or more types present: points = 3 | 0 |
| ☐ Seasonally flooded or inundated | 3 types present: points = 2 | |
| ☐ Occasionally flooded or inundated | 2 types present: points = 1 | |
| ☒ Saturated only | 1 types present: points = 0 | |
| ☐ Permanently flowing stream or river in, or adjacent to, the wetland | | |
| ☐ Seasonally flowing stream or in, or adjacent to, the wetland | | |
| ☐ Lake Fringe wetland | | 2 points |
| ☐ Freshwater tidal wetland | | 2 points |

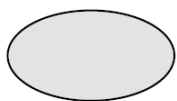
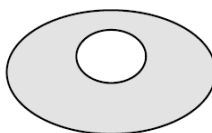
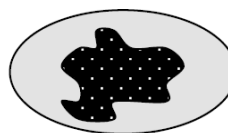
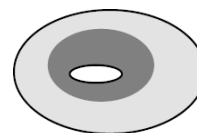
H 1.3. Richness of plant species

Count the number of plant species in the wetland that cover at least 10 ft². *Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle*

- | | | | |
|-----------------|----------------|------------|---|
| If you counted: | > 19 species | points = 2 | 1 |
| | 5 - 19 species | points = 1 | |
| | < 5 species | points = 0 | |

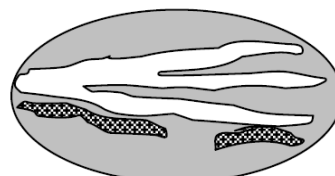
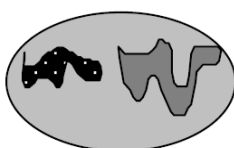
H 1.4. Interspersion of habitats

Decide from the diagrams below whether interspersion among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. *If you have four or more plant classes or three classes and open water, the rating is always high.*

**None = 0 points****Low = 1 point****Moderate = 2 points**

0

All three diagrams
in this row are
HIGH = 3 points



H 1.5. Special habitat features: Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i>		1
☒ Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long) ☐ Standing snags (dbh > 4 in) within the wetland ☐ Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m) ☐ Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>) ☐ At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>) ☐ Invasive plants cover less than 25% of the wetland area in every stratum of plants (see H 1.1 for list of strata)		
Total for H 1 Add the points in the boxes above		
Rating of Site Potential If Score is: ☐ 15 - 18 = H ☐ 7 - 14 = M ☒ 0 - 6 = L Record the rating on the first page		

H 2.0. Does the landscape have the potential to support the habitat function of the site?		
H 2.1 Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>). <i>Calculate:</i> 9.7 % undisturbed habitat + (0.2 % moderate & low intensity land uses / 2) = 9.8%		
If total accessible habitat is: > 1/3 (33.3%) of 1 km Polygon points = 3 20 - 33% of 1 km Polygon points = 2 10 - 19% of 1 km Polygon points = 1 < 10 % of 1 km Polygon points = 0	0	
H 2.2. Undisturbed habitat in 1 km Polygon around the wetland. <i>Calculate:</i> 9.7 % undisturbed habitat + (8.1 % moderate & low intensity land uses / 2) = 13.75%		
Undisturbed habitat > 50% of Polygon points = 3 Undisturbed habitat 10 - 50% and in 1-3 patches points = 2 Undisturbed habitat 10 - 50% and > 3 patches points = 1 Undisturbed habitat < 10% of 1 km Polygon points = 0	1	
H 2.3 Land use intensity in 1 km Polygon: If > 50% of 1 km Polygon is high intensity land use points = (-2) ≤ 50% of 1km Polygon is high intensity points = 0		
Total for H 2 Add the points in the boxes above		-1
Rating of Landscape Potential If Score is: ☐ 4 - 6 = H ☐ 1 - 3 = M ☒ < 1 = L Record the rating on the first page		

H 3.0. Is the habitat provided by the site valuable to society?		
H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? Choose only the highest score that applies to the wetland being rated.		
Site meets ANY of the following criteria: points = 2 ☐ It has 3 or more priority habitats within 100 m (see next page) ☐ It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists) ☐ It is mapped as a location for an individual WDFW priority species ☐ It is a Wetland of High Conservation Value as determined by the Department of Natural Resources ☐ It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan	0	
Site has 1 or 2 priority habitats (listed on next page) within 100m points = 1		

Wetland name or number _____ F _____

Site does not meet any of the criteria above

points = 0

Rating of Value If Score is: ☐ 2 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

WDFW Priority Habitats

Priority habitats listed by WDFW (see complete descriptions of WDFW priority habitats, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington. 177 pp.

<http://wdfw.wa.gov/publications/00165/wdfw00165.pdf> or access the list from here:

<http://wdfw.wa.gov/conservation/phs/list/>

Count how many of the following priority habitats are within 330 ft (100 m) of the wetland unit: **NOTE:** *This question is independent of the land use between the wetland unit and the priority habitat.*

- ☐ **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).
- ☐ **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife (*full descriptions in WDFW PHS report*).
- ☐ **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.
- ☐ **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in (81 cm) dbh or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.
- ☐ **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important (*full descriptions in WDFW PHS report p. 158 – see web link above*).
- ☐ **Riparian:** The area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.
- ☐ **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie (*full descriptions in WDFW PHS report p. 161 – see web link above*).
- ☐ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources.
- ☐ **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore. (*full descriptions of habitats and the definition of relatively undisturbed are in WDFW report – see web link on previous page*).
- ☐ **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.
- ☐ **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.
- ☐ **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.
- ☐ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.

Note: All vegetated wetlands are by definition a priority habitat but are not included in this list because they are

Wetland name or number F

addressed elsewhere.

CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Wetland Type	Category
<i>Check off any criteria that apply to the wetland. List the category when the appropriate criteria are met.</i>	
SC 1.0. Estuarine Wetlands Does the wetland meet the following criteria for Estuarine wetlands? ☐ The dominant water regime is tidal, ☐ Vegetated, and ☐ With a salinity greater than 0.5 ppt ☐ Yes - Go to SC 1.1 ☒ No = Not an estuarine wetland	
SC 1.1. Is the wetland within a National Wildlife Refuge, National Park, National Estuary Reserve, Natural Area Preserve, State Park or Educational, Environmental, or Scientific Reserve designated under WAC 332-30-151? ☐ Yes = Category I ☐ No - Go to SC 1.2	
SC 1.2. Is the wetland unit at least 1 ac in size and meets at least two of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing, and has less than 10% cover of non-native plant species. (If non-native species are <i>Spartina</i> , see page 25) ☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or ungrazed or un-mowed grassland. ☐ The wetland has at least two of the following features: tidal channels, depressions with open water, or contiguous freshwater wetlands. ☐ Yes = Category I ☐ No = Category II	
SC 2.0. Wetlands of High Conservation Value (WHCV) SC 2.1. Has the WA Department of Natural Resources updated their website to include the list of Wetlands of High Conservation Value? ☐ Yes - Go to SC 2.2 ☒ No - Go to SC 2.3 SC 2.2. Is the wetland listed on the WDNR database as a Wetland of High Conservation Value? ☐ Yes = Category I ☐ No = Not WHCV SC 2.3. Is the wetland in a Section/Township/Range that contains a Natural Heritage wetland? http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpnwetlands.pdf ☐ Yes - Contact WNHP/WDNR and to SC 2.4 ☒ No = Not WHCV SC 2.4. Has WDNR identified the wetland within the S/T/R as a Wetland of High Conservation Value and listed it on their website? ☐ Yes = Category I ☐ No = Not WHCV	
SC 3.0. Bogs Does the wetland (or any part of the unit) meet both the criteria for soils and vegetation in bogs? <i>Use the key below. If you answer YES you will still need to rate the wetland based on its functions.</i> SC 3.1. Does an area within the wetland unit have organic soil horizons, either peats or mucks, that compose 16 in or more of the first 32 in of the soil profile? ☐ Yes - Go to SC 3.3 ☒ No - Go to SC 3.2 SC 3.2. Does an area within the wetland unit have organic soils, either peats or mucks, that are less than 16 in deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on top of a lake or pond? ☐ Yes - Go to SC 3.3 ☒ No = Is not a bog SC 3.3. Does an area with peats or mucks have more than 70% cover of mosses at ground level, AND at least a 30% cover of plant species listed in Table 4? ☐ Yes = Is a Category I bog ☐ No - Go to SC 3.4 NOTE: If you are uncertain about the extent of mosses in the understory, you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16 in deep. If the pH is less than 5.0 and the plant species in Table 4 are present, the wetland is a bog. SC 3.4. Is an area with peats or mucks forested (> 30% cover) with Sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Engelmann spruce, or western white pine, AND any of the species (or combination of species) listed	

Wetland name or number _____ F _____

in Table 4 provide more than 30% of the cover under the canopy?

☐ Yes = **Is a Category I bog**

☒ No = **Is not a bog**

SC 4.0. Forested Wetlands Does the wetland have at least <u>1 contiguous acre</u> of forest that meets one of these criteria for the WA Department of Fish and Wildlife's forests as priority habitats? <i>If you answer YES you will still need to rate the wetland based on its functions.</i> ☐ Old-growth forests (west of Cascade crest): Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 in (81 cm) or more. ☐ Mature forests (west of the Cascade Crest): Stands where the largest trees are 80-200 years old OR the species that make up the canopy have an average diameter (dbh) exceeding 21 in (53 cm). ☐ Yes = Category I ☒ No = Not a forested wetland for this section	
SC 5.0. Wetlands in Coastal Lagoons Does the wetland meet all of the following criteria of a wetland in a coastal lagoon? ☐ The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks ☐ The lagoon in which the wetland is located contains ponded water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon (<i>needs to be measured near the bottom</i>) ☐ Yes - Go to SC 5.1 ☒ No = Not a wetland in a coastal lagoon SC 5.1. Does the wetland meet all of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of aggressive, opportunistic plant species (see list of species on p. 100). ☐ At least $\frac{3}{4}$ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland. ☐ The wetland is larger than $\frac{1}{10}$ ac (4350 ft²) ☐ Yes = Category I ☐ No = Category II	
SC 6.0. Interdunal Wetlands Is the wetland west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)? <i>If you answer yes you will still need to rate the wetland based on its habitat functions.</i> In practical terms that means the following geographic areas: ☐ Long Beach Peninsula: Lands west of SR 103 ☐ Grayland-Westport: Lands west of SR 105 ☐ Ocean Shores-Copalis: Lands west of SR 115 and SR 109 ☐ Yes - Go to SC 6.1 ☒ No = Not an interdunal wetland for rating SC 6.1. Is the wetland 1 ac or larger and scores an 8 or 9 for the habitat functions on the form (rates H,H,H or H,H,M for the three aspects of function)? ☐ Yes = Category I ☐ No - Go to SC 6.2 SC 6.2. Is the wetland 1 ac or larger, or is it in a mosaic of wetlands that is 1 ac or larger? ☐ Yes = Category II ☐ No - Go to SC 6.3 SC 6.3. Is the unit between 0.1 and 1 ac, or is it in a mosaic of wetlands that is between 0.1 and 1 ac? ☐ Yes = Category III ☐ No = Category IV	
Category of wetland based on Special Characteristics If you answered No for all types, enter "Not Applicable" on Summary Form	

RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland G Date of site visit: 9/28/2016 Rated by AC/JD/RP/ES/MD Trained by Ecology? ☒ Yes ☐ No Date of training Various HGM Class used for rating Depressional & Flats Wetland has multiple HGM classes? ☐ Yes ☒ No**NOTE: Form is not complete with out the figures requested (figures can be combined).**Source of base aerial photo/map Google Earth **OVERALL WETLAND CATEGORY** IV (based on functions ☒ or special characteristics ☐)**1. Category of wetland based on FUNCTIONS**

 Category I - Total score = 23 - 27
 Category II - Total score = 20 - 22
 Category III - Total score = 16 - 19
 X **Category IV** - Total score = 9 - 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>List appropriate rating (H, M, L)</i>				
Site Potential	M	L	L	
Landscape Potential	M	M	L	
Value	L	L	L	Total
Score Based on Ratings	5	4	3	12

**Score for each
function based
on three
ratings**
*(order of ratings
is not
important)*

9 = H, H, H
 8 = H, H, M
 7 = H, H, L
 7 = H, M, M
 6 = H, M, L
 6 = M, M, M
 5 = H, L, L
 5 = M, M, L
 4 = M, L, L
 3 = L, L, L

2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	Category
Estuarine	
Wetland of High Conservation Value	
Bog	
Mature Forest	
Old Growth Forest	
Coastal Lagoon	
Interdunal	
None of the above	X

Maps and Figures required to answer questions correctly for Western Washington

Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	
Hydroperiods	D 1.4, H 1.2	
Location of outlet (<i>can be added to map of hydroperiods</i>)	D 1.1, D 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	D 2.2, D 5.2	
Map of the contributing basin	D 4.3, D 5.3	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	

Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream (<i>can be added to another figure</i>)	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of dense trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of dense, rigid trees, shrubs, and herbaceous plants (<i>can be added to another figure</i>)	S 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

HGM Classification of Wetland in Western Washington

For questions 1 -7, the criteria described must apply to the entire unit being rated.
If hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1 - 7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides except during floods?

☒ NO - go to 2

☐ YES - the wetland class is **Tidal Fringe** - go to 1.1

1.1 Is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?

☒ NO - **Saltwater Tidal Fringe (Estuarine)**

☐ YES - **Freshwater Tidal Fringe**

*If your wetland can be classified as a Freshwater Tidal Fringe use the forms for **Riverine** wetlands.
If it is Saltwater Tidal Fringe it is an **Estuarine** wetland and is not scored. This method **cannot** be used to score functions for estuarine wetlands.*

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it.
Groundwater and surface water runoff are NOT sources of water to the unit.

☒ NO - go to 3

☐ YES - The wetland class is **Flats**

*If your wetland can be classified as a Flats wetland, use the form for **Depressional** wetlands.*

3. Does the entire wetland unit **meet all** of the following criteria?

☐ The vegetated part of the wetland is on the shores of a body of permanent open water (without any plants on the surface at any time of the year) at least 20 ac (8 ha) in size;

☐ At least 30% of the open water area is deeper than 6.6 ft (2 m).

☒ NO - go to 4

☐ YES - The wetland class is **Lake Fringe** (Lacustrine Fringe)

4. Does the entire wetland unit **meet all** of the following criteria?

☐ The wetland is on a slope (*slope can be very gradual*),

☐ The water flows through the wetland in one direction (unidirectional) and usually comes from seeps.
It may flow subsurface, as sheetflow, or in a swale without distinct banks.

☐ The water leaves the wetland **without being impounded**.

☒ NO - go to 5

☐ YES - The wetland class is **Slope**

NOTE: Surface water does not pond in these type of wetlands except occasionally in very small and shallow depressions or behind hummocks (depressions are usually <3 ft diameter and less than 1 ft deep).

5. Does the entire wetland unit **meet all** of the following criteria?

☐ The unit is in a valley, or stream channel, where it gets inundated by overbank flooding from that stream or river,

☐ The overbank flooding occurs at least once every 2 years.

☒ NO - go to 6

☐ YES - The wetland class is **Riverine**

NOTE: The Riverine unit can contain depressions that are filled with water when the river is not flooding.

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year? *This means that any outlet, if present, is higher than the interior of the wetland.*

☐ NO - go to 7

☒ YES - The wetland class is **Depressional**

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding? The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

☒ NO - go to 8

☐ YES - The wetland class is **Depressional**

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a Depressional wetland has a zone of flooding along its sides. **GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT** (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within the wetland unit being scored.

NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the HGM class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.

HGM classes within the wetland unit being rated	HGM class to use in rating
Slope + Riverine	Riverine
Slope + Depressional	Depressional
Slope + Lake Fringe	Lake Fringe
Depressional + Riverine along stream within boundary of depression	Depressional
Depressional + Lake Fringe	Depressional
Riverine + Lake Fringe	Riverine
Salt Water Tidal Fringe and any other class of freshwater wetland	Treat as ESTUARINE

*If you are still unable to determine which of the above criteria apply to your wetland, or if you have **more than 2 HGM classes** within a wetland boundary, classify the wetland as Depressional for the rating.*

NOTES and FIELD OBSERVATIONS:

Wetland name or number G

DEPRESSIONAL AND FLATS WETLANDS**Water Quality Functions** - Indicators that the site functions to improve water quality**D 1.0. Does the site have the potential to improve water quality?****D 1.1. Characteristics of surface water outflows from the wetland:**

- Wetland is a depression or flat depression (QUESTION 7 on key) with no surface water leaving it (no outlet). points = 3
- Wetland has an intermittently flowing stream or ditch, OR highly constricted permanently flowing outlet. points = 2
- ☒ Wetland has an unconstricted, or slightly constricted, surface outlet that is permanently flowing points = 1
- ☐ Wetland is a flat depression (QUESTION 7 on key), whose outlet is a permanently flowing ditch. points = 1

2

D 1.2. The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions).

Yes = 4 No = 0

0

D 1.3. Characteristics and distribution of persistent plants (Emergent, Scrub-shrub, and/or Forested Cowardin classes):

- Wetland has persistent, ungrazed, plants > 95% of area points = 5
- Wetland has persistent, ungrazed, plants > 1/2 of area points = 3
- Wetland has persistent, ungrazed plants > 1/10 of area points = 1
- Wetland has persistent, ungrazed plants < 1/10 of area points = 0

5

D 1.4. Characteristics of seasonal ponding or inundation:*This is the area that is ponded for at least 2 months. See description in manual.*

- Area seasonally ponded is > 1/2 total area of wetland points = 4
- Area seasonally ponded is > 1/4 total area of wetland points = 2
- Area seasonally ponded is < 1/4 total area of wetland points = 0

0

Total for D 1

Add the points in the boxes above

7

Rating of Site Potential If score is: ☐ 12 - 16 = H ☒ 6 - 11 = M ☐ 0 - 5 = L Record the rating on the first page**D 2.0. Does the landscape have the potential to support the water quality function of the site?****D 2.1. Does the wetland unit receive stormwater discharges?** Yes = 1 No = 0

1

D 2.2. Is > 10% of the area within 150 ft of the wetland in land uses that generate pollutants?

Yes = 1 No = 0

0

D 2.3. Are there septic systems within 250 ft of the wetland?

Yes = 1 No = 0

0

D 2.4. Are there other sources of pollutants coming into the wetland that are not listed in questions D 2.1 - D 2.3?

Source Yes = 1 No = 0

0

Total for D 2

Add the points in the boxes above

1

Rating of Landscape Potential If score is: ☐ 3 or 4 = H ☒ 1 or 2 = M ☐ 0 = L Record the rating on the first page**D 3.0. Is the water quality improvement provided by the site valuable to society?****D 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?** Yes = 1 No = 0

0

D 3.2. Is the wetland in a basin or sub-basin where an aquatic resource is on the 303(d) list?

Yes = 1 No = 0

0

D 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality (answer YES if there is a TMDL for the basin in which the unit is found)?

Yes = 2 No = 0

0

Total for D 3

Add the points in the boxes above

0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

DEPRESSIONAL AND FLATS WETLANDS**Hydrologic Functions** - Indicators that the site functions to reduce flooding and stream degradation

D 4.0. Does the site have the potential to reduce flooding and erosion?

D 4.1. Characteristics of surface water outflows from the wetland:

- | | | |
|---|------------|---|
| Wetland is a depression or flat depression with no surface water leaving it (no outlet) | points = 4 | 2 |
| Wetland has an intermittently flowing stream or ditch, OR highly constricted permanently flowing outlet | points = 2 | |
| Wetland is a flat depression (QUESTION 7 on key), whose outlet is a permanently flowing ditch | points = 1 | |
| Wetland has an unconstricted, or slightly constricted, surface outlet that is permanently flowing | points = 0 | |

D 4.2. Depth of storage during wet periods: Estimate the height of ponding above the bottom of the outlet. For wetlands with no outlet, measure from the surface of permanent water or if dry, the deepest part.

- | | | |
|---|------------|---|
| Marks of ponding are 3 ft or more above the surface or bottom of outlet | points = 7 | 0 |
| Marks of ponding between 2 ft to < 3 ft from surface or bottom of outlet | points = 5 | |
| ☐ Marks are at least 0.5 ft to < 2 ft from surface or bottom of outlet | points = 3 | |
| ☐ The wetland is a "headwater" wetland | points = 3 | |
| Wetland is flat but has small depressions on the surface that trap water | points = 1 | |
| Marks of ponding less than 0.5 ft (6 in) | points = 0 | |

D 4.3. Contribution of the wetland to storage in the watershed: Estimate the ratio of the area of upstream basin contributing surface water to the wetland to the area of the wetland unit itself.

- | | | |
|---|------------|---|
| ☐ The area of the basin is less than 10 times the area of the unit | points = 5 | 0 |
| The area of the basin is 10 to 100 times the area of the unit | points = 3 | |
| The area of the basin is more than 100 times the area of the unit | points = 0 | |
| ☐ Entire wetland is in the Flats class | points = 5 | |

Total for D 4 Add the points in the boxes above **2****Rating of Site Potential** If score is: ☐ 12 - 16 = H ☐ 6 - 11 = M ☒ 0 - 5 = L Record the rating on the first page

D 5.0. Does the landscape have the potential to support hydrologic function of the site?

D 5.1. Does the wetland unit receive stormwater discharges? Yes = 1 No = 0 **1**D 5.2. Is > 10% of the area within 150 ft of the wetland in land uses that generate excess runoff? Yes = 1 No = 0 **0**D 5.3. Is more than 25% of the contributing basin of the wetland covered with intensive human land uses (residential at >1 residence/ac, urban, commercial, agriculture, etc.)? Yes = 1 No = 0 **1**Total for D 5 Add the points in the boxes above **2****Rating of Landscape Potential** If score is: ☐ 3 = H ☒ 1 or 2 = M ☐ 0 = L Record the rating on the first page

D 6.0. Are the hydrologic functions provided by the site valuable to society?

D 6.1. The unit is in a landscape that has flooding problems. Choose the description that best matches conditions around the wetland unit being rated. Do not add points. Choose the highest score if more than one condition is met.

- | | | |
|--|------------|---|
| The wetland captures surface water that would otherwise flow down-gradient into areas where flooding has damaged human or natural resources (e.g., houses or salmon redds): | | 0 |
| • Flooding occurs in a sub-basin that is immediately down-gradient of unit. | points = 2 | |
| ☐ • Surface flooding problems are in a sub-basin farther down-gradient. | points = 1 | |
| ☐ Flooding from groundwater is an issue in the sub-basin. | points = 1 | |
| ☐ The existing or potential outflow from the wetland is so constrained by human or natural conditions that the water stored by the wetland cannot reach areas that flood. Explain why | points = 0 | |
| ☐ There are no problems with flooding downstream of the wetland. | points = 0 | |

D 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan? Yes = 2 No = 0 **0**

Wetland name or number G

Total for D 6

Add the points in the boxes above

0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

These questions apply to wetlands of all HGM classes.

HABITAT FUNCTIONS - Indicators that site functions to provide important habitat

H 1.0. Does the site have the potential to provide habitat?

H 1.1. Structure of plant community: *Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.*

- | | | |
|---|----------------------------------|---|
| ☐ Aquatic bed | 4 structures or more: points = 4 | 0 |
| ☒ Emergent | 3 structures: points = 2 | |
| ☐ Scrub-shrub (areas where shrubs have > 30% cover) | 2 structures: points = 1 | |
| ☐ Forested (areas where trees have > 30% cover) | 1 structure: points = 0 | |
| <i>If the unit has a Forested class, check if:</i> | | |
| ☐ The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon | | |

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (*see text for descriptions of hydroperiods*).

- | | | |
|--|-------------------------------------|-----------------|
| ☐ Permanently flooded or inundated | 4 or more types present: points = 3 | 0 |
| ☐ Seasonally flooded or inundated | 3 types present: points = 2 | |
| ☒ Occasionally flooded or inundated | 2 types present: points = 1 | |
| ☐ Saturated only | 1 types present: points = 0 | |
| ☐ Permanently flowing stream or river in, or adjacent to, the wetland | | |
| ☐ Seasonally flowing stream in, or adjacent to, the wetland | | |
| ☐ Lake Fringe wetland | | 2 points |
| ☐ Freshwater tidal wetland | | 2 points |

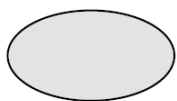
H 1.3. Richness of plant species

Count the number of plant species in the wetland that cover at least 10 ft². *Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle*

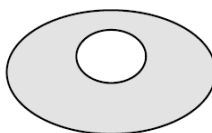
- | | | | |
|-----------------|----------------|------------|---|
| If you counted: | > 19 species | points = 2 | 0 |
| | 5 - 19 species | points = 1 | |
| | < 5 species | points = 0 | |

H 1.4. Interspersion of habitats

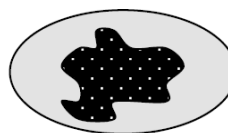
Decide from the diagrams below whether interspersion among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. *If you have four or more plant classes or three classes and open water, the rating is always high.*



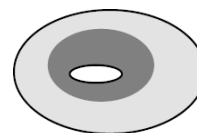
None = 0 points



Low = 1 point

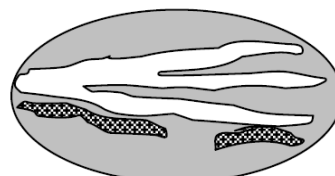
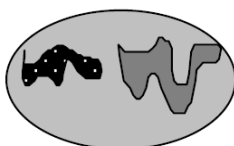


Moderate = 2 points



0

All three diagrams in this row are **HIGH = 3 points**



H 1.5. Special habitat features: Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i> ☒ Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long) ☐ Standing snags (dbh > 4 in) within the wetland ☐ Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m) ☐ Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>) ☐ At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>) ☒ Invasive plants cover less than 25% of the wetland area in every stratum of plants (see H 1.1 for list of strata)	2
Total for H 1	2

Rating of Site Potential If Score is: ☐ 15 - 18 = H ☐ 7 - 14 = M ☒ 0 - 6 = L *Record the rating on the first page*

H 2.0. Does the landscape have the potential to support the habitat function of the site?		
H 2.1 Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>). <i>Calculate:</i> $7\% \text{ undisturbed habitat} + \left(\frac{0.2\% \text{ moderate \& low intensity land uses}}{2} \right) = 7.1\%$ If total accessible habitat is: $> \frac{1}{3}$ (33.3%) of 1 km Polygon points = 3 20 - 33% of 1 km Polygon points = 2 10 - 19% of 1 km Polygon points = 1 $< 10\%$ of 1 km Polygon points = 0		0
H 2.2. Undisturbed habitat in 1 km Polygon around the wetland. <i>Calculate:</i> $7\% \text{ undisturbed habitat} + \left(\frac{5\% \text{ moderate \& low intensity land uses}}{2} \right) = 9.5\%$ Undisturbed habitat $> 50\%$ of Polygon points = 3 Undisturbed habitat 10 - 50% and in 1-3 patches points = 2 Undisturbed habitat 10 - 50% and > 3 patches points = 1 Undisturbed habitat $< 10\%$ of 1 km Polygon points = 0		0
H 2.3 Land use intensity in 1 km Polygon: If $> 50\%$ of 1 km Polygon is high intensity land use points = (-2) $\leq 50\%$ of 1km Polygon is high intensity points = 0		-2
Total for H 2		-2
Rating of Landscape Potential If Score is: ☐ 4 - 6 = H ☐ 1 - 3 = M ☒ < 1 = L Record the rating on the first page		

Rating of Landscape Potential If Score is: ☐ 4 - 6 = H ☐ 1 - 3 = M ☒ < 1 = L *Record the rating on the first page*

H 3.0. Is the habitat provided by the site valuable to society?		
H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? <i>Choose only the highest score that applies to the wetland being rated.</i>		
Site meets ANY of the following criteria: ☐ It has 3 or more priority habitats within 100 m (see next page) ☐ It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists) ☐ It is mapped as a location for an individual WDFW priority species ☐ It is a Wetland of High Conservation Value as determined by the Department of Natural Resources ☐ It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan	points = 2	0
Site has 1 or 2 priority habitats (listed on next page) within 100m	points = 1	
Site does not meet any of the criteria above	points = 0	

Wetland name or number G

Rating of Value If Score is: ☐ **2 = H** ☐ **1 = M** ☒ **0 = L**

Record the rating on the first page

WDFW Priority Habitats

Priority habitats listed by WDFW (see complete descriptions of WDFW priority habitats, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington. 177 pp.

<http://wdfw.wa.gov/publications/00165/wdfw00165.pdf> or access the list from here:

<http://wdfw.wa.gov/conservation/phs/list/>

Count how many of the following priority habitats are within 330 ft (100 m) of the wetland unit: **NOTE:** *This question is independent of the land use between the wetland unit and the priority habitat.*

- ☐ **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).
- ☐ **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife (*full descriptions in WDFW PHS report*).
- ☐ **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.
- ☐ **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in (81 cm) dbh or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.
- ☐ **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important (*full descriptions in WDFW PHS report p. 158 – see web link above*).
- ☐ **Riparian:** The area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.
- ☐ **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie (*full descriptions in WDFW PHS report p. 161 – see web link above*).
- ☐ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources.
- ☐ **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore. (*full descriptions of habitats and the definition of relatively undisturbed are in WDFW report – see web link on previous page*).
- ☐ **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.
- ☐ **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.
- ☐ **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.
- ☐ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.

Note: All vegetated wetlands are by definition a priority habitat but are not included in this list because they are

Wetland name or number G

addressed elsewhere.

CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Wetland Type	Category
<i>Check off any criteria that apply to the wetland. List the category when the appropriate criteria are met.</i>	
SC 1.0. Estuarine Wetlands Does the wetland meet the following criteria for Estuarine wetlands? ☐ The dominant water regime is tidal, ☐ Vegetated, and ☐ With a salinity greater than 0.5 ppt ☐ Yes - Go to SC 1.1 ☒ No = Not an estuarine wetland	
SC 1.1. Is the wetland within a National Wildlife Refuge, National Park, National Estuary Reserve, Natural Area Preserve, State Park or Educational, Environmental, or Scientific Reserve designated under WAC 332-30-151? ☐ Yes = Category I ☐ No - Go to SC 1.2	
SC 1.2. Is the wetland unit at least 1 ac in size and meets at least two of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing, and has less than 10% cover of non-native plant species. (If non-native species are <i>Spartina</i> , see page 25) ☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland. ☐ The wetland has at least two of the following features: tidal channels, depressions with open water, or contiguous freshwater wetlands. ☐ Yes = Category I ☐ No = Category II	
SC 2.0. Wetlands of High Conservation Value (WHCV) SC 2.1. Has the WA Department of Natural Resources updated their website to include the list of Wetlands of High Conservation Value? ☐ Yes - Go to SC 2.2 ☒ No - Go to SC 2.3 SC 2.2. Is the wetland listed on the WDNR database as a Wetland of High Conservation Value? ☐ Yes = Category I ☐ No = Not WHCV SC 2.3. Is the wetland in a Section/Township/Range that contains a Natural Heritage wetland? http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpwetlands.pdf ☐ Yes - Contact WNHP/WDNR and to SC 2.4 ☒ No = Not WHCV SC 2.4. Has WDNR identified the wetland within the S/T/R as a Wetland of High Conservation Value and listed it on their website? ☐ Yes = Category I ☐ No = Not WHCV	
SC 3.0. Bogs Does the wetland (or any part of the unit) meet both the criteria for soils and vegetation in bogs? <i>Use the key below. If you answer YES you will still need to rate the wetland based on its functions.</i> SC 3.1. Does an area within the wetland unit have organic soil horizons, either peats or mucks, that compose 16 in or more of the first 32 in of the soil profile? ☐ Yes - Go to SC 3.3 ☒ No - Go to SC 3.2 SC 3.2. Does an area within the wetland unit have organic soils, either peats or mucks, that are less than 16 in deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on top of a lake or pond? ☐ Yes - Go to SC 3.3 ☒ No = Is not a bog SC 3.3. Does an area with peats or mucks have more than 70% cover of mosses at ground level, AND at least a 30% cover of plant species listed in Table 4? ☐ Yes = Is a Category I bog ☐ No - Go to SC 3.4 NOTE: If you are uncertain about the extent of mosses in the understory, you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16 in deep. If the pH is less than 5.0 and the plant species in Table 4 are present, the wetland is a bog. SC 3.4. Is an area with peats or mucks forested (> 30% cover) with Sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Engelmann spruce, or western white pine, AND any of the species (or combination of species) listed	

Wetland name or number G

in Table 4 provide more than 30% of the cover under the canopy?

☐ Yes = **Is a Category I bog**

☐ No = **Is not a bog**

SC 4.0. Forested Wetlands Does the wetland have at least <u>1 contiguous acre</u> of forest that meets one of these criteria for the WA Department of Fish and Wildlife's forests as priority habitats? <i>If you answer YES you will still need to rate the wetland based on its functions.</i> ☐ Old-growth forests (west of Cascade crest): Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 in (81 cm) or more. ☐ Mature forests (west of the Cascade Crest): Stands where the largest trees are 80-200 years old OR the species that make up the canopy have an average diameter (dbh) exceeding 21 in (53 cm). ☐ Yes = Category I ☒ No = Not a forested wetland for this section	
SC 5.0. Wetlands in Coastal Lagoons Does the wetland meet all of the following criteria of a wetland in a coastal lagoon? ☐ The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks ☐ The lagoon in which the wetland is located contains ponded water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon (<i>needs to be measured near the bottom</i>) ☐ Yes - Go to SC 5.1 ☒ No = Not a wetland in a coastal lagoon SC 5.1. Does the wetland meet all of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of aggressive, opportunistic plant species (see list of species on p. 100). ☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland. ☐ The wetland is larger than 1/10 ac (4350 ft²) ☐ Yes = Category I ☐ No = Category II	
SC 6.0. Interdunal Wetlands Is the wetland west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)? <i>If you answer yes you will still need to rate the wetland based on its habitat functions.</i> In practical terms that means the following geographic areas: ☐ Long Beach Peninsula: Lands west of SR 103 ☐ Grayland-Westport: Lands west of SR 105 ☐ Ocean Shores-Copalis: Lands west of SR 115 and SR 109 ☐ Yes - Go to SC 6.1 ☒ No = Not an interdunal wetland for rating SC 6.1. Is the wetland 1 ac or larger and scores an 8 or 9 for the habitat functions on the form (rates H,H,H or H,H,M for the three aspects of function)? ☐ Yes = Category I ☐ No - Go to SC 6.2 SC 6.2. Is the wetland 1 ac or larger, or is it in a mosaic of wetlands that is 1 ac or larger? ☐ Yes = Category II ☐ No - Go to SC 6.3 SC 6.3. Is the unit between 0.1 and 1 ac, or is it in a mosaic of wetlands that is between 0.1 and 1 ac? ☐ Yes = Category III ☐ No = Category IV	
Category of wetland based on Special Characteristics If you answered No for all types, enter "Not Applicable" on Summary Form	

RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland H Date of site visit: 9/26/2016Rated by AC/JD/RP/ES/MD Trained by Ecology? ☒ Yes ☐ No Date of training VariousHGM Class used for rating Slope Wetland has multiple HGM classes? ☐ Yes ☒ No**NOTE: Form is not complete with out the figures requested (figures can be combined).**Source of base aerial photo/map Google Earth**OVERALL WETLAND CATEGORY** IV (based on functions ☒ or special characteristics ☐)**1. Category of wetland based on FUNCTIONS**

 Category I - Total score = 23 - 27
 Category II - Total score = 20 - 22
 Category III - Total score = 16 - 19
 X Category IV - Total score = 9 - 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>List appropriate rating (H, M, L)</i>				
Site Potential	M	L	L	
Landscape Potential	M	L	L	
Value	L	L	L	Total
Score Based on Ratings	5	3	3	11

**Score for each
function based
on three
ratings**
*(order of ratings
is not
important)*

9 = H, H, H
8 = H, H, M
7 = H, H, L
7 = H, M, M
6 = H, M, L
6 = M, M, M
5 = H, L, L
5 = M, M, L
4 = M, L, L
3 = L, L, L

2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	Category
Estuarine	
Wetland of High Conservation Value	
Bog	
Mature Forest	
Old Growth Forest	
Coastal Lagoon	
Interdunal	
None of the above	X

Maps and Figures required to answer questions correctly for Western Washington

Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	
Hydroperiods	D 1.4, H 1.2	
Location of outlet (<i>can be added to map of hydroperiods</i>)	D 1.1, D 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	D 2.2, D 5.2	
Map of the contributing basin	D 4.3, D 5.3	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	

Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream (<i>can be added to another figure</i>)	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of dense trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of dense, rigid trees, shrubs, and herbaceous plants (<i>can be added to another figure</i>)	S 4.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

HGM Classification of Wetland in Western Washington

For questions 1 -7, the criteria described must apply to the entire unit being rated.
If hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1 - 7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides except during floods?

☒ NO - go to 2

☐ YES - the wetland class is **Tidal Fringe** - go to 1.1

1.1 Is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?

☒ NO - **Saltwater Tidal Fringe (Estuarine)**

☐ YES - **Freshwater Tidal Fringe**

*If your wetland can be classified as a Freshwater Tidal Fringe use the forms for **Riverine** wetlands.
If it is Saltwater Tidal Fringe it is an **Estuarine** wetland and is not scored. This method **cannot** be used to score functions for estuarine wetlands.*

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it.
Groundwater and surface water runoff are NOT sources of water to the unit.

☒ NO - go to 3

☐ YES - The wetland class is **Flats**

*If your wetland can be classified as a Flats wetland, use the form for **Depressional** wetlands.*

3. Does the entire wetland unit **meet all** of the following criteria?

☐ The vegetated part of the wetland is on the shores of a body of permanent open water (without any plants on the surface at any time of the year) at least 20 ac (8 ha) in size;

☐ At least 30% of the open water area is deeper than 6.6 ft (2 m).

☒ NO - go to 4

☐ YES - The wetland class is **Lake Fringe** (Lacustrine Fringe)

4. Does the entire wetland unit **meet all** of the following criteria?

☒ The wetland is on a slope (*slope can be very gradual*),

☒ The water flows through the wetland in one direction (unidirectional) and usually comes from seeps.
It may flow subsurface, as sheetflow, or in a swale without distinct banks.

☒ The water leaves the wetland **without being impounded**.

☐ NO - go to 5

☒ YES - The wetland class is **Slope**

NOTE: Surface water does not pond in these type of wetlands except occasionally in very small and shallow depressions or behind hummocks (depressions are usually <3 ft diameter and less than 1 ft deep).

5. Does the entire wetland unit **meet all** of the following criteria?

☐ The unit is in a valley, or stream channel, where it gets inundated by overbank flooding
from that stream or river,

☐ The overbank flooding occurs at least once every 2 years.

☒ NO - go to 6

☐ YES - The wetland class is **Riverine**

NOTE: The Riverine unit can contain depressions that are filled with water when the river is not flooding.

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year? *This means that any outlet, if present, is higher than the interior of the wetland.*

☒ NO - go to 7

☐ YES - The wetland class is **Depressional**

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding? The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

☒ NO - go to 8

☐ YES - The wetland class is **Depressional**

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a Depressional wetland has a zone of flooding along its sides. **GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT** (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within the wetland unit being scored.

NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the HGM class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.

HGM classes within the wetland unit being rated	HGM class to use in rating
Slope + Riverine	Riverine
Slope + Depressional	Depressional
Slope + Lake Fringe	Lake Fringe
Depressional + Riverine along stream within boundary of depression	Depressional
Depressional + Lake Fringe	Depressional
Riverine + Lake Fringe	Riverine
Salt Water Tidal Fringe and any other class of freshwater wetland	Treat as ESTUARINE

*If you are still unable to determine which of the above criteria apply to your wetland, or if you have **more than 2 HGM classes** within a wetland boundary, classify the wetland as Depressional for the rating.*

Wetland name or number H

SLOPE WETLANDS**Water Quality Functions** - Indicators that the site functions to improve water quality

S 1.0. Does the site have the potential to improve water quality?

S 1.1. Characteristics of the average slope of the wetland: (*a 1% slope has a 1 ft vertical drop in elevation for every 100 ft of horizontal distance*)

Slope is 1% or less	points = 3	3
Slope is > 1% - 2%	points = 2	
Slope is > 2% - 5%	points = 1	
Slope is greater than 5%	points = 0	

S 1.2. The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions):

Yes = 3 No = 0

0

S 1.3. Characteristics of the plants in the wetland that trap sediments and pollutants:

Choose the points appropriate for the description that best fits the plants in the wetland. *Dense means you have trouble seeing the soil surface (>75% cover), and uncut means not grazed or mowed and plants are higher than 6 in.*

Dense, uncut, herbaceous plants > 90% of the wetland area	points = 6	3
Dense, uncut, herbaceous plants > ½ of area	points = 3	
Dense, woody, plants > ½ of area	points = 2	
Dense, uncut, herbaceous plants > ¼ of area	points = 1	
Does not meet any of the criteria above for plants	points = 0	

Total for S 1

Add the points in the boxes above

6

Rating of Site Potential If score is: ☐ 12 = H ☒ 6 - 11 = M ☐ 0 - 5 = L

Record the rating on the first page

S 2.0. Does the landscape have the potential to support the water quality function of the site?

S 2.1. Is > 10% of the area within 150 ft on the uphill side of the wetland in land uses that generate pollutants?

Yes = 1 No = 0

1

S 2.2. Are there other sources of pollutants coming into the wetland that are not listed in question S 2.1?

Other Sources

Yes = 1 No = 0

0

Total for S 2

Add the points in the boxes above

1

Rating of Landscape Potential If score is: ☒ 1 - 2 = M ☐ 0 = L

Record the rating on the first page

S 3.0. Is the water quality improvement provided by the site valuable to society?

S 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?

Yes = 1 No = 0

0

S 3.2. Is the wetland in a basin or sub-basin where water quality is an issue? *At least one aquatic resource in the basin is on the 303(d) list.*

Yes = 1 No = 0

0

S 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality? *Answer YES if there is a TMDL for the basin in which the unit is found?*

Yes = 2 No = 0

0

Total for S 3

Add the points in the boxes above

0

Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

SLOPE WETLANDS**Hydrologic Functions** - Indicators that the site functions to reduce flooding and stream erosion

S 4.0. Does the site have the potential to reduce flooding and stream erosion?

S 4.1. Characteristics of plants that reduce the velocity of surface flows during storms: Choose the points appropriate for the description that best fits conditions in the wetland. <i>Stems of plants should be thick enough (usually > $\frac{1}{8}$ in), or dense enough, to remain erect during surface flows.</i>	0
Dense, uncut, rigid plants cover > 90% of the area of the wetland	points = 1
All other conditions	points = 0

Rating of Site Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 5.0. Does the landscape have the potential to support hydrologic functions of the site?

S 5.1. Is more than 25% of the area within 150 ft upslope of wetland in land uses or cover that generate excess surface runoff?	Yes = 1 No = 0	0
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Rating of Landscape Potential If score is: ☐ 1 = M ☒ 0 = L

Record the rating on the first page

S 6.0. Are the hydrologic functions provided by the site valuable to society?

S 6.1. Distance to the nearest areas downstream that have flooding problems:		
The sub-basin immediately down-gradient of site has flooding problems that result in damage to human or natural resources (e.g., houses or salmon redds)	points = 2	0
Surface flooding problems are in a sub-basin farther down-gradient	points = 1	
No flooding problems anywhere downstream	points = 0	

S 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?	Yes = 2 No = 0	0
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Total for S 6	Add the points in the boxes above	0
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Rating of Value If score is: ☐ 2 - 4 = H ☐ 1 = M ☒ 0 = L

Record the rating on the first page

NOTES and FIELD OBSERVATIONS:

Wetland name or number H

These questions apply to wetlands of all HGM classes.

HABITAT FUNCTIONS - Indicators that site functions to provide important habitat

H 1.0. Does the site have the potential to provide habitat?

H 1.1. Structure of plant community: *Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.*

- | | | |
|---|----------------------------------|---|
| ☐ Aquatic bed | 4 structures or more: points = 4 | 1 |
| ☒ Emergent | 3 structures: points = 2 | |
| ☒ Scrub-shrub (areas where shrubs have > 30% cover) | 2 structures: points = 1 | |
| ☐ Forested (areas where trees have > 30% cover) | 1 structure: points = 0 | |
| <i>If the unit has a Forested class, check if:</i> | | |
| ☐ The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon | | |

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (*see text for descriptions of hydroperiods*).

- | | | |
|--|-------------------------------------|---|
| ☐ Permanently flooded or inundated | 4 or more types present: points = 3 | 0 |
| ☐ Seasonally flooded or inundated | 3 types present: points = 2 | |
| ☐ Occasionally flooded or inundated | 2 types present: points = 1 | |
| ☒ Saturated only | 1 types present: points = 0 | |
| | | |
| ☐ Permanently flowing stream or river in, or adjacent to, the wetland | | |
| ☐ Seasonally flowing stream or in, or adjacent to, the wetland | | |
| ☐ Lake Fringe wetland | 2 points | |
| ☐ Freshwater tidal wetland | 2 points | |

H 1.3. Richness of plant species

Count the number of plant species in the wetland that cover at least 10 ft². *Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. **Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle***

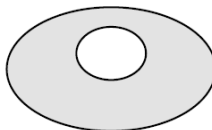
- | | | | |
|-----------------|----------------|------------|---|
| If you counted: | > 19 species | points = 2 | 1 |
| | 5 - 19 species | points = 1 | |
| | < 5 species | points = 0 | |

H 1.4. Interspersion of habitats

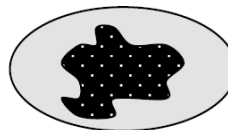
Decide from the diagrams below whether interspersion among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. *If you have four or more plant classes or three classes and open water, the rating is always high.*



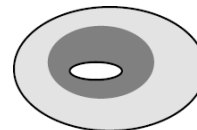
None = 0 points



Low = 1 point

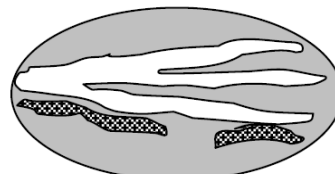


Moderate = 2 points



1

All three diagrams
in this row are
HIGH = 3 points



H 1.5. Special habitat features: Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i> ☐ Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long) ☐ Standing snags (dbh > 4 in) within the wetland ☐ Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m) ☐ Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>) ☐ At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>) ☐ Invasive plants cover less than 25% of the wetland area in every stratum of plants (see H 1.1 for list of strata)		0
Total for H 1	Add the points in the boxes above	3

Rating of Site Potential If Score is: ☐ 15 - 18 = H ☐ 7 - 14 = M ☒ 0 - 6 = L *Record the rating on the first page*

H 2.0. Does the landscape have the potential to support the habitat function of the site?		
H 2.1 Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>). Calculate: 7 % undisturbed habitat + (0.2 % moderate & low intensity land uses / 2) = 7.1%		0
If total accessible habitat is: > $\frac{1}{3}$ (33.3%) of 1 km Polygon points = 3 20 - 33% of 1 km Polygon points = 2 10 - 19% of 1 km Polygon points = 1 < 10 % of 1 km Polygon points = 0		
H 2.2. Undisturbed habitat in 1 km Polygon around the wetland. Calculate: 7 % undisturbed habitat + (5 % moderate & low intensity land uses / 2) = 9.5%		
Undisturbed habitat > 50% of Polygon points = 3 Undisturbed habitat 10 - 50% and in 1-3 patches points = 2 Undisturbed habitat 10 - 50% and > 3 patches points = 1 Undisturbed habitat < 10% of 1 km Polygon points = 0		
H 2.3 Land use intensity in 1 km Polygon: If > 50% of 1 km Polygon is high intensity land use points = (-2) ≤ 50% of 1km Polygon is high intensity points = 0		
Total for H 2	Add the points in the boxes above	-2

Rating of Landscape Potential If Score is: ☐ 4 - 6 = H ☐ 1 - 3 = M ☒ < 1 = L *Record the rating on the first page*

H 3.0. Is the habitat provided by the site valuable to society?		
H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? <i>Choose only the highest score that applies to the wetland being rated.</i>		
Site meets ANY of the following criteria: ☐ It has 3 or more priority habitats within 100 m (see next page) ☐ It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists) ☐ It is mapped as a location for an individual WDFW priority species ☐ It is a Wetland of High Conservation Value as determined by the Department of Natural Resources ☐ It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan	points = 2 0	
Site has 1 or 2 priority habitats (listed on next page) with in 100m	points = 1	

Wetland name or number H

Site does not meet any of the criteria above

points = 0

Rating of Value If Score is: ☒ **2 = H** ☐ **1 = M** ☐ **0 = L**

Record the rating on the first page

WDFW Priority Habitats

Priority habitats listed by WDFW (see complete descriptions of WDFW priority habitats, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington. 177 pp.

<http://wdfw.wa.gov/publications/00165/wdfw00165.pdf> or access the list from here:

<http://wdfw.wa.gov/conservation/phs/list/>

Count how many of the following priority habitats are within 330 ft (100 m) of the wetland unit: **NOTE:** *This question is independent of the land use between the wetland unit and the priority habitat.*

- ☐ **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).
- ☐ **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife (*full descriptions in WDFW PHS report*).
- ☐ **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.
- ☐ **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in (81 cm) dbh or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.
- ☐ **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important (*full descriptions in WDFW PHS report p. 158 – see web link above*).
- ☐ **Riparian:** The area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.
- ☐ **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie (*full descriptions in WDFW PHS report p. 161 – see web link above*).
- ☐ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources.
- ☐ **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore. (*full descriptions of habitats and the definition of relatively undisturbed are in WDFW report – see web link on previous page*).
- ☐ **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.
- ☐ **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.
- ☐ **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.
- ☐ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.

Note: All vegetated wetlands are by definition a priority habitat but are not included in this list because they are

Wetland name or number H

addressed elsewhere.

CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Wetland Type	Category
<i>Check off any criteria that apply to the wetland. List the category when the appropriate criteria are met.</i>	
SC 1.0. Estuarine Wetlands Does the wetland meet the following criteria for Estuarine wetlands? ☐ The dominant water regime is tidal, ☐ Vegetated, and ☐ With a salinity greater than 0.5 ppt ☐ Yes - Go to SC 1.1 ☒ No = Not an estuarine wetland	
SC 1.1. Is the wetland within a National Wildlife Refuge, National Park, National Estuary Reserve, Natural Area Preserve, State Park or Educational, Environmental, or Scientific Reserve designated under WAC 332-30-151? ☐ Yes = Category I ☐ No - Go to SC 1.2	
SC 1.2. Is the wetland unit at least 1 ac in size and meets at least two of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing, and has less than 10% cover of non-native plant species. (If non-native species are <i>Spartina</i> , see page 25) ☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or ungrazed or un-mowed grassland. ☐ The wetland has at least two of the following features: tidal channels, depressions with open water, or contiguous freshwater wetlands. ☐ Yes = Category I ☐ No = Category II	
SC 2.0. Wetlands of High Conservation Value (WHCV) SC 2.1. Has the WA Department of Natural Resources updated their website to include the list of Wetlands of High Conservation Value? ☐ Yes - Go to SC 2.2 ☒ No - Go to SC 2.3 SC 2.2. Is the wetland listed on the WDNR database as a Wetland of High Conservation Value? ☐ Yes = Category I ☐ No = Not WHCV SC 2.3. Is the wetland in a Section/Township/Range that contains a Natural Heritage wetland? http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpwetlands.pdf ☐ Yes - Contact WNHP/WDNR and to SC 2.4 ☒ No = Not WHCV SC 2.4. Has WDNR identified the wetland within the S/T/R as a Wetland of High Conservation Value and listed it on their website? ☐ Yes = Category I ☐ No = Not WHCV	
SC 3.0. Bogs Does the wetland (or any part of the unit) meet both the criteria for soils and vegetation in bogs? <i>Use the key below. If you answer YES you will still need to rate the wetland based on its functions.</i> SC 3.1. Does an area within the wetland unit have organic soil horizons, either peats or mucks, that compose 16 in or more of the first 32 in of the soil profile? ☐ Yes - Go to SC 3.3 ☒ No - Go to SC 3.2 SC 3.2. Does an area within the wetland unit have organic soils, either peats or mucks, that are less than 16 in deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on top of a lake or pond? ☐ Yes - Go to SC 3.3 ☒ No = Is not a bog SC 3.3. Does an area with peats or mucks have more than 70% cover of mosses at ground level, AND at least a 30% cover of plant species listed in Table 4? ☐ Yes = Is a Category I bog ☐ No - Go to SC 3.4 NOTE: If you are uncertain about the extent of mosses in the understory, you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16 in deep. If the pH is less than 5.0 and the plant species in Table 4 are present, the wetland is a bog. SC 3.4. Is an area with peats or mucks forested (> 30% cover) with Sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Engelmann spruce, or western white pine, AND any of the species (or combination of species) listed	

Wetland name or number H

in Table 4 provide more than 30% of the cover under the canopy?

☐ Yes = **Is a Category I bog**

☐ No = **Is not a bog**

SC 4.0. Forested Wetlands Does the wetland have at least <u>1 contiguous acre</u> of forest that meets one of these criteria for the WA Department of Fish and Wildlife's forests as priority habitats? <i>If you answer YES you will still need to rate the wetland based on its functions.</i> ☐ Old-growth forests (west of Cascade crest): Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 in (81 cm) or more. ☐ Mature forests (west of the Cascade Crest): Stands where the largest trees are 80-200 years old OR the species that make up the canopy have an average diameter (dbh) exceeding 21 in (53 cm). ☐ Yes = Category I ☒ No = Not a forested wetland for this section	
SC 5.0. Wetlands in Coastal Lagoons Does the wetland meet all of the following criteria of a wetland in a coastal lagoon? ☐ The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks ☐ The lagoon in which the wetland is located contains ponded water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon (<i>needs to be measured near the bottom</i>) ☐ Yes - Go to SC 5.1 ☒ No = Not a wetland in a coastal lagoon SC 5.1. Does the wetland meet all of the following three conditions? ☐ The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of aggressive, opportunistic plant species (see list of species on p. 100). ☐ At least $\frac{3}{4}$ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland. ☐ The wetland is larger than $\frac{1}{10}$ ac (4350 ft²) ☐ Yes = Category I ☐ No = Category II	
SC 6.0. Interdunal Wetlands Is the wetland west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)? <i>If you answer yes you will still need to rate the wetland based on its habitat functions.</i> In practical terms that means the following geographic areas: ☐ Long Beach Peninsula: Lands west of SR 103 ☐ Grayland-Westport: Lands west of SR 105 ☐ Ocean Shores-Copalis: Lands west of SR 115 and SR 109 ☐ Yes - Go to SC 6.1 ☒ No = Not an interdunal wetland for rating SC 6.1. Is the wetland 1 ac or larger and scores an 8 or 9 for the habitat functions on the form (rates H,H,H or H,H,M for the three aspects of function)? ☐ Yes = Category I ☐ No - Go to SC 6.2 SC 6.2. Is the wetland 1 ac or larger, or is it in a mosaic of wetlands that is 1 ac or larger? ☐ Yes = Category II ☐ No - Go to SC 6.3 SC 6.3. Is the unit between 0.1 and 1 ac, or is it in a mosaic of wetlands that is between 0.1 and 1 ac? ☐ Yes = Category III ☐ No = Category IV	
Category of wetland based on Special Characteristics If you answered No for all types, enter "Not Applicable" on Summary Form	

Appendix G — Bond Quantity Cost Estimate

Buffer Mitigation

Construction Cost Estimate and Performance Bond Worksheet

Project Name: Cottages at Rosedale Village

Date: 12/18/2018 **Prepared by:** MD-SVC

Location: 8020 Shirley Avenue, Gig Harbor, WA 98335

Applicant: Norpoint Communities **Phone:** (253) 759-2287

PLANT MATERIALS (includes labor cost for plant installation)

Type	Unit Price	Unit	Quantity	Description	Cost
PLANTS: Potted, 4" diameter, medium	\$5.00	Each	32.00		\$ 160.00
PLANTS: Container, 1 gallon, medium soil	\$11.50	Each	672.00		\$ 7,728.00
PLANTS: Container, 2 gallon, medium soil	\$20.00	Each	28.00		\$ 560.00
PLANTS: Container, 5 gallon, medium soil	\$36.00	Each			\$ -
PLANTS: Seeding, by hand	\$0.50	SY			\$ -
PLANTS: Slips (willow, red-osier)	\$2.00	Each	13.00		\$ 26.00
PLANTS: Stakes (willow)	\$2.00	Each			\$ -
PLANTS: Stakes (willow)	\$2.00	Each			\$ -
PLANTS: Flats/plugs	\$2.00	Each			\$ -
Total Plantings			745.00	<i>TOTAL</i>	\$ 8,474.00
					<i>COST</i> \$ 8,474.00

PERFORMANCE BOND

ITEMS	Percentage of Construction Cost	Unit	Construction Cost	Cost
Contingency	25%	1	\$8,474	\$ 2,118.50
<i>TOTAL CONSTRUCTION COST</i>				\$ 8,474.00
<i>BOND TOTAL</i>				\$ 10,592.50

Buffer Mitigation

Maintenance and Monitoring Cost Estimate

Project Name: Cottages at Rosedale Village

Date: 12/18/2018 **Prepared by:** MD-SVC

Location: 8020 Shirley Avenue, Gig Harbor, WA 98335

Applicant: Norpoint Communities **Phone:** (253) 759-2287

MAINTENANCE AND MONITORING COST ESTIMATE

Maintenance, annual (by owner or consultant)					
Less than 1,000 sq.ft. and buffer mitigation only	\$ 1.08	SF		(3 X SF total for 3 annual events; Includes monitoring)	\$ -
Less than 1,000 sq.ft. with wetland or aquatic area mitigation	\$ 1.35	SF		(3 X SF total for 3 annual events; Includes monitoring)	\$ -
Larger than 1,000 sq. ft. but less than 5,000 sq.ft. of buffer mitigation	\$ 180.00	EACH		(4hr @\$45/hr)	\$ -
Larger than 1,000 sq. ft. but less than 5,000 sq.ft. of wetland or aquatic area mitigation	\$ 270.00	EACH		(6hr @\$45/hr)	\$ -
Larger than 5,000 sq.ft. but < 1 acre -buffer mitigation only	\$ 360.00	EACH	5.00	(8 hrs @ 45/hr)	\$ 1,800.00
Larger than 5,000 sq.ft. but < 1 acre with wetland or aquatic area mitigation	\$ 450.00	EACH		(10 hrs @ \$45/hr)	\$ -
Larger than 1 acre but < 5 acres - buffer and / or wetland or aquatic area mitigation	\$ 1,600.00	DAY		(WEC crew)	\$ -
Larger than 5 acres - buffer and / or wetland or aquatic area mitigation	\$ 2,000.00	DAY		(1.25 X WEC crew)	\$ -
Monitoring, annual (by owner or consultant)					
Larger than 1,000 sq.ft. but less than 5,000 wetland or buffer mitigation	\$ 720.00	EACH		(8 hrs @ 90/hr)	\$ -
Larger than 5,000 sq.ft. but < 1 acre with wetland or aquatic area impacts	\$ 720.00	EACH	9.00	(8 hrs @ \$90/hr)	\$ 6,480.00
Larger than 1 acre but < 5 acres - buffer and / or wetland or aquatic area impacts	\$ 1,440.00	DAY		(16 hrs @ \$90/hr)	\$ -
Larger than 5 acres - buffer and / or wetland or aquatic area impacts	\$ 2,160.00	DAY		(24 hrs @ \$90/hr)	\$ -
TOTAL					\$ 8,280.00
Total Construction, Maintenance, and Monitoring Budget					\$8,280.00

Appendix H – Qualifications

All field inspections, jurisdictional wetland boundary delineations, OHW determinations, habitat assessments, and supporting documentation, including this **Critical Areas and Shoreline Assessment Report and Final Mitigation Plan** prepared for the **Cottages at Rosedale Village Project**, were prepared by, or under the direction of Jeremy Downs and Matt DeCaro of Soundview Consultants LLC. In addition, report preparation was performed by Matt DeCaro, and site inspections were performed by Alex Callender, Richard Peel, and Emily Swain.

Jeremy Downs

Principal Scientist/Environmental Planner

Professional Experience: 25 years

Jeremy Downs is a Principal Scientist and Environmental Planner with professional training and extensive experience in land use, site planning and design, project coordination, permitting and management, marine and wetland ecology, habitat restoration, wetland, stream, and eelgrass delineations and assessments, biological assessments, benthic surveys, stream assessments, underwater and terrestrial monitoring programs, and mitigation planning.

Jeremy earned a Bachelor of Science degree in Biology with an emphasis in Marine Biology from the University of California, Davis. He also holds graduate-level professional certifications in various advanced wetland science and management programs from both Portland State University and San Francisco State University, and he has received professional training in Salmonid Biology from the University of California Extension. In addition, he studied under the Environmental Risk and Recovery program at the Australian Institute of Marine Science, and he has extensive training and field experience in aquatic related disciplines such as diving, boat operations, and navigation.

Jeremy is a certified wetlands delineator under US Army Corps of Engineers guidelines. He has been formally trained in the use of the Washington State Wetland Rating System, Determination of Ordinary High Water Mark, Designing Compensatory Mitigation and Restoration Projects, and Reviewing Wetland Mitigation and Monitoring Plans from the US Army Corps of Engineers and Washington State Department of Ecology, and in conducting Biological Assessments from the Washington Department of Transportation. He is also a Pierce County Qualified Wetland Specialist and Fisheries Biologist, and he holds similar qualifications from other jurisdictions.

Matt DeCaro

Environmental Scientist/Project Manager

Professional Experience: 10 years

Matt DeCaro is an Environmental Planner and Project Manager with a diverse background in stream ecology, water quality, wetland science, environmental due diligence, and site remediation. He is considered a qualified wetland specialist as defined in GHMC 18.08.030. Matt currently provides permitting and regulatory compliance assistance for land use projects from their planning stages through review, approval, and construction. Matt performs wetland, stream, and shoreline delineations and fish & wildlife habitat assessments; provides land use planning assistance for residential, commercial, and industrial projects; conducts code and regulation analysis; prepares reports and permit applications; and provides restoration and mitigation design.

Matt earned a Bachelor of Science degree with a focus in Environmental Science from the Evergreen State College in Olympia, Washington, with additional graduate-level coursework and research in aquatic restoration and salmonid ecology. Matt has received 40-hour Western Mtns, Valleys, & Coast and Arid West Regional Supplement Wetland Delineation Training, and he is a Pierce County Qualified Wetland Specialist and Wildlife Biologist. Matt has been formally trained in the use of the Washington State Wetland Rating System and Determination of Ordinary High Water Mark by the Washington State Department of Ecology. He has attended USFWS survey workshops for multiple threatened and endangered species, and he is a Senior Author of WSDOT Biological Assessments. Matt holds 40-hour HAZWOPER training and has managed Phase I Environmental Site Assessments, subsurface investigations, and contaminant remediation projects throughout the Pacific Northwest. His diverse experience also includes NEPA compliance for federal projects; noxious weed abatement; spotted owl surveys on federal and private lands; and salmonid spawning and migration surveys.

Alex Callender

Senior Scientist

Professional Experience: 12 years

Alex Callender is a Senior Wetland Scientist with over 12 years of diverse professional experience in wetland and shoreland environmental consulting throughout the western Washington. Alex has extensive experience in conducting wetland delineations, assessing wetland systems, project planning, design, permitting, mitigation planning and design, regulatory coordination, implementation of monitoring programs, mitigation construction monitoring, mitigation monitoring and reporting. His experience includes delineating wetlands on extensively disturbed industrial sites, hydrologic studies, wildlife studies, identifying areas of illegal fill, project management, and shoreline project permitting.

Alex is a graduate of the Indiana University, BA in Economics with an MS in Environmental Science from The Evergreen State College. Alex is a certified Professional Wetland Scientist (# 2637) by the Society of Wetland Scientists. He has taught many of the Coastal Training Program classes for wetland and shoreland professionals, such as the Washington State Wetland Rating System, Designing Compensatory Mitigation and Restoration Projects, Reviewing Wetland Mitigation and Monitoring Plans and Determining the Ordinary High Water Mark in Western Washington. He is certified in the USACE Reg 4 training for the new Mountains Valleys and Coast Corp of Engineers Supplement. He is also a Pierce County Wetland Specialist, as well as a Fisheries Biologist, and Wildlife Biologist.

Richard Peel

Wetland Scientist

Professional Experience: 5 years

Richard Peel is a Wetland Scientist with diverse professional experience in wetland ecology, monitoring, and delineation throughout Washington and Oregon. Richard is Washington State trained in conducting wetland delineations, assessing wetland systems, mitigation planning and design, implementation of monitoring programs, mitigation monitoring and reporting. He also has extensive experience in an analytical laboratory using state-of-the-art equipment in bacteriological and chemical analysis of soil and water samples.

Richard is a graduate of The Evergreen State College, with dual degrees in Ecology and Economics. He has focused his academic career on ecology, disturbance ecology, chemistry, and the economic impacts of current environmental management. Richard has extensive training and field experience in wetland related disciplines, and has experience in wetland both east and west of The Cascades. He has been trained by The Washington State Department of Transportation's (WSDOT) Wetland Ecology and Monitoring team in the use of the wetland delineation, mitigation, monitoring, and restoration techniques. In addition, he was directed by WSDOT's Wetland Protection and Preservation Policy to ensure wetlands are preserved and protected whenever possible. This direction ensures no net loss in the quantity or quality of wetlands in the future and minimization of impacts to wetlands in the present.

Emily Swaim

Wetland Scientist

Professional Experience: 3 years

Emily Swaim is a Wetland Scientist and Field Geologist with a background in conducting Phase I, II and III Environmental Site Assessments (ESAs), underground natural gas pipeline and overhead electrical transmission line project assessment and environmental inspections, construction oversight, stormwater compliance inspections, soil sampling, delineating and assessing wetland and aquatic systems, and stormwater, floodplain, and wetland permitting. Ms. Swaim's expertise focuses on projects involving sensitive wetland and stream habitats where extensive team coordination and various regulatory challenges must be carefully and intelligently managed from project inception to completion.

Emily earned a Bachelor of Science degree in Geology from Illinois State University and Wetland Science and Management Professional Certification from the University of Washington, Seattle. She is also educated in Environmental Science from Iowa State University. Her education and experience has provided her with extensive knowledge on soils, wetland science, hydrogeology, sedimentology, environmental law, environmental geology, landscape ecology, and structural geology. Ms. Swaim has been formally trained in Hazardous Waste Operations and Emergency Response (HAZWOPER) and is Occupational Health and Safety Administration (OSHA) 30-hour Construction and 10-hour Construction certified.



**Mitigated Determination of Nonsignificance (MDNS)
W.A.C. 19711970**

Environmental Review Application Number: PL-SEPA-16-0021

Parcel

Number(s): 0221064103, 0221064104, 0221064070, 0221064154, 0221068006,
0221064093, 0221064068, 0221068007, 0221068008, 0221064120,
0221064100

Action: Major Site Plan Review, Shoreline Substantial Development Permit,
Boundary Line Adjustment, Alternative Landscape Plan, Design Review,
Critical Areas Review

Proposal: Single-family residential, active living, retirement (55+) community development consisting of 82 detached single-level cottage houses with attached garages. The development will gain access from Rosedale Village and from Shirley Avenue through a new gated access. The development will have private access corridors with sidewalks and designated parallel parking spaces. The proposal will include extension of water and sewer utilities, and construction of a stormwater conveyance and treatment facility with discharge to Gig Harbor. In addition to the single-family cottage housing development, the existing parcels will be reconfigured through a boundary line adjustment to create 8 additional single-family residential lots to front on Shirley Avenue.

Location: 4117 Rosedale Street, Gig Harbor, WA 98335
Section 06, Township 21, Range 02

Proponent: Norpoint Communities
PO Box 875
Tacoma, WA 98409

I. DESCRIPTION OF PROPOSAL:

The proposed action consists of developing approximately 24.84 gross acres into new single-family residential, active living, retirement community (55+) consisting of 82

Cottages at Rosedale Village
Exhibit: C-14

detached single-story cottages houses with attached garages. The development will also include associated site amenities such as a dog park and a common area for community gatherings. The site will be accessed at two points. One, through the existing Rosedale Village development's gated access point off of Rosedale Street; and, two, through a new gated access point to the west off of Shirley Ave. The interior road will be classified as a private access-way under current Public Works standards and will consume 2.24 acres of the site. The current lot configuration includes 7 lots of record with 11 tax parcel numbers. Through a proposed boundary-line adjustment, the development will be sited within the gross acreage noted above, while 6 single-family lots will be re-configured near the corner of Shirley Ave and Rosedale Street. The project site contains several wetlands and streams. In order to mitigate for unavoidable impacts to some wetland buffers, the project proposes buffer averaging and a buffer restoration and enhancement plan.

II. INCORPORATION BY REFERENCE:

The following documents contain information, studies and analysis that have been used in the review of this proposal and are hereby incorporated into this threshold determination by reference:

- A. SEPA Environmental Checklist prepared by Brett Allen, Contour Engineering, dated December 22, 2016
- B. Critical Areas and Shoreline Assessment Report and Conceptual Mitigation Plan prepared by Soundview Consultants, dated March 2017 and revised June 2017
- C. No Net Loss Shoreline Ecological Functions Evaluation Form submitted on April 25, 2017
- D. Geotechnical Engineering Report prepared by GeoResources, dated December 2, 2016 and revised April 24, 2017
- E. Preliminary Sewer Hydraulics Report prepared by Contour Engineering, dated December 2016 and Revised April 2017
- F. Preliminary Water Hydraulics Report prepared by Contour Engineering, dated December 2016 and Revised April 2017
- G. Transportation Impact Analysis prepared by Heath and Associates, dated December 2, 2016
- H. Preliminary Stormwater Site Plan prepared by Contour Engineering, dated December 2016

III. ANALYSIS:

- A. Critical Areas: The subject site is located south and upland of the northwest quadrant Gig Harbor Bay. Although a portion of the project is within the shoreline jurisdiction of the City's Shoreline Master Program, the impacts are contained on the upland side of Harborview Drive and will be mitigated through final mitigation plan. The proposal will utilize buffer averaging to replace approximately 8,924 square feet of existing buffer with 15,598 square feet expanded buffer. Approximately 10,082 square feet of buffer

area will also be enhanced with native plantings to screen critical areas from project related disturbances and protect wetland and stream functions.

Using the substantive SEPA authority provided by GHMC Subsection 18.04.210(D), the City adopts by reference the critical area requirements of GHMC Chapter 18.08 and the requirements of Chapter 6.2.5 of the Shoreline Master Program. In accordance with the cited code sections, prior to issuance of any development permit, the applicant shall submit to the City a detailed critical areas and shoreline assessment report and mitigation plan for approval.

Mitigation #1: Prior to final inspection by City of Gig Harbor staff, the applicant's enhancement and mitigation plan shall be implemented consistent with all recommendations of the detailed and approved critical areas report and mitigation plan.

Mitigation #2: An open-rail fence with city approved critical area signs placed at reasonable intervals shall be constructed where site development abuts a wetland or stream buffer. Detail for the fence and signs shall be provided with the final landscape plan at the time of site development permit review.

Mitigation #3: All engineering conclusions and recommendations of the geotechnical engineering report (Section 7.0) shall be considered and incorporated into site development including, but not limited to, Sub-section 7.4 regarding building setbacks.

- B. Sanitary Sewer: The City has reviewed the off-site sewer impacts from the proposed development under the City's sewer concurrency ordinance (Chapter 19 of the Gig Harbor Municipal Code) and for compliance with the City's Wastewater Comprehensive Plan (Sewer Comp Plan). The findings and conclusions from review of the concurrency ordinance have been determined based on information contained in the sewer concurrency reservation certificate (SCRC) application that was approved by the City on 11/20/17 for a total of 90 ERU's. Please note, this project is approved for a total of 82 ERU's only, and the SCRC shall be revised accordingly, prior to the project receiving Site Plan Approval.

The applicant proposes to construct a private 8" sewer main that will extend from the site to an existing City Sewer Manhole adjacent to Harborview Drive, just upstream of the City's sewer lift station #3A.

Mitigation #4: Existing Sewer Lift Station #3A is currently located within the project property limits. The applicant is required to dedicate to the City a portion of land whereon the Lift Station #3A facilities exist, in a format acceptable to and meeting the requirements of the City, prior to the issuance of a certificate of occupancy, including temporary certificate of occupancy, for any structure located on the proposed site.

- C. Stormwater: The City has reviewed the off-site storm water impacts for the proposed development based on the documents provided by the applicant. The City of Gig Harbor 2016 Stormwater Management and Site Development Manual (Manual) requires both quantity and quality control of storm water run-off from the proposed development.

The applicant has provided a Preliminary Drainage and Erosion Control Report along with a proposed storm system layout in the plans. The applicant proposes onsite Stormwater quality treatment facilities. Additionally, the applicant is proposing to discharge stormwater without flow control by discharging to the City's man-made stormwater conveyance system that subsequently discharges to Puget Sound, which is a flow control-exempt receiving body.

The applicant proposes to construct a private 12" stormwater pipe system that will extend from the project site to an existing City Stormwater Catch Basin adjacent to Harborview Drive, which then discharges via a cross-culvert under Harborview Drive to the Puget Sound.

Mitigation #5: There is an existing stream drainage that enters an existing storm pipe adjacent to Lift Station #3A, that connects to an existing City stormwater catch basin adjacent to Harborview Dr. The applicant is required to either dedicate a minimum 20' wide strip of property to the City extending from the City ROW over where the pipe exists, OR provide the City a minimum 20' wide Storm Drainage easement centered over where the pipe exists, recorded and running in perpetuity, prior to the issuance of a certificate of occupancy, including temporary certificate of occupancy, for any structure located on the proposed site.

- D. Transportation: The City has reviewed transportation impacts from the proposed development under the City's transportation concurrency ordinance (Chapter 19 of the Gig Harbor Municipal Code) and for compliance with the City's Comprehensive Plan. The findings from this review are documented in the transportation concurrency report from Heath & Associates, Inc. dated December 2, 2016, which reserved capacity for 30 pm peak hour trips for single family residences, and the Transportation Concurrency Reservation Certificate, was approved by Steve Misiurak, City Engineer, dated 9/25/17.

The applicant proposes access to the project from the existing Rosedale Village gated entrance on Rosedale Street, as well as through a new gated access on Shirley Ave.

In general, the Public Works Department has determined that the current project site plan, referenced above, does not comply with the City's Public Works Standards for the following reasons: Per section 2B.080, roadway frontage improvements in accordance with the Public Works Standards shall be installed along the entire public right of way frontage of the property at the time of construction when a project receives approval of a Site Plan. As such, this project is required to provide frontage

improvements along the property frontage of the 30' wide right of way, dedicated to the City on Short Plat No. 76-439, which extends from Rosedale Street into the project site. Additionally, this project is required to provide frontage improvements along the property frontage on Harborview Dr. At this time, the applicant is not proposing frontage improvements at either of these frontages, and therefore the Public Works department does not concur with the current site plan. However, no further mitigation is required under SEPA relating to this item as the impacts will be addressed through the site plan and shoreline substantial development decision-making process and by application of the City's Code and Public Works Standards consistent with WAC 197-11-158.

The proposed project will increase the number of vehicles and pedestrians that will use Rosedale Street and Shirley Ave. Due to this increase, there are potential impacts to pedestrian safety and roadway function.

The site is located in an area with significant pedestrian activity. However, currently there are no sidewalks on Shirley Ave between the proposed access location and Rosedale Street. Due to this project's proximity to existing pedestrian activity sources, pedestrian connectivity and provisions for pedestrian safety are necessary to and through this site.

Mitigation #6: To mitigate the potential impacts to pedestrian safety as discussed above, the applicant shall design and construct, at no cost to the City, pedestrian facilities along the westerly side of Shirley Ave, from the project boundary south to Rosedale Street. These facilities shall be designed in accordance with the City's Public Works Standards and shall include concrete sidewalk, concrete curb and gutter, all necessary storm drainage provisions, streetlights, and concrete curb returns and curb ramps. The pedestrian facilities shall be constructed by the applicant and accepted by the City prior to the issuance of a certificate of occupancy, including temporary certificate of occupancy, for any structure located on the proposed site.

Mitigation #7: Applicant shall remove the two existing driveway approaches located on Rosedale Street that provide access to the project site, and replace them with concrete curb & gutter, sidewalk and associated ROW amenities, per City Public Works Standards, prior to the issuance of a certificate of occupancy, including temporary certificate of occupancy, for any structure located on the proposed site.

IV. THRESHOLD DETERMINATION:

Lead Agency: City of Gig Harbor

The lead agency for the proposal has determined that the proposal does not have a probable significant adverse impact on the environment, provided the mitigation measures specified above are imposed. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency.

This information is available to the public upon request.

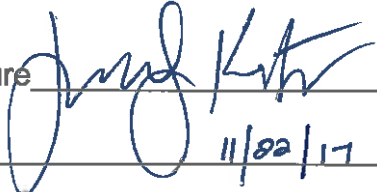
- [x] This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of this document. **Comments must be submitted by December 7, 2017.**

Any interested person may appeal the adequacy of this SEPA Threshold Determination to the City of Gig Harbor Hearing Examiner pursuant to the procedures set forth under Chapter 18.04 of the Gig Harbor Municipal Code if a written request for appeal is received within 21 days after the issuance of this MDNS, or **December 14, 2017**, whichever is later. The written appeal must be submitted with a filing fee of two hundred seventy-five dollars (\$275).

Contact Person: Carl de Simas, Associate Planner; Phone: (253) 851-6170

Responsible Official: Jennifer Kester
Position Title: Planning Director
Phone: (253) 8516170

Address: City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

Signature:  _____
Date:  _____



STATE OF WASHINGTON
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

Mailing Address: PO Box 40903, Olympia, WA 98504-0903 •
Physical Address: 1111 Israel Rd SW, Suite 301, Tumwater, WA 98501 •

February 20, 2019

Received by
City of Gig Harbor
February 20, 2019

Sent by Email and US Mail

Andrew Clarke
8107 Shirley Ave
Gig Harbor WA 98332

William T. Lynn
Gordon Thomas Honeywell
1201 Pacific Ave Ste 2100
PO Box 1157
Tacoma WA 98401-1157

Andrew S. Fuller
Ogden Murphy Wallace PLLC
901 5th Ave Ste 3500
Seattle WA 98164

Re: **SHB No. 18-017**
ANDREW CLARKE v. CITY OF GIG HARBOR and NORPOINT
COMMUNITIES LLC

Dear Parties:

Enclosed please find the Order Granting Summary Judgment of the Shorelines Hearings Board.

This is a FINAL ORDER for purposes of appeal to Superior Court within 30 days. See WAC 461-08-570 and 575, and RCW 34.05.542(2) and (4).

You are being given the following notice as required by RCW 34.05.461(3): Any party may file a petition for reconsideration with the Board. A petition for reconsideration must be filed with the Board and served on all parties within ten days of mailing of the final decision. WAC 461-08-565.

If you have any questions, please feel free to contact the staff at the Environmental and Land Use Hearings Office at 360-664-9160.

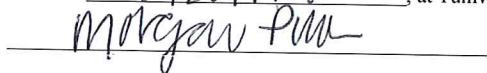
Sincerely,


Kay M. Brown, Presiding

CERTIFICATION

On this day, I forwarded a true and accurate copy of the documents to which this certificate is affixed via United States Postal Service postage prepaid or via delivery through State Consolidated Mail Services to the parties of record herein.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.
DATED 2/20/19, at Tumwater, WA





1 **SHORELINES HEARINGS BOARD**
2 **STATE OF WASHINGTON**

3 ANDREW CLARKE,

4 Petitioner,

5 v.

6 CITY OF GIG HARBOR and NORPOINT
COMMUNITITES LLC,

7 Respondents.

SHB No. 18-017

ORDER GRANTING
SUMMARY JUDGMENT

8
9 Petitioner Andrew Clarke filed a petition with the Shorelines Hearings Board (Board) on
10 November 20, 2018, challenging a decision by the City of Gig Harbor (City) to grant a shoreline
11 substantial development permit (SSDP) to Norpoint Communities, LLC (Norpoint). Norpoint
12 and the City now move for summary judgment.

13 The Board hearing this matter is comprised of Board Chair Kay M. Brown and Members
14 David Baker and Robert Gelder.¹ Attorneys William T. Lynn and Reuben Schutz represented
15 Norpoint. Attorney Andrew S. Fuller represented the City. Andrew Clarke represented himself.

16 The Board reviewed the following materials in deliberating on this motion:

- 17 1. Respondent/Applicant Norpoint Communities LLC's Motion for Summary Judgment;
18 2. Declaration of Brett Allen with Exhibits A-B;
19 3. Declaration of Matt DeCaro with Exhibits A-C;
20 4. Respondent City of Gig Harbor's Joinder to Respondent/Applicant Norpoint
Communities, LLC's Motion for Summary Judgment;

21
¹ A three-member panel is hearing this case pursuant to RCW 90.58.185.

- 1 5. Declaration of Carl de Simas in Support of Respondent/Applicant Norpoint
Communities, LLC's Motion for Summary Judgment with Exhibits A-K;
- 2 6. Petitioner's Response to Motion for Summary Judgment with attached documents;
- 3 7. Respondent/Applicant Norpoint Communities LLC's Reply in Support of Motion for
4 Summary Judgment;
- 5 8. Respondent City of Gig Harbor's Reply in Support of Motion for Summary
Judgment;
- 6 9. Declaration of Carl de Simas in Support of City's Reply to Petitioner's Response to
7 Motion for Summary Judgment with Exhibit A; and,
- 8 10. The Board's file in this matter.

9 Based on its review of the record and foregoing pleadings, the Board enters the following
10 ruling:

11 **BACKGROUND**

12 Applicant Norpoint proposes to develop approximately 82 detached single-family
13 dwellings on a single, contiguous lot of roughly 25 acres for use as a residential community
14 known as "The Cottages at Rosedale Village" (the project). The property is located in Gig
15 Harbor, Washington. Allen Decl., ¶ 2, 3. The property slopes down gradually from south to
16 north, from Rosedale Street to Harborview Drive. de Simas Decl., Ex A, p. 3. The site is
17 generally undeveloped with the exception of a small single-family residence on the central and
18 western portion of the site, and an old storage building on the south east portion of the site. *Id.*

19 The northwest corner of the property is located within 200 feet of the ordinary high water
20 mark in Gig Harbor Bay. de Simas Decl., Ex. A, p. 4; DeCaro Decl., ¶ 3. New underground
21 stormwater and sanitary sewage lines will be installed in this area and will connect to existing

1 sewer lines along Harborview Drive. DeCaro Decl., ¶ 3. Therefore, a SSDP was required for the
2 project. de Simas Decl., Ex. A, p. 2.

3 An Associate Planner for the City, Carl de Simas has been involved with the project since
4 the preapplication site plan review on October 21, 2016. de Simas Decl., ¶¶ 2, 3. Mr. de Simas
5 has prepared two planning department staff reports for the City's Hearing Examiner. *Id.*, ¶¶ 4, 5,
6 Exs. A, B. He also conducted a project site visit with Matt Curtis of the Washington State
7 Department of Fish and Wildlife (WDFW), and has had several phone conversations with Mr.
8 Curtis. de Simas Decl., ¶¶ 6, 7, Ex. C. Mr. Curtis informed Mr. de Simas that no hydraulic
9 project approval (HPA) permit was necessary for the project. *Id.*, ¶ 7.

10 Norpoint retained Contour Engineering, LLC, to prepare a Preliminary Stormwater Site
11 Plan Report (Stormwater Plan). The City reviewed and accepted the Stormwater Plan as
12 compliant with the Gig Harbor Municipal Code (GHMC) and the Gig Harbor Shoreline Master
13 Plan (GHSMP). de Simas Decl., ¶ 8, Ex. D.

14 Norpoint also retained Soundview Consultants, LLC (Soundview) to provide a habitat
15 assessment for all of the project activities within the jurisdiction of the GHSMP. de Simas Decl.,
16 ¶ 9; DeCaro Decl., ¶ 5, Ex. A. Soundview prepared an initial report, which included wetland
17 delineations and a buffer averaging plan. de Simas Decl., ¶ 9. The City retained an independent
18 environmental consulting firm, Grette Associates (Grette) to review Soundview's report. *Id.*, ¶
19 10. Subsequently, Grette conducted several reviews and issued technical memorandums to the
20 City which resulted in revisions to the report by Soundview. de Simas Decl., ¶¶ 10, 11, Exs. E-I.
21 The final report, titled "Critical Areas and Shoreline Assessment Report and Conceptual

1 Mitigation Plan” (Mitigation Plan) and dated June 27, 2017, received favorable review by Grette
2 and was accepted by the City. de Simas Decl., ¶ 13, Exs. I, J.

3 The Mitigation Plan identified and delineated the boundaries of eight potentially
4 regulated on-site wetlands and three streams. de Simas Decl., Ex. J, p. i. Because 8,924 square
5 feet of wetland buffer reduction was necessary to accommodate project activities, Norpoint will
6 provide 15,598 feet of expanded wetland buffer through buffer averaging, and 10,082 square feet
7 of enhanced buffer. Temporary impacts from the utility installation in the buffers and within 200
8 feet of the shoreline management zone will be restored by installation of native plant species and
9 reseeded. *Id.*

10 The Mitigation Plan concludes that “shoreline ecological functions after restoration are
11 anticipated to be improved over current conditions” and that “[t]he proposed project will result in
12 no net loss of shoreline ecological functions.” de Simas Decl., ¶ 15, Ex. J, p. 34.

13 In addition to the Stormwater Plan and the Mitigation Plan, the City conducted State
14 Environmental Policy Act (SEPA) review for the project. The City issued and provided public
15 notice of a Mitigated Determination of Non-significance (MDNS) for the proposed action and
16 received public comments. The MDNS was not appealed. de Simas Decl., Ex. A, p. 7.

17 After an open record hearing, the City Hearing Examiner approved the SSDP with the
18 special conditions of approval and SEPA mitigation measures recommended by the City Staff.
19 Hearing Examiner’s decision,² p. 23.

20
21

2 The hearing examiner’s decision is attached to Mr. Clarke’s Notice of Appeal.

1 Mr. Clarke appealed the City's decision to this Board. The parties identified the
2 following issues for this appeal:

- 3 1. Does the Shoreline Substantial Development Permit for the Cottages at Rosedale
4 meet City and State requirements for issuance of a substantial development permit
5 including conformance with the City's Shoreline Master Program and the State
6 Shoreline Management Act (RCW 90.58)?
- 7 2. Does the Board have jurisdiction to consider the Appeal?
- 8 3. Does the Appeal meet procedural requirements?
- 9 4. Did the City fail to properly apply Endangered Species Act, NOAA and US Fish and
10 Wildlife "No Net Effect" requirements?
- 11 5. Did the City fail to properly apply Shoreline Master Plan to "No Net Loss"
12 requirements?
- 13 6. Did the City fail to properly apply City, State and Federal environmental protection
14 guidance for possible soil contamination?
- 15 7. Did the City fail to properly identify, delineate, label and/or document the course of
16 the Shirley Ave drainage from the Pond at Wilkinson Farm to the Murphy's Landing
17 Outfall?
- 18 8. Did the City fail to properly recognize or protect the water criteria of the downstream
19 receiving waters of the state associated with the Shirley Ave. drainage?
- 20 9. Did the City improperly interpret WSWF requirements for an HPA permit for work at
21 the construction site?
- 22 10. Did the City improperly approve the Shoreline Substantial Development Permit by
not holding the Applicant to the proper standards in the above listed areas?

Norpoint and the City moved for summary judgment on all of the issues.

1 ANALYSIS

2 A. Summary Judgment Standard

3 Summary judgment is a procedure available to avoid unnecessary trials where there is no
4 genuine issue of material fact. *Am. Express Centurion Bank v. Stratman*, 172 Wn. App. 667,
5 675-76, 292 P.3d 128 (2012). The summary judgment procedure is designed to eliminate trial if
6 only questions of law remain for resolution, and neither party contests the facts relevant to a
7 legal determination. *Rainier Nat'l Bank v. Security State Bank*, 59 Wn. App. 161, 164, 796 P.2d
8 443 (1990), *review denied*, 117 Wn.2d 1004 (1991).

9 The party moving for summary judgment must show there are no genuine issues of
10 material fact and the moving party is entitled to judgment as a matter of law. *Magula v. Benton*
11 *Franklin Title Co., Inc.*, 131 Wn.2d 171, 182, 930 P.2d 307 (1997). A material fact in a
12 summary judgment proceeding is one affecting the outcome under the governing law. *Eriks v.*
13 *Denver*, 118 Wn.2d 451, 456, 824 P.2d 1207 (1992). If the moving party satisfies its burden,
14 then the nonmoving party must present evidence demonstrating that material facts are in dispute.
15 *Atherton Condo Ass'n v. Blume Dev. Co.*, 115 Wn.2d 506, 516, 799 P.2d 250 (1990). Bare
16 assertions concerning alleged genuine material issues do not constitute facts sufficient to defeat a
17 summary judgment motion. *SentinelC3, Inc. v. Hunt*, 181 Wn.2d 127, 140, 331 P.3d 40 (2014).
18 When determining whether an issue of material fact exists, all facts and inferences are construed
19 in favor of the nonmoving party. *Jones v. Allstate Ins. Co.*, 146 Wn.2d 291, 300, 45 P.3d 1068
20 (2002).

1 Summary judgment is subject to a burden shifting scheme. After the moving party
2 submits adequate affidavits, the nonmoving party must set forth specific facts which sufficiently
3 rebut the moving party's contentions and disclose the existence of a genuine issue as to a
4 material fact. *Michael v. Mosquera-Lacy*, 165 Wn.2d 595, 601 (2009) (citing *Meyer v. Univ. of*
5 *Wash.*, 105 Wn.2d 847, 852, 719 P.2d 98 (1986)).

6 A respondent moving for summary judgment has the initial burden of showing: (1) the
7 absence of a genuine issue of material fact; or (2) that the Petitioner has failed to produce
8 sufficient factual averments to support an essential element of the claim or cause of action. If the
9 respondent shows that the Petitioner lacks sufficient facts to support an essential element of the
10 claim or cause of action, the burden shifts to the Petitioner to produce sufficient facts to support a
11 reasonable inference establishing the element. The Petitioner must establish the element with
12 affidavits or other documents setting forth specific facts showing that there is a genuine issue for
13 trial. *William Davies v. Holy Family Hospital*, 144 Wn. App. 483 (2008). The non-moving
14 party cannot rely on argumentative assertions, speculative statements or conclusory allegations to
15 defeat summary judgment. *Seiber v. Poulsbo Marine Center, Inc.*, 136 Wn. App. 731, 736, 150
16 P.3d 633 (2007). Civil Rule 56 also states that an adverse party may not rest upon the mere
17 allegations or denials of a pleading, but in response to a summary judgment motion "must set
18 forth specific facts showing that there is a genuine issue for trial." If he fails to do so, summary
19 judgment, if appropriate, shall be entered against him. CR 56.

20 Respondents, in their motions, made legal arguments supported by evidence in the form
21 of declarations from expert witnesses. Petitioner's arguments in response to Respondents'

1 motions are unsupported by evidence, conclusory or speculative in nature, and fail to create a
2 genuine issue of material fact. The Board concludes that there are no material facts at issue and,
3 therefore, this matter is ripe for summary judgment.

4 **B. Jurisdictional arguments (Issues 6, 8 and 9)**

5 The Board is a quasi-judicial body with powers of de novo review authorized by chapter
6 90.58 RCW, the Shoreline Management Act (SMA). WAC 461-08-315. As an administrative
7 agency, the Board may exercise only the power expressly granted to it by statute or necessarily
8 implied from the statutory grant of jurisdiction. *Skagit Surveyors and Engineers, LLC v. Friends*
9 *of Skagit County*, 135 Wn.2d 542, 558, 958 P.2d 962 (1998); *Kaiser Aluminum & Chemical*
10 *Corp. v. Department of Labor & Industries*, 121 Wn.2d 776, 780, 854 P.2d 611 (1993). A party
11 opposing a summary judgment motion to dismiss on jurisdictional grounds must identify some
12 statutory authority that would allow the tribunal to grant meaningful relief. *Hammer v. City of*
13 *Bainbridge Island*, SHB No. 07-018, p. 8 (Order Granting Partial Summary Judgment, October
14 22, 2007). As specifically set forth in the SMA, this Board has jurisdiction over the granting
15 denying, or rescinding of permits on shorelines of the state pursuant to RCW 90.58.140. RCW
16 90.58.180(1).

17 Norpoint and the City contend that Issues 6, 8 and 9 are outside of the Board's
18 jurisdiction. Issue 6 questions whether the City properly applied City, State and Federal
19 environmental protection guidance for possible soil contamination. Respondents argue that there
20 are no SMA or GHSMF provisions pertaining to regulation of soil contamination except in
21 aquifer recharge areas, and then only for specific uses. GHSMF pp. 2-4, 6-65, 66. None of these

1 uses are applicable here. Furthermore, while the Washington State Department of Ecology
2 (Ecology) did request that Norpoint test the soil on the property as part of their program related
3 to the Asarco smelter and the hearing examiner added a special condition on the permit to
4 address their request,³ Respondents argue that this does not give the Board authority over the
5 question of soil contamination unrelated to the GHSMP or the SMA.

6 Issue 8 questions whether the City failed to protect the water criteria of the downstream
7 receiving waters of the state associated with the Shirley Ave. drainage. Respondents argue that
8 this issue does not raise questions involving compliance with the SMA or GHSMP. General
9 regulation of water quality under section 404 of the Clean Water Act or RCW 90.48 lies with
10 Ecology and not the City. While the hearing examiner's decision incorporated Ecology's-
11 recommended conditions pertaining to water quality, which were initially presented in the
12 MDNS,⁴ this incorporation does not provide the Board jurisdiction over these non-SMA or
13 GHSMP conditions.

14 Issue 9 questions whether the City improperly interpreted WDFW requirements for an
15 HPA permit for work at the construction site. Respondents argue that WDFW administers the
16 state Hydraulic Code, Ch. 77.55 RCW, not the City, and that HPA requirements do not fall
17 within the ambit of the SMA or GHSMP.

18 Petitioner makes no response to Respondents' arguments on these issues, either through
19 evidence or argument. Therefore, the Board concludes that the Petitioner has abandoned these
20

21 ³ Norpoint did test the soil as requested by Ecology. Allen Decl., ¶ 8. The test showed that the contaminants in the
soil were lower than the 20 PPM threshold set by Ecology. *Id.*

⁴ See Hearing Examiner's Decision, Conditions, pp. 24-26.

1 issues. The Board, like the Courts, need not consider arguments for which a party provides no
2 briefing or citation to authority. *Washington State Dep't of Nat. Res. v. Browning*, 148 Wn. App.
3 8, 21, 199 P.3d 430, 436 (2008); *Holder v. City of Vancouver*, 136 Wn. App. 104, 107, 147 P.3d
4 641, 643 (2006), rev. denied 162 Wn.2d 1011 (2008).

5 Furthermore, the Board agrees with Respondents that it lacks jurisdiction to determine
6 compliance with other state or federal laws outside of the SMA and GHSMF.⁵ WAC 461-08-
7 505(c); *People for Environmentally Responsible Kenmore v. City of Kenmore*, SHB No. 16-001,
8 pp. 4-6 (Order Granting City of Kenmore's Motions for Partial Summary Judgment, March 25,
9 2016). The Board concludes that Issues 6, 8 and 9 should be dismissed.

10 **C. "No Net Effect" requirements (Issue 4)**

11 Issue 4 questions whether the City failed to apply Endangered Species Act, NOAA⁶ and
12 US Fish and Wildlife "No Net Effect" requirements. As stated, this issue is outside the Board's
13 jurisdiction because it is based on federal law. *See* Section B., *Supra*. Mr. Clarke recognizes this
14 himself in his briefing, stating that "[w]ill the damage inflicted on Chinook salmon be held to be
15 a violation of the Endangered Species Act and the Clean Water Act, et al? Most likely, but that
16 is for NOAA, USACE⁷, USF&W and Federal EPA⁸ to decide, not for the Shorelines Hearings
17 Board." Petitioner's Response, p. 14. The Board concludes that the issue, as stated, is beyond
18 the jurisdiction of the Board.

20 ⁵ SEPA is not at issue in this case.

21 ⁶ National Oceanic and Atmospheric Administration.

⁷ U.S. Army Corps of Engineers.

⁸ Environmental Protection Agency.

1 Even if Issue 4 is expanded to reach the GHSMP requirements which pertain to habitat
2 assessments, the Respondents are entitled to summary judgment. The GHSMP requires that a
3 “habitat assessment” be prepared for all activity on a site regulated under the jurisdiction of the
4 GHSMP that contains or is within 300 feet of critical fish and wildlife habitat. GHSMP 6.2.5.23
5 (4). Review of the SSDP’s compliance with this section is within the Board’s jurisdiction.

6 In their motions for summary judgment, Respondents put forward extensive evidence of
7 Norpoint’s compliance with this section, including a declaration from Matt DeCaro, who is an
8 Environmental Scientist and Project Manager employed by Soundview Consultants, and a copy
9 of the Mitigation Plan prepared by Soundview Consultants. DeCaro Decl., ¶¶ 2, 7, Ex. A. The
10 City also submitted a declaration from Mr. de Simas, which addresses in detail the Projects
11 compliance with GHSMP § 6.2.5.23. de Simas Decl., ¶¶ 9-17. This material satisfied the
12 Respondents’ initial burden as the party moving for summary judgment.

13 The burden now shifts to Petitioner to come forward with evidence establishing a
14 material issue of fact. Petitioner has failed to meet this burden. Petitioner offers no evidence in
15 the form of declarations, expert or otherwise, that creates a disputed issue of fact regarding the
16 SSDP’s compliance with the habitat assessment requirement in GHSMP § 6.2.5.23. Instead, the
17 Petitioner attaches excerpts from various documents to his brief, without declarations, argument
18 or explanation as to how the documents create disputed issues of fact pertaining to the habitat
19 assessment prepared by Norpoint’s expert consultant and reviewed by the City’s expert. The
20 Board concludes that there are no disputed issues of fact pertaining to this issue, and that
21 Respondents have established they are entitled to summary judgment on this issue.

1 **D. No Net Loss Requirements (Issue 5)**

2 Pursuant to GHSMP 6.2.1.B and 6.2.2, shoreline uses and site development actions
3 should not result in any net loss of shoreline ecological functions and processes. To assure no
4 net loss of shoreline ecological functions, the GHSMP requires shoreline development to
5 mitigate for unavoidable environmental impacts. GHSMP 6.2.1 (C). Mitigation sequencing
6 requires applicants to avoid impacts, minimize impacts, rectify impacts, reduce impacts over
7 time, and compensate for impacts. GHSMP § 6.2.2.3. a-e. Issue 5 questions whether the City
8 properly applied these GHSMP standards to the Project.

9 In support of their motion for summary judgment on this issue, the Respondents point to
10 the Mitigation Plan, prepared by Norpoint's expert consultant and reviewed by the City's expert
11 consultant, which concludes that temporary impacts from utility installation within wetland
12 buffers and/or within the shoreline management zone will be restored by installation of native
13 plant species and native reseeded. DeCaro Decl., Ex. A, p. 36. The Mitigation Plan concludes
14 that these actions will enhance buffer quality and shoreline ecological conditions. *Id.* The
15 Respondents also point out that the SSDP was approved with a number of special conditions, as
16 well as mitigation measures from the SEPA MDNS, to ensure compliance with the no-net loss
17 standard. Hearing Examiner's Decision, p. 26. This material satisfies the Respondents' initial
18 burden as the party moving for summary judgment.

19 In response, Petitioner argues that wetlands and streams within the shoreline have not
20 been correctly identified and are not being adequately protected. He relies on an initial report
21 from Grette, the City's expert consultant that concluded that there were two probable wetlands

1 within 300 feet of the shoreline on the site that had not been identified, and a drainage that
2 should have been categorized as a Type 4 stream. Response brief, pp. 7-8. The deficiencies
3 relied on by Petitioner and initially pointed out by Grette were subsequently reviewed and
4 addressed by Soundview to the satisfaction of the City and Grette. de Simas Decl., ¶¶ 10-13,
5 Exs. E-J.

6 The Petitioner, however, is not satisfied. In his opinion, “the impact of the pollution from
7 Stream V flooding into the Harbor will cause a Net Loss of Ecological Functions in the Stream,
8 Wetland F, the Shoreline and the Donkey Creek Tidal Estuary, at a minimum.” Response brief,
9 p. 11. Mr. Clarke offers no evidence (expert declarations, expert reports) in support of his non-
10 expert personal opinion put forth in an unsworn brief. Mr. Clarke’s bare opinion is insufficient
11 to create a contested issue of material fact pertaining to the net loss requirements. The Board
12 concludes that this issue should be dismissed.

13 **E. Shirley Avenue Drainage (Issue 7)**

14 Petitioner contends that the City failed to properly identify, delineate, label and/or
15 document the course of the Shirley Ave drainage from the Pond at Wilkinson Farm to the
16 Murphy’s Landing Outfall.

17 Respondents move for summary judgment on this issue, contending that their Stormwater
18 Plan includes mapping of the entire Wilkinson Farm Basin. Allen Decl., ¶ 9, and Ex. B. The
19 Stormwater Plan was reviewed and accepted by the City. This material is sufficient to meet the
20 Respondents’ initial burden of proof as the moving party.

1 Petitioner submits no response on this issue, and therefore, the Board concludes that the
2 Petitioner has abandoned this issue. The Board declines to consider abandoned issues.
3 *Browning*, 148 Wn. App. 8, 21; *Holder*, 136 Wn. App. 104, 107.

4 Even if the issue is not treated as abandoned, the Petitioner has failed to demonstrate that
5 there is a contested issue of fact pertaining to this issue. The Board concludes that summary
6 judgment is appropriate to Respondents on Issue 7.

7 **F. Remaining issues (Issues 1-3 and 10)**

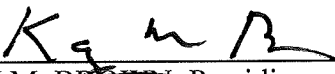
8 The remaining issues in this matter are either overarching questions pertaining to the
9 validity of the SSDP that are subsumed in the other more detailed (Issues 1, 10) or defensive
10 issues submitted by the Respondents (Issues 2 and 3). The Board concludes that these issues
11 should be dismissed.

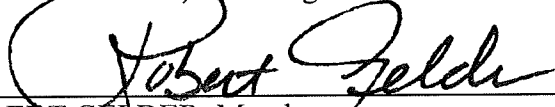
12 **ORDER**

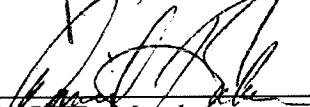
13 Norpoint and the City of Gig Harbor's motion for summary judgment on all issues is
14 granted, and this appeal is dismissed.

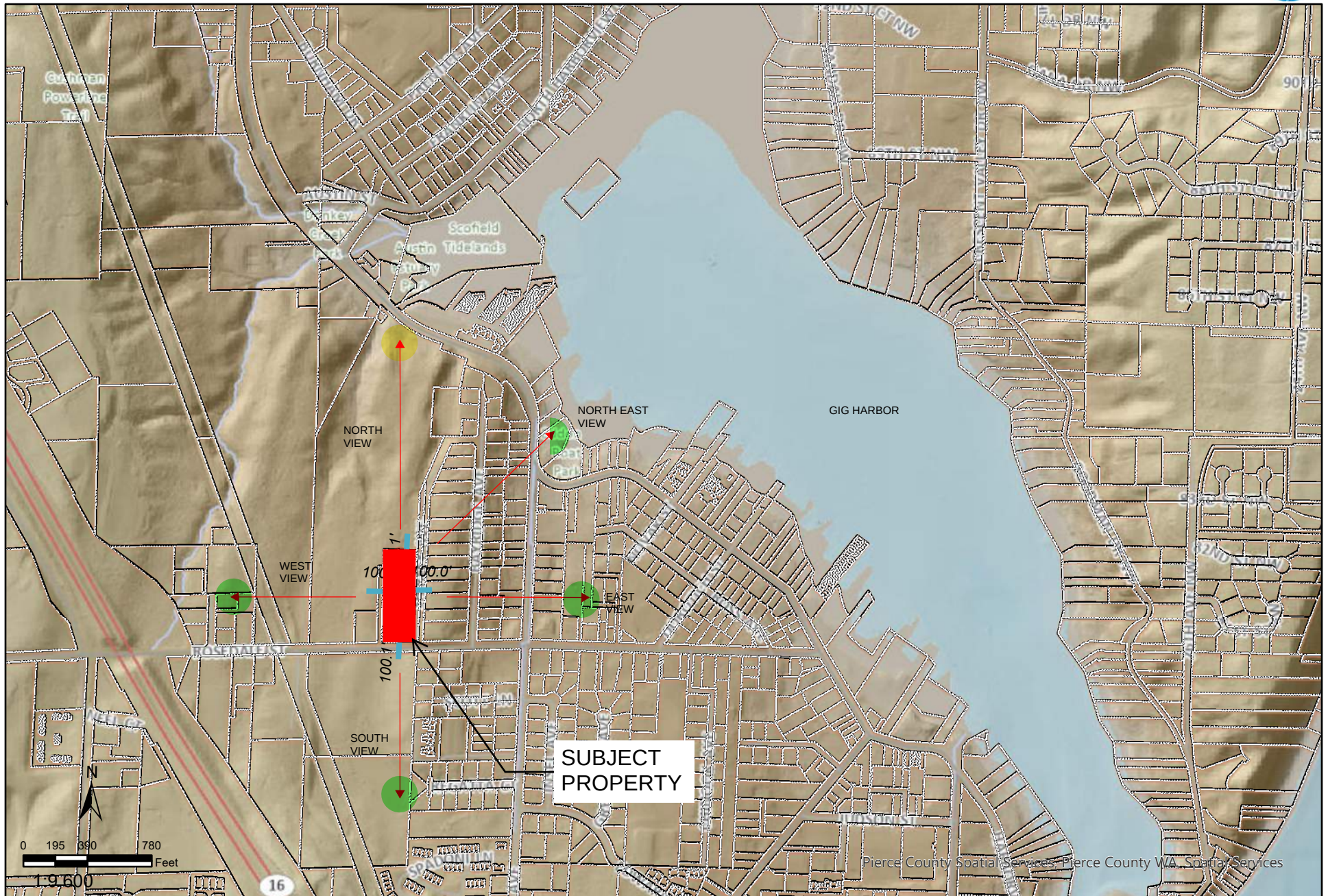
15 SO ORDERED this 20th day of February, 2019.

16 **SHORELINES HEARINGS BOARD**

17 
18 KAY M. BROWN, Presiding

19 
20 ROBERT GELDER, Member

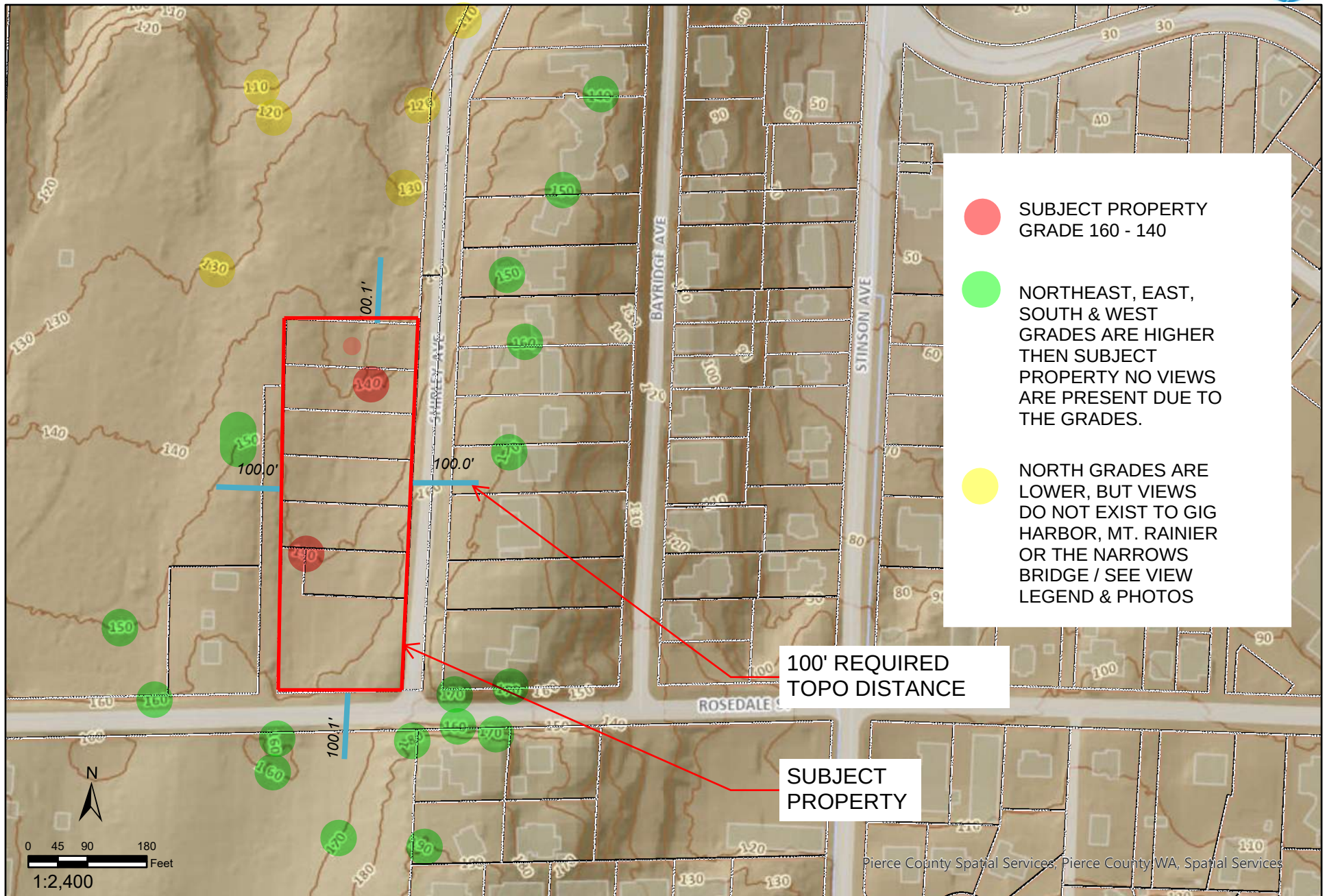
21 
DAVID BAKER, Member



Disclaimer: The map features are approximate and have not been surveyed. Additional features not yet mapped may be present.
Pierce County assumes no liability for variations ascertained by formal survey.

Date: 3/16/2023 10:54 AM

SHIRLEY AVE PROPERTIES TOPOGRAPHY MAP



VIEW LOOKING EAST STANDING ON LOT 02



VIEW LOOKING EAST STANDING ON LOT D



VIEW LOOKING SOUTH-EAST STANDING ON PARCEL E



VIEW LOOKING SOUTH STANDING ON PARCEL B



VIEW LOOKING NORTH STANDING ON PARCEL D



VIEW LOOKING NORTH WEST STANDING ON PARCEL E





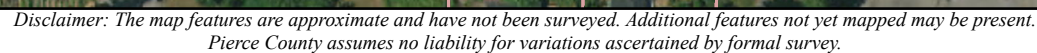






PublicGIS

PROPERTIES NORTH OF THE SUBJECT PROPERTY ARE LOWER IN TOPOGRAPHY BY 10' TO 20' AND DO NOT HAVE VIEWS



Page 529 of 808

ORDINANCE NO. 82

of the

TOWN OF GIG HARBOR

An Ordinance annexing to and incorporating with the Town of Gig Harbor certain unincorporated territory lying contiguous to the Town of Gig Harbor.

BE IT ORDAINED by the Council of the Town of Gig Harbor:

That WHEREAS, by Petition herein filed with the Council, Clyde O. Rainwater, Mrs. Emmy Rainwater, Donn L. Dahl, Janice L. Dahl, Mrs. Jeanne Nord, Elmer E. Wallingford, Jr., Mrs. Elmer Wallingford, William J. More, Angel More, Rev. Paul V. Neel, Jr., Mrs Della Ruth Neel, Mrs. Jeanette M. Watson, Alan H. Watson, Larry M. Swinney, Wynona R. Swinney, Jean Kauppila, Verner S. Kauppila, Darrel R. Jones, Carol Jones, Monette H. Skarponi, Christy Skarponi, Robert E. Larsen, Florence M. Larsen, Thelma Manning, Edward Manning and Bessie B. Roberson Mitts, being the owners of more than 75% in value according to assessed valuations for taxation, and owners of more than 75% according to geographical area of the following described real property in Pierce County, Washington;

660 ft. more or less, on each side of the Section Line and on the Center line of the Carrs-Inlet Gig Harbor Road running Westerly from the Westerly limits of the Incorporated Town of Gig Harbor, Washington to the West Line of the East 1/2 of the East 1/2 of the SW 1/4 of the SW 1/4 of Section 6, Twp. 21 N., R. 2 E. of the W.M., and to the West Line of the East 1/2 of the East 1/2 of the NW 1/4 of the NW 1/4 of Section 7, Twp. 21 N., R. 2 E. of the W.M.

The North Line of said property to be annexed being bounded by the North Line of the South 1/2 of the South 1/2 of the South 1/2 of Section 6, Twp 21 N., R. 2 E. of the W.M. The South Line of said property to be annexed being bounded by South Line of the North 1/2 of the North 1/2 of the North 1/2 of Section 7, Twp. 21 N., R. 2 E. of the W.M.

have heretofore filed with the Town Council their intention to commence Annexation Proceedings, and have requested the annexation and incorporation of said property

within the Town of Gig Harbor by Petition filed with the Council of the Town of Gig Harbor on the 8th day of July, 1965, and

WHEREAS, subsequent to the filing of said Petition on the 8th day of July, 1965, the Council of the Town of Gig Harbor fixed Thursday, the 22nd day of July, 1965, at the hour of 8:00 P.M., at the Town Hall in Gig Harbor, Washington, as the time and place at which all interested persons should appear and voice their approval or disapproval of said annexation of said unincorporated territory; and

WHEREAS, Notice of said Hearing was given as provided by law by the posting of notices and publication thereof, and

WHEREAS, at said Hearing all parties present approved of said annexation, and

WHEREAS, on the 22nd day of July, 1965, to which date said matter has been continued from time to time, the Council formally approved said Petition, and

WHEREAS, according to the Laws of the State of Washington, it was found not necessary to convene a Review Board Hearing as required by R. C. W. Chapter 35.13, and

WHEREAS, after consideration of all of the required factors,

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Council of the Town of Gig Harbor:

Section 1. That the following described real property located in Pierce County, Washington, to-wit:

660 ft. more or less, on each side of the Section Line and on the Center line of the Carrs-Inlet Gig Harbor Road running Westerly from the Westerly limits of the Incorporated Town of Gig Harbor, Washington, to the West Line of the East 1/2 of the

East 1/2 of the SW 1/4 of the SW 1/4 of Section 6, Twp. 21 N.,
R. 2 E. of the W.M., and to the West Line of the East 1/2 of the
East 1/2 of the NW 1/4 of the NW 1/4 of Section 7, Twp. 21 N.,
R. 2 E. of the W.M.

The North Line of said property to be annexed being bounded by
the North Line of the South 1/2 of the South 1/2 of the South
1/2 of Section 6, Twp 21 N., R. 2 E. of the W.M. The South
Line of said property to be annexed being bounded by South Line
of the North 1/2 of the North 1/2 of the North 1/2 of Section 7,
Twp. 21 N., R. 2 E. of the W.M.

be, and it is hereby, annexed unto and incorporated within the Town of Gig
Harbor.

Section 2. This Ordinance shall become effective upon its passage
and publication as provided by law.

PASSED this 22 day of July, 1965.

A. H. H. H. H.
M A Y O R

ATTEST:

A. H. H. H. H.
C L E R K

CITY OF GIG HARBOR

ORDINANCE NO. 537

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON RELATING TO THE BUILDING HEIGHT AND YARD SETBACK REQUIREMENTS OF THE CITY OF GIG HARBOR: ADDING A NEW CHAPTER 17.62 "HEIGHT OVERLAY DISTRICT" AND AMENDING SECTIONS 17.16.070, 17.20.050(c), 17.24.090, 17.32.050, 17.36.050, AND 17.44.040 PERTAINING TO SETBACKS ON CORNER LOTS IN THE R-1, R-2, R-3, B-1, B-2, AND W-1 ZONING DISTRICTS OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the City of Gig Harbor, pursuant to RCW 35A.63.100, may enact such zoning standards necessary to regulate the use of land, and height, bulk and size of buildings; and

WHEREAS, the present zoning regulations, do not adequately address development on undersized lots; and

WHEREAS, it is in the interest of the public health, safety and welfare to make adjustments to the zoning regulations to provide greater flexibility in limited instances where the size or location of certain properties makes strict compliance unrealistic or extremely difficult.

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

Section 1. A new Chapter 17.62 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

CHAPTER 17.62

HEIGHT OVERLAY DISTRICT

17.62.010 Intent. The purpose of this district is to establish standards for those properties and zoning districts located outside the Gig Harbor view basin where greater building height may be allowed. This is intended to be a limited zone where views from adjacent properties will not be adversely affected.

17.62.020 Map Adopted. The standards of this section shall be an overlay zone and are supplementary to the regulations prescribed by the underlying zones. The application of said standards shall pertain to those properties designated on the official zoning map dated March 8, 1988.

17.62.020 Standards. The maximum height for residential structures containing three or fewer units shall be 25 feet. The maximum height of commercial structures or residential structures containing four or more units shall be 35 feet.

Section 2. Subsection 17.16.070 is hereby amended to read as follows:

~~Every corner lot shall have a setback of twenty-five feet from each street.~~ In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line provided such choice does not impair corner vision clearance for vehicles and is approved by the Planning and Public Works Directors. The other property line abutting a street shall be deemed the side property line.

Section 3. Subsection 17.20.050(c) is hereby amended to read as follows:

~~C. Each corner lot shall have a setback of twenty-five feet from each street.~~ In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line provided such choice does not impair corner vision clearance for vehicles and is approved by the Planning and Public Works Directors. The other property line abutting a street shall be deemed the side property line.

Section 4. Subsection 17.24.090 is hereby amended to read as follows:

~~Each corner lot shall have a setback of twenty-five feet from each street.~~ In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line provided such choice does not impair corner vision clearance for vehicles and is approved by the Planning and Public Works Directors. The other property line abutting a street shall be deemed the side property line.

Section 5. Subsection 17.32.050 is hereby amended to read as follows:

Residences shall provide a front yard of twenty-five feet. In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line provided such choice does not impair corner vision clearance for vehicles and is approved by the Planning and Public Works Directors. The other property line abutting a street shall be deemed the side property line.

Section 6. Subsection 17.36.050 is hereby amended to read as follows:

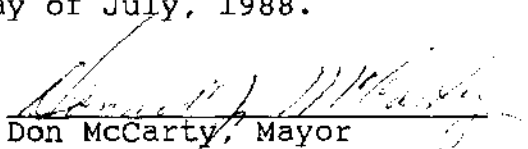
No yards are required except that, where a B-2 district abuts on a residential district, a yard shall be required for the space between a property in this district and that in the residential district, such yard to be landscaped and screened from the residential area. Such yards shall be ten feet if a side yard, twenty feet if a front yard, and fifteen feet if a rear yard. In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line provided such choice does not impair corner vision clearance for vehicles and is approved by the Planning and Public Works Directors. The other property line abutting a street shall be deemed the side property line.

Section 7. Subsection 17.44.040 is hereby amended to read as follows:

- A. Residences shall maintain a front yard of at least twenty-five feet.
- B. Other uses shall maintain front yards of at least twenty feet.
- C. In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line provided such choice does not impair corner vision clearance for vehicles and is approved by the Planning and Public Works Directors. The other property line abutting a street shall be deemed the side property line.

Section 8. This ordinance shall be in force and take effect five (5) days after its publication according to law.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this 11th day of July, 1988.


Don McCarty, Mayor

ATTEST:


Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 6/23/88
Passed by city council: 7/11/88
Date published: 7/20/88
Date effective: 7/25/88

CITY OF GIG HARBOR

ORDINANCE NO. 573

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REPEALING CERTAIN CHAPTERS OF TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE HAVING TO DO WITH ZONING DISTRICT, ENACTING NEW CHAPTERS TO TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the current city zoning code was initially adopted in 1968 and has been subject to numerous revisions since that date, resulting in a fragmented ordinance, and;

WHEREAS, the present trend of development substantially differs from that of the late 1960's, upon which the current zoning code was based, and;

WHEREAS, the Planning Commission, following several public meetings and public hearings, has developed a revised zoning code which is a substantial update of the current code, and;

WHEREAS, the Planning Commission has recommended adoption of the revised and updated Title 17, and;

WHEREAS, the revised zoning code furthers the goals and objectives of the Comprehensive Plan and promotes the public's health, safety, and welfare,

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

Section 1. The following chapters of Title 17 of the Gig Harbor Municipal Code are hereby repealed: 17.04, 17.12, 17.16, 17.20, 17.24, 17.28, 17.36, 17.40, 17.64, 17.68, 17.72, and 17.84.

Section 2. The following chapters are hereby enacted:

CHAPTER 17.01

GENERAL PROVISIONS

SECTIONS

17.01.010 Title

TOP-LOAD
2.1.2E

Universal

- 17.01.020 Purpose
- 17.01.030 Conformity With Regulations Required
- 17.01.040 Public Uses
- 17.01.050 Interpretation and Application of Provisions
- 17.01.060 Conflict with Other Regulations
- 17.01.070 Public Hearings

17.01.010 Title. This Title shall be known and cited as the Zoning Ordinance of the City of Gig Harbor, Washington, as passed and adopted by Ordinance #573, approved on February 26, 1990.

17.01.020 Purpose.

- A. The purpose of this Title is to regulate the use of land and improvements by districts in accordance with the City of Gig Harbor Comprehensive Plan. These zoning regulations are designed to provide for orderly development, to lessen street congestion, to promote fire safety and public order, to protect the public health and general welfare, to prevent overcrowding, and to stimulate the systematic development of transportation, water, sewer, schools, parks, storm drainage, and other public facilities.
- B. It is further intended that any financial responsibility of the developer for work to be done on city streets bounding, in close proximity to and/or giving access to the development, which arises out of the provisions of this chapter, be made the subject of a contractual agreement between the developer and the city, and that such contractual agreement shall contain provisions to effectuate other sections of this chapter.

17.01.030 Conformity With Regulations Required. No building or land within the City of Gig Harbor shall hereafter be occupied or used and no building or part thereof shall be erected, moved, or altered unless in conformity with applicable provisions specified in this Title.

17.01.040 Public Uses.

- A. Approved Required to Insure Conformity. To insure that public uses and structures conform to the general community pattern and to the regulations governing private uses and development, agencies of the Federal Government, the State of Washington and its political subdivisions, including the City of Gig Harbor, shall submit plans and receive approvals in conformity with the regulations outlined herein when any activity covered by this Title is contemplated in the City of Gig Harbor.
- B. Private Use of Public Property.
1. When private use is made of any public land or public structures, such private use shall fully conform to the regulations set forth in this Title.
 2. Commercial uses of public land shall require written approval from the Planning Director and the Public Works Director. Said written approval to be terminated with thirty (30) days written notice from the City Administrator to the private user.
 3. Commercial user shall obtain insurance, with limits, and coverages as required by the City Administration. The City of Gig Harbor shall be named as additional insured in respect to all coverages.
 4. No commercial use of public property to occur prior to conditions B1, B2 and B3 being met.

17.01.050 Interpretation and Application of Provisions.

The provisions of this Title shall be the minimum regulations and shall apply uniformly within each District and each class or kind of building, structure, land, or water area, except as hereinafter specifically provided.

17.01.060 Conflict With Other Regulations. Whenever the regulations of this Title are at variance with the requirements of any other lawfully adopted rule or regulation or ordinance of the City of Gig Harbor, then the most restrictive of these provisions, or the

TOP-LOAD
7-128

Universal

provision imposing the highest standards as the case may be, shall apply.

17.01.070 Public Hearings.

- A. When required. A public hearing is required whenever action is to be taken on the following:

A project which requires a conditional use permit;
A project for which a site plan is required;
A project or activity for which a variance permit is required;
Appeals as allowed in Chapter 17.10; and
Amendments to this Title or the Comprehensive Plan.

- B. Public Hearing By Whom. Public hearings shall be held by the Hearing Examiner on all the subjects set forth in Section 17.01.080A, above, except in the case of appeals. Public hearings on appeals shall be by the City Council only.

- C. Procedure.

1. Upon receipt of an application or petition for an action on any of the subjects, excepting appeals, requiring a public hearing, the Planning Director shall set a date for a public hearing before the Hearing Examiner.
2. The Hearing Examiner shall forward in writing the results of its public hearing to the City Council. Upon receipt of the Hearing Examiner's report, the City Council, at a regular meeting, shall set a time and place for a public hearing for its consideration of the subject.
3. Upon receipt of an appeal, the Planning Director shall set a date for a public hearing before the City Council.
4. The Planning Director shall give notice at least ten days in advance of the public hearings by publication in a local newspaper of general circulation.
5. In addition to the above notices, if an action which is subject to a public hearing affects the use of a particular real property, or properties, individual written notice, by the U.S. Postal Service, shall be given to all owners of properties within 300 feet of the exterior boundaries of particular real property, or properties, whose use will be affected.

Those owners to whom individual written notice will be given shall be those who are shown on the tax rolls.

6. In addition to the above notices, if an action which is subject to a public hearing affects the use of a particular real property, or properties, written notices shall be posted as follows:
 - a. At a prominent location and easily viewed by the public, on the subject property and in a manner so as to be weather resistant until the date of the public hearing.
 - b. In the lobby of the City Hall in a prominent location and easily viewed by the public.
7. All notices shall state as follows:
 - a. Reference to the authority under which such matters are being considered;
 - b. The general nature of the matters to be considered and issues involved, and;
 - c. The time and place of said hearing, and the manner in which interested persons may present their views thereon.
8. The Planning Director shall also inform the following persons of the time, place and substance of such hearing:
 - a. Members of the City Council or Planning Commission, as the case may be;
 - b. The applicant or his agent; and
 - c. Property owner (s) whose property is under consideration.

17.01.090 Curbs and Sidewalks. Concrete sidewalks having a width of six (6) feet (measured from the face of the curb) shall be provided along the street side(s) of any development, along with concrete curbs and gutters and street paving to connect the new walk to the adjacent street.

17.01.100 Underground Utilities. All utilities shall be run underground to each structure from the nearest utility service.

CHAPTER 17.04

DEFINITIONS

SECTIONS

17.04.010 General Interpretations
17.04.040 Administrative Official
17.04.030 Alley
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17.04.010 General Interpretation. For the purposes of this ordinance, certain usages and words herein shall be interpreted as follows:

- A. Words used in the present tense include the future tense;
- B. The singular number includes the plural;
- C. The word person includes a legal entity as well as an individual;
- D. The word lot includes the words plot, parcel, and tract;
- E. The word shall signifies a requirement;
- F. The words used and occupy as applied to any building or land include the words intended, arranged, or designed to be used or occupied;
- G. The word may signifies permission and desire..

17.04.020 Administrative Official. An Administrative Official is a municipal official appointed by the Mayor to administer and enforce this Title and all other laws, statutes, rules and regulations applicable within the City of Gig Harbor.

17.04.030 Alley. An alley is a public thoroughfare which allows motor vehicular use, and affords a second means of access to abutting property.

17.04.040 Alteration. An alteration is any change, addition, or modification in the construction, location, occupancy, or use classification of any building or land.

17.04.050 Animal Clinic. An animal clinic is a stationary facility that is under the direction of a veterinarian licensed by the State of Washington and is established to perform examination, diagnostic, prophylactic, and medical services on small animals not requiring confinement or supervised care and which are normally kept as pets. Animal clinics shall not tend to poisonous reptiles or animals normally kept as farm animals.

17.04.055 Antennae. A metallic device used for the transmission or reception of electromagnetic waves. This definition does not include satellite dish

antennae.

17.04.060 Apartment. An apartment is any portion of a building that is designed, built, rented, leased, let, or hired out to be occupied as an independent housekeeping unit with its own cooking facilities and that is contained within a multiple-family dwelling (see Section 17.04.290).

17.04.070 Area, Building. The building area is the total ground coverage of a building or structure and is measured from the outside of the building's or structure's external walls.

17.04.080 Area, Site. The area of a site is all the area within the boundaries of a site excluding public right-of-ways dedicated to the State of Washington, County of Pierce, or City of Gig Harbor, for use as thoroughfares, and private right-of-ways established for motor vehicular thoroughfares; also excluding any area excluding easements granted for purposes other than public access or thoroughfare.

17.04.100 Basement. A basement is a story having at least fifty percent of its volume below grade.

17.04.103 Bed and Breakfast. A bed and breakfast is a single family residence which provides overnight lodging for guests and which is limited to five (5) guest rooms.

17.04.110 Boarding House. A boarding house is a dwelling in which not more than six (6) roomers or boarders are housed and where lodging with or without meals is provided for compensation on other than a day-to-day basis.

17.04.120 Boat House. A boat house is a building that provides shelter for a boat or boats.

17.04.130 Building. A building is any structure built for the support or enclosure of persons, animals, chattels, or property of any kind.

17.04.140 Building, Accessory. An accessory building is a detached building the use of which is appropriate, subordinate, and customarily incidental to the principal building or the principal use of the land and is located on the same lot as the principal building or principal use of the land. A building shall not be accessory and

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shall be considered to be part of the principal building when joined to the principal building by a common wall at least four feet long or when connected to the principal building by a breezeway that is eight feet or less in length.

17.04.150 Building, Existing. An existing building is a building erected before the effective date of this Title or one for which application for a building permit was made before the effective date of this Title.

17.04.160 Building Height. The building height is the vertical distance measured from the highest elevation of the natural grade of the property where the footprint of the building will be located to the highest point of the roof, excluding chimneys and antennae.

17.04.170 Building Line. The building line is the surface of that face or corner of the part of the building nearest the property line.

17.04.180 Building, Principal. The principal building is the building that contains the principal use of a lot.

17.04.190 Building, Setback. Building setback is the distance between the building line and the nearest boundary to the site or lot, measured at right angles to the boundary.

17.04.200 Business. Business is an activity involving the wholesale or retail sale or the rental of any article or substance or commodity, including but not limited to building materials and vehicles, or involving the provision of commercial services.

17.04.210 Clinic. A clinic is a building designed and used for the medical and surgical diagnosis and treatment of human patients under the care of doctors and nurses or other licensed health professionals.

17.04.220 Club. A club is an incorporated or unincorporated association of persons organized for social, educational, or charitable purposes.

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 impervious surfaces.

17.04.250 Comprehensive Plan. A comprehensive plan is an officially adopted document of texts, charts, graphics, maps or any combination thereof that is designed to portray a general long-range proposal for the arrangement of land uses and the development of an economic base of human resources and that is intended primarily to guide government policy toward achieving the orderly and coordinated development of the entire community.

17.04.260 Conditional Use. A conditional use is a use listed among those classified in any given zone but permitted only after a public hearing by the City Council and the granting of a conditional use permit imposing such performance standards as will make the use compatible with other permitted uses in the same district.

17.04.264 Day Care. The supervised non-medical care of people for periods of less than 24 hours. The care of up to six children under the age of 12 years and supervised by the occupants of the residence is regarded as an accessory use, requiring no permits under this title.

17.04.270 Detached Buildings. A detached building is a building surrounded on all sides by open space and not connected to another building or structure except by utilities.

17.04.280 Dock. A dock is a place or structure that connects with the shore and provides access to a boat vessel from the land.

17.04.285 Drive-In Restaurant. A drive-in restaurant is any eating establishment that contains the following characteristics:

- A. An outside service window; and
- B. The provision of services to patrons who are in automobiles on the premises of the eating establishment.

17.04.290 Dwelling, Multiple-Family. A multiple-family dwelling is a residential building that is designed for or occupied by three or more families living independently of each other in separate dwelling units.

17.04.300 Dwelling, Single-Family. A single-family dwelling is a detached building that is constructed on a

permanent foundation, is designed for long-term human habitation exclusively by one family, and constitutes one dwelling unit. For the intent and purpose of this ordinance, a factory built dwelling is classified as single-family dwelling. A mobile/manufactured dwelling is not a single-family dwelling.

17.04.305 Dwelling, Mobile/Manufactured. A residential unit on one or more chassis for towing to the point of use and designed to be used as a dwelling unit on a year-round basis, and if to be installed, one which bears an insignia by a state or federal regulatory agency indicating that the mobile/manufactured home complies with all applicable construction standards of the U.S. Department of Housing and Urban Development's definition of a manufactured home.

17.04.310 Dwelling, Two Family. A two-family dwelling is a detached building that is designed for and occupied by two families living independently of each other in separate units.

17.04.320 Dwelling Unit. A dwelling unit is one or more rooms with at least one kitchen, that is designed as a unit for occupancy by not more than one family for sleeping and living purposes.

17.04.325 Dwelling, Factory-Built. A structure constructed in a factory of factory assembled parts and transported to the building site in whole or in units which meets the requirements of the Uniform Building Code. The completed structure is not a mobile/manufactured home. It is a detached building that is designed for long-term human habitation exclusively by one family, has complete living facilities, and constitutes one dwelling unit.

17.04.330 Family. A family is any number of individuals related by blood or marriage or an unrelated group of not more than five persons living together in a dwelling unit.

17.04.240 Fence. A fence is a barrier that is constructed of one or more of the following materials or a combination thereof: wood, metal, plastics, and masonry materials.

17.04.350 Fence Height. Fence height is the vertical distance from grade directly under the fence to the highest point of the fence above the point of

measurement.

17.04.360 Floor Area. The floor area is the sum of the horizontal area of the several floors of a building or buildings measured from the exterior faces of exterior walls and from center lines of division walls. The floor area includes basement space, the elevator shafts and stairwells at each floor, mechanical equipment rooms, finished attics with a headroom of seven and one-half feet or more, penthouse floors, interior balconies and mezzanines, and enclosed porches. The floor area shall not include accessory water tank and cooling towers, mechanical equipment, unfinished attics regardless of headroom, nor areas constructed for and designated as a garage area.

17.04.370 Garage. A garage is a building or a portion thereof in which motor vehicles are stored, repaired, or maintained.

17.04.380 Garage, Motor Vehicle Repair. A motor vehicle repair garage is a garage that is available to the public, is operated for gain, and is used for the storage, repair, rental, greasing, washing, servicing, adjusting, or equipping of motor vehicles.

17.04.390 Garage, Private. A private garage is an accessory building or any portion of a principal building that is used in connection with residential purposes as a garage.

17.04.400 Gasoline Service Stations. A gasoline service station is any area of land, including the structures thereon, that is used for the sale of gasoline or other motor fuels, oil, lubricants, and auto accessories, and that may or may not include washing, lubricating and other minor servicing but painting, body work, or major engine overhaul or activities are not allowed.

17.04.405 Grade. The grade is the finished surface of the ground after grading for development.

17.04.415 Hotel/Motel. A hotel or motel is any building or group of building in which there are guest rooms designed or intended to be used for the purpose of offering lodging to the general public on a day-to-day basis with or without food.

17.04.420 Impervious Surface. An impervious surface is a surface practically incapable of being penetrated by water.

17.04.430 Junk Yard. A junk yard is any lot or portion of any lot used for the storage or keeping, of junk or waste material including worn-out or wrecked motor vehicles, scrap, partially or fully discarded tangible materials, combinations of materials or items such as machinery, metal, rags, rubber, paper, plastics, chemicals, and building materials that cannot, without further alteration or reconditioning, be used for their original purpose. A junk yard may include an auto-wrecking yard.

17.04.432 Legal Interest. The owner of record for the parcel and/or the duly authorized agent for the owner of record.

17.04.434 Light Assembly. The assembly of pre-fabricated materials or components into a finished product. Included in this definition is product wholesaling and material storage.

17.04.436 Light Manufacturing. Any premise devoted to the production of a finished or semi-finished product and which has minimal nuisance factors such as, but not limited to, noise, light, glare, odors, particulate emission and hazardous wastes.

17.04.440 Loading Berth. A loading berth is an off-street space or berth that is on the same lot with the building it serves, is used for the parking of a vehicle while loading or unloading material or items.

17.04.450 Lot. A lot is an area of land that is described by metes and bounds, or recorded plat and is to be used, developed, or built upon as a single unit of land.

17.04.455 Lot of Record. A lot, tract, or parcel which is defined by a deed recorded with the Pierce County Auditor and assigned a tax number prior to the effective date of the City of Gig Harbor subdivision ordinance or short plat ordinance or which has been defined by a survey recorded pursuant to Washington State survey or platting laws or parcels which have been recognized by resolution of the Gig Harbor City Council, prior to the effective date of the City of Gig Harbor subdivision

ordinance or short plat ordinance, in conformance with Chapter 58.17.

17.04.460 Lot Area. The area of a lot is all the area within the boundaries of a lot excluding right-of-ways, etc. (see 17.04.080).

17.04.470 Lot, Corner. A corner lot is a lot situated at the junction of and bordering on two intersecting public right-of-ways. On a corner lot, the front lot line is the shorter lot line adjacent to a public street; the longer lot line adjacent to a public street is a side lot line.

17.04.480 Lot, Depth of. The depth of a lot is the average distance from the front lot line to the rear lot line measured horizontally from the mid-point of the front lot line to the mid-point of the rear lot line.

17.04.490 Lot, Interior. An interior lot is any lot other than a corner lot.

17.04.500 Lot Line. A lot line is a portion of the boundary of a lot dividing it from other lots or parcels of land.

17.04.510 Lot Line, Front. The front lot line of an interior lot is the lot line adjacent to a public street or the total line first crossed when gaining access to the lot from a public street. See section 17.04.470 for the definition of the front lot line of a corner lot.

17.04.520 Lot Line, Rear. The rear lot line is the lot line opposite and most distant from the front lot line, and in the case of an irregularly, triangularly, or triangular-shaped lot, the rear lot line will be determined by the Planning Director.

17.04.530 Lot Line, Side. A side lot line is any lot line that is not the front lot line or the rear lot line.

17.04.540 Lot, Through. A thorough lot is an interior lot fronting on two streets. A thorough lot has two front lot lines and no rear lot line.

17.04.550 Lot Width. The lot width is the horizontal dimension of the front lot line or, in an irregularly shaped lot, the horizontal dimension across the lot at

the building setback line.

17.04.555 Mini-Warehousing. Fully enclosed commercial storage facilities, available to the general public, and used solely for the storage of personal property.

17.04.560 Mobile/Manufactured Home. A mobile/manufactured dwelling is a residential unit on one or more chassis for towing to the point of use and designed to be used as a dwelling unit on a year-round basis, and if to be installed, one which bears an insignia by a state or federal regulatory agency indicating that the mobile/manufactured home complies with all applicable construction standards of the U.S. Department of Housing and Urban Development's definition of a manufactured home.

17.04.570 Mobile/Manufactures Home Park. A track of land under single ownership or control upon which two or more mobile/manufactured homes occupied as dwellings may be located.

17.04.580 Mobile/Manufactured Home Subdivision. A mobile/manufactured home subdivision is two or more mobile/manufactured homes on separate lots developed under the supervision of the provisions of Title 16 and the conditional use procedures of this Title and where mobile/manufactured homes are permanently installed for residential use on individually owned lots.

17.04.590 Moorage. Moorage is a space occupied by a vessel or boat when secured in place by anchor (s) or lines to shore or dock or float.

17.04.600 Motel/Hotel. A motel or hotel is any building or group o of buildings in which there are guest rooms designed or intended to be used for the purpose of offering lodging to the general public on a day-to-day basis with or without food.

17.04.605 Natural Grade. That local soil or rock on the property that has existed legally on such property unmoved by natural or unnatural forces for a period of not less than 60 months prior to submittal of an application for a building permit.

17.04.610 Natural Resource Extraction. Natural resource extraction in commercial or industrial operations involving the removal of natural resources,

excluding fish or wildlife

17.04.620 Nonconformity. A nonconformity is any lot, structure, use of land, use of structure, or characteristic of use that does not conform to the terms of this Title or its future amendments, but that was lawful before the effective date of the Title or its future amendments.

17.04.625 Nursery, Agricultural. An agricultural nursery is a place where plants are grown. Sales are restricted to those items grown on the premises.

17.04.630 Nursery, Day. A day nursery is a commercial enterprise where more than six children are supervised for a period less than 24 hours. This can include a pre-school and/or a kindergarten but not first year school grades and above.

17.04.635 Parking Off-Street. Parking on privately owned property.

17.04.640 Parking, Public. Public parking is a structure or an open area that is other than a street, alley, or other right-of-way, is adequate for parking an automobile, has room for opening doors on both sides of an automobile, and has adequate maneuvering room on a parking lot with access to a public street or alley.

17.04.660 Planned Unit Development. A planned unit development is a development in a district on a parcel of land under single ownership, in a manner that makes possible greater variety and diversification in the relationships between building, open space, and uses, in order to encourage the conservation and retention of historical and natural topographic features, while meeting the purposes and objective of the Comprehensive Plan.

17.04.670 Parsonage. A parsonage is the permanent place of residence of the pastor of a church whose total income is derived from the church.

17.04.680 Profession. A profession is an occupation or calling requiring the practice of a learned art or specialized knowledge based upon a degree issued by an institute of higher learning, e.g., a doctor of medicine, an engineer, or a lawyer.

17.04.690 Property Line. A property line is a portion of the boundary of a parcel of land dividing it from other parcels of land.

17.04.700 Residential. Residential means activity involving the human occupation of a building for living, cooking, sleeping, and recreation.

17.04.710 Satellite Dish Antennae. A ground mounted circular or parabolically-shaped device of solid or mesh construction, designed and erected for receiving telecommunication signals.

17.04.720 Setback. Building setback is the distance between the building line and the nearest boundary to the site or lot, measured at right angles to the boundary.

17.04.730 Sign. A sign is any device, flag, light, figure, picture, letter, work, message, symbol, plaque, poster, or building face that is visible from outside the lot on which it is located and that is designed to inform or attract the attention of the public through visual communication, excluding murals or architectural designs that do not advertise a business, product, or service. Signs are subject to all regulations specified in subsection 17.05.090 of this Chapter.

17.04.740 Sign Area. The sign area is the entire area within a single continuous perimeter enclosing the extreme limits of a sign but excluding any structural elements not forming an integral part of the display.

17.04.750 Story. A story is that portion of a building between any floor and the next floor above except that the topmost story shall be that portion of a building between the topmost floor and the ceiling or roof above it. If the finished floor level directly above a basement, cellar, or unused floor space is more than six feet above the grade for more than fifty percent of the total perimeter of the building or is more than twelve feet above the grade at any one point, then such basement, cellar, or unused floor space shall be considered a story. A story as used here shall not exceed 15 feet in height.

17.04.760 Street. A street is a public thoroughfare that is permanently opened to general use and that affords the principal means of access to abutting

property. A street includes an avenue, a place, a drive, a boulevard, a highway, and any other similar public thoroughfare except an alley as defined herein.

17.04.765 Street Classification. Major arterials, which are defined as transportation arteries which connect the focal points of traffic interest within a city; arteries which provide communications with other communities and the outlying areas; or arteries which have relatively high traffic volume compared with other streets within the City;

Secondary arterials are defined as routes which serve lesser points of traffic interest within a city; provide communication with outlying districts in the same degree or serve to collect and distribute traffic from the major arterials to the local streets;

Access streets are defined as land service streets and are generally limited to providing access to abutting property. They are tributary to the major and secondary arterials and generally discourage through traffic.

17.04.770 Structure. A structure is a combination of materials that is constructed or erected, either on or under the ground, or that is attached to something having a permanent location on the ground, excluding residential fences, retaining walls, rockeries, and similar improvements of a minor character the construction of which is not regulated by the Building Code of the City of Gig Harbor.

17.04.780 Structural Alteration. A structural alteration is any change, other than an incidental repair, in the load or stress of a structural element of a building or structure, or the replacement of an element of a building or structure which is essential to its structural stability.

17.04.790 Tank Farm. A tank farm is a lot that has one or more tanks the aggregate volume of which is 10,000 gallons or more and that contain something other than water.

17.04.800 Tract. A tract is a parcel of land in single ownership that has not been subdivided into lots in conformance with the applicable laws of the State of Washington, County of Pierce, or City of Gig Harbor.

17.04.830 Travel Trailer. A motor vehicle or portable vehicular structure that is capable of being towed on the highways by a motor vehicle, is designed or intended for casual or short-term human occupancy for travel, recreational, or vacation uses, is identified by a model number, serial number, or vehicle registration number.

17.04.835 Truck Garden. A truck garden is a farm producing vegetables for sale.

17.04.840 Use. A use how land or a building is arranged, designed, occupied, or maintained.

17.04.850 Use, Principal. A principal use is the primary use of land or a building as distinguished from a secondary or minor use.

17.04.860 Use, Accessory. An accessory use is a use that is customarily incidental or subordinate to the principal use of the land, building or structure and is located on the same lot or parcel or tract of land as the principal use.

17.04.870 Variance. A variance is a relaxation of the requirements of this ordinance with respect to building setback, building height, the size of signs, coverage, or parking, (but not with respect to use) approved by the City Council upon the recommendation of the Hearing Examiner.

17.04.880 Yard. A yard is a required open space that is on the same lot with the principal use and is unoccupied or unobstructed by any portion of a structure, provided however, that paved terraces, fences, walls, poles, posts, ornaments, furniture, and other customary yard accessories may be permitted in any yard subject to height limitations and requirements limiting the obstruction of visibility at intersections.

17.04.890 Yard, Front. A front yard is a yard extending the full length of the front lot line and its depth is measured horizontally at right angles to the front lot line from mid-point of the front lot line to the mid-point of the front building line.

17.04.900 Yard, Rear. A rear yard is a yard extending the full length of the rear lot line and its depth is measured horizontally at right angles to the rear lot line from mid-point of the rear lot line to mid-point of

the rear building line.

17.04.910 Yard, Side. A side yard is a yard extending from the front yard to the rear yard and its depth is measured horizontally at right angles to the side lot line from the mid-point of the side lot line to the mid-point of the side building line except roof eaves may extend up to eighteen (18) inches into the yard.

CHAPTER 17.12

ZONING MAP AND DISTRICT BOUNDARIES

SECTIONS

- 17.12.010 Districts Established
- 17.12.020 Zoning Map
- 17.12.030 Map Changes
- 17.12.040 Map Replacement
- 17.12.050 District Boundary - Interpretation When Uncertainty Exists
- 17.12.060 District Boundary - Interpretation When Street or Alley is Vacated or Abandoned

17.12.010 Districts Established. The City of Gig Harbor is divided into the following use districts:

- A. Single Family Residential (R-1)
- B. Medium Density Residential (R-2)
- C. Multi-family Residential (R-3)
- D. Residential Business 1 (RB-1)
- E. Residential Business 2 (RB-2)
- F. Downtown Business (DB)
- G. General Business (B-1)
- H. General Business (B-2)
- I. General Commercial (C-1)
- J. Westside Commercial (WSC)
- K. Waterfront District (W-1)
- L. Waterfront Use District A (W-2)
- M. Waterfront Use District B (W-3)

N. General Service Use District (GS)

17.12.020 Zoning Map. The use Districts described herein are bound and defined on an official zoning map or maps that deal with the distinct areas of the City of Gig Harbor and are entitled Zoning Map of the City of Gig Harbor, Washington. Copies of the zoning map are on file in the office of the Planning Director. These maps are incorporated as a part of this Title as if the districts were described in detail and written descriptions in the Title.

17.12.030 Map Changes.

- A. No changes of any nature shall be made in the official zoning maps or matters shown thereof except in conformity with the procedures set forth in Chapter 17.100 of this Title.
- B. Regardless of the existence of purported copies of the official zoning maps that may from time to time be made or published, the official zoning maps shall be located in the office of the Planning Director and shall be final authority as to the current zoning of lands, water areas, building, and other structures within the City of Gig Harbor.

17.12.040 Map Replacement. In the event that one or more of the official zoning maps becomes damaged, destroyed, lost, mutilated, or difficult to interpret because of the nature or number of changes and additions, the City Council may, by resolution, adopt a new official zoning map, which shall supersede the prior official zoning map.

17.12.050 District Boundary - Interpretation When Uncertainty Exists. When uncertainty exists as to the boundaries of districts as shown on an official zoning map, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;
- B. Boundaries indicated as following platted outlines shall be construed to follow the lot lines in effect at the time the applicable zoning district was approved;
- C. Boundaries indicated as following public land survey section or section subdivision lines shall be construed as following such section or section

- subdivision lines;
- D. Boundaries indicated as approximately following City Limits shall be construed as following City Limits;
 - E. Boundaries indicated as following shorelines shall be construed as following the mean high water line at the shore and, in the event of a change in the shoreline, shall be construed as moving with the mean high water line of the actual shoreline;
 - F. Boundaries indicated as following approximately the centerline of streams shall be construed as following such centerlines;
 - G. In unsubdivided property, the location of any district boundary, unless the same is indicated by dimensions shown on the official zoning map, shall be determined by the use of the scale appearing on the official zoning map;
 - H. Boundaries indicated as parallel to or extension of features indicated in Subsections A through G above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the official zoning map.

17.12.060 District Boundary - Interpretation When Street or Alley Vacated or Abandoned. When any public street or alley is officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to the portion of such street or alley added to the parcel by such vacation or abandonment.

CHAPTER 17.16

SINGLE FAMILY RESIDENTIAL (R-1)

SECTIONS

- 17.16.010 Intent
- 17.16.020 Permitted Principal Uses and Structures
- 17.16.030 Conditional Uses
- 17.16.040 Prohibited Uses and Structures
- 17.16.050 Site Plans
- 17.16.060 Minimum Lot Size

17.16.070 Development Standards

17.16.080 Maximum Height of Structures

17.16.010 Intent.

An R-1 District is intended to provide for low density, single-family residential development, for certain community services and facilities while preserving the character of the existing single-family residential areas.

17.16.020 Permitted Principal Uses and Structures.

The following principal uses and structures are permitted in an R-1 District:

1. Single-family dwelling;
2. Agricultural uses including nurseries and truck gardens as long as objectionable odors or dust are not created.
3. Publicly owned and operated parks and play-grounds;
4. Temporary buildings for and during construction;
5. Family Day Care Centers serving six (6) or fewer children in a home.
6. Uses and structures that are necessary or desirable adjuncts to permitted uses and structures and are under the management and control of the person, organization, or agency responsible for the permitted principal use or structure.

17.16.030 Conditional Uses.

Subject to the requirements of Chapter 17.64 and the standards and procedures for conditional uses as set forth in the Title, the following uses may be permitted in an R-1 District:

1. Child care facilities serving more than six (6) children outside of a home in an institution.
2. Public utilities and public service uses such as libraries, electric substations, telephone exchanges, and police, fire, and water facilities;
3. Schools, including playgrounds and athletic fields incidental thereto;
4. Houses of religious worship, rectories, and parish houses;
5. Home occupations;
6. Bed and Breakfast establishments.

17.16.040 Prohibited Uses and Structures.

The following uses and structures are prohibited in an R-1 District:

1. Those not listed under B. Permitted Uses and Structures, and C. Conditional Uses; and
2. The storage of mobile homes; and
3. Any use including permitted and conditional uses, that causes or may reasonably be expected to cause excessive noise, vibration, odor, smoke, dust or other particulate matter, toxic or noxious matter, humidity, heat, or glare at or beyond any lot line of the lot on which the use is located. The word excessive is defined for these purposes as a degree exceeding that generated by the customary manner of operation of the uses permitted in the District or as a degree injurious to the public health, safety, welfare, or convenience.
4. Dwelling, mobile/manufactured.

17.16.050 Site Plans.

Before a building permit will be issued for a nonresidential use or structure in an R-1 District, the site plan review process as specified in this chapter shall be followed.

17.16.060 Minimum Lot Size.

12,000 square feet for new divisions of land. Undersized lots shall qualify as a building site if such lot is a legal lot of record. Maximum density is 3.5 dwelling units per gross acre.

17.16.070 Development Standards.

- | | |
|--|--------|
| 1. Minimum lot area per building site in square feet | 12,000 |
| 2. Minimum Lot Width | 70' |
| 3. Minimum Front Yard Setback* | 25' |
| 4. Minimum Rear Yard Setback | 30' |
| 5. Minimum Side Yard Setback | 8' |
| 6. Maximum Impervious Lot Coverage | 40% |
| 7. Minimum Street Frontage | 20' |

* In the case of a corner lot, the owner of such

lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties in the opinion of the Planning and Public Works Directors.

The other property line abutting a street shall be deemed the side property line. An undersized lot or parcel shall qualify as a building site if such lot is a lot on record.

17.16.080 Maximum Height of Structures.

In an R-1 District, all buildings and structures shall have a maximum height of 16 feet except as provided for under Section 17.62 (Height Overlay District).

CHAPTER 17.20

MEDIUM DENSITY RESIDENTIAL (R-2)

SECTIONS

- 17.20.010 Intent
- 17.20.020 Permitted Uses
- 17.20.030 Conditional Uses
- 17.20.040 Minimum Lot Size/Maximum Density
- 17.20.050 Development Standards
- 17.20.060 Maximum Height of Structures

17.20.010 Intent.

An R-2 District is intended to allow for a moderate density of land use that is greater than is permitted in an R-1 District but less than is permitted in an R-3 District, where suitable facilities such as streets, water, sewer, and storm drainage are available. An R-2 District provides a transition between a higher density residential district in order to preserve the primarily residential character of existing residential areas.

17.20.020 Permitted Uses.

1. Single family detached dwellings
2. Two family dwellings (duplexes)
3. Public parks and playgrounds
4. Temporary buildings for and during construction
5. Family day care centers, serving six (6) or fewer children in a home
6. Accessory structures and uses
7. Home occupations subject to Chapter

17.20.030 Conditional Uses.

Subject to the requirements of Chapter 17.64 and the standards and procedures for conditional uses as set forth in the Title, the following uses may be permitted in an R-2 District:

1. Child care facilities, serving more than six (6) children outside of a home, in an institution
2. Public utilities and public service uses such as libraries, electric substations, telephone exchanges and municipal service facilities
3. Schools, public and private, including accessory playgrounds and athletic fields
4. House of religious worship, rectories and accessory buildings
5. Bed and breakfast establishments
6. Nursing and retirement homes
7. Recreational buildings and community centers

17.20.040 Minimum Lot Size/Maximum Density.

The minimum lot areas for residential uses are: Two family homes, 14,000 square feet and single family homes, 7,000 square feet. Maximum density is six (6) dwelling units per acre.

17.20.050 Development Standards.

	Single Family Dwell.	Duplex Dwell.	Non-Res.
	7,000-12,000	12,000+	
1. Minimum lot area per building site in square feet		14,000	12,000

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2. Minimum lot width	50'	70'		70'
3. Minimum Front Yard Setback*	25'	25'	25'	25'
4. Minimum Rear Yard	25'	25'	25'	30'
5. Minimum Interior Side Yard Setback	7'	8'	8'	10'
6. Maximum Impervious Lot Coverage	40%	40%	45%	50%
7. Minimum Street Frontage		20'	20'	20'

* In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties in the opinion of the Planning and Public Works Directors.

An undersized lot shall qualify as a building site if such lot is a lot of record.

17.20.060 Maximum Height of Structures.

In an R-2 District all buildings and structures shall have a maximum height of 16 feet except as provided for under Section 17.62 (Height Overlay District).

CHAPTER 17.24

MULTIPLE-FAMILY RESIDENTIAL (R-3)

SECTIONS

- 17.24.010 Intent
- 17.24.020 Permitted principal Uses and Structures
- 17.24.030 Conditional Uses
- 17.24.040 Site Plans
- 17.24.050 Development Standards

17.24.060 Maximum Height of Structures

17.24.010 Intent.

An R-3 District is intended to provide areas suitable for multiple-family dwellings and to serve as a buffer and transition between more intensively developed areas and residential properties of a lower density. An R-3 district is suitable in areas which are served by municipal services and in areas readily accessible to freeway access.

17.24.020 Permitted Principal Uses and Structures.

The following principal uses and structures are permitted in an R-3 District:

1. Duplexes and Multiple-family dwellings;
2. Bed and breakfast establishments;
3. Nursing and retirement homes subject to the basic density requirements of the district;
4. Family day care centers serving six (6) or fewer children in a home
5. Publicly owned parks and playgrounds; and
6. Accessory uses and structures such as:
 - a. Temporary buildings for and during construction; and
 - b. Uses and structures that are normal, necessary, or desirable adjuncts to permitted uses.

17.24.030 Conditional Uses.

Subject to the requirements of Chapter 17.64 and the standards and procedures for conditional uses as set forth in the Title, the following uses may be permitted in an R-3 District:

1. Child care facilities serving six (6) or more children outside of a home, in an institution
2. Public utilities and public services uses such as libraries, electrical substations, telephone exchanges, and police, fire, and water facilities;
3. Recreational buildings and community centers;
4. Schools, public and private;
5. Houses of religious worship, rectories, and parish houses; and
6. Private non-profit clubs
7. Parking lots
8. Single-family

17.24.040 Site Plans.

Before a building permit will be issued in an R-3 District, the site plan review process as specified in this chapter shall be followed.

17.24.050 Development Standards.

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

	Single Family Dwell. (as a conditional use)	Duplex Dwell.	3 or more units	Non- Res.
1. Minimum lot area per building site in square feet	7,000	14,000	20,000	12,000
2. Minimum lot width	70'	70'	70'	70'
3. Minimum Front Yard Setback*	25'	25'	25'	25'
4. Minimum Rear Yard Setback	25'	25'	15'	30'
5. Minimum Interior Side Yard Setback	8'	8'	8'	10'
6. Maximum Impervious Lot Coverage	40%	40%	65%	50%
7. Minimum Street Frontage	20'	20'	50'	50'

- * In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties in the opinion of the Planning and Public Works Directors.

An undersized lot shall qualify as a building site if such lot is a lot of record. The maximum density in an R-3 District is eight (8) dwelling units per acre.

17.24.060 Maximum Height of Structures.

In an R-3 District, all buildings and structures shall have a maximum height of 16 feet except as provided for under Section 17.62 (Height Overlay District).

RESIDENTIAL AND BUSINESS DISTRICT (RB-1)

SECTIONS

- 17.28.010 Intent
- 17.28.020 Permitted Uses and Structures
- 17.28.030 Conditional Uses
- 17.28.040 Site Plan
- 17.28.050 Minimum Development Standards
- 17.28.060 Maximum Height of Structures
- 17.28.070 Parking and Loading Facilities
- 17.28.080 Signs
- 17.28.090 Performance Standards

17.28.010 Intent.

An RB-1 District is intended to provide a mix of residential uses with certain specified business, personal, and professional services. It is also intended to serve as a buffer between high intensity commercial and lower density residential uses. The regulations and restrictions in an RB-1 District are intended to protect and preserve residential uses while permitting business uses characterized principally by professional and consultive services or executive and administrative offices, compatible with single family residential development.

17.28.020 Permitted Uses and Structures.

The following principal uses and structures are permitted in an RB-1 District:

1. All uses permitted in the R-1 District;
2. Bed and breakfast establishments;
3. Business and professional offices;
4. Publicly owned parks and playgrounds;
5. Temporary buildings for and during construction;
6. Uses and structures that are necessary or desirable adjuncts to permitted uses and

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- structures and are under the management and control of the person, organization, or agency responsible for the permitted principal use or structure;
7. Uses which complement or facilitate permitted uses such as parking facilities or public plazas; and
 8. Pharmacies solely incidental to medical offices.

17.28.030 Conditional Uses.

Subject to the requirements of Chapter 17.76 and the standards and procedures for conditional uses as set forth in this Title, the following uses may be permitted in an RB-1 District:

1. Nursing homes and retirement facilities;
2. Child care facilities containing more than six children;
3. Public utilities and public service uses such as libraries, electrical substations, telephone exchanges, and police, fire, and water facilities;
4. Recreational buildings and community centers;
5. Schools, public and private;
6. Houses of religious worship, rectories, and parish houses; and
7. Food stores or delicatessens provided:
 - a. situated on the street level in an apartment or office building;
 - b. Not to exceed 800 square feet;
 - c. No outside sales or storage; and
 - d. Hours of operation limited to 16 hours per day.

17.28.040 Site Plan.

Before a building permit will be issued in the RB-1 District, the site plan review process as specified in Chapter 17.88 shall be followed.

17.28.050 Minimum Development Standards.

	Single Family	Non- Residential
1. Lot Area (sq. ft.)	12,000	12,000
2. Lot Width (feet)	70'	70'

3. Non-Residential yards

Front	--	20
Side	--	10
Rear	--	15
4. Abutting R-1/R-2 Dist.: 30 feet, with dense vegetative screening
5. Residential Yards: Same as setbacks in R-3 District.
6. Maximum Impervious Cov.: 50% 60%
7. Minimum Street Frontage: 20' 50'
8. More than one principal structure may be allowed on a single lot in an RB-1 District.
9. An undersized lot of record shall qualify as a building lot provided it cannot be combined with another lot and provided further that compliance with the setback and coverage requirements are met.
10. Parking is not permitted in setback areas.

17.28.060 Maximum Height of Structures.

In an RB-1 District, all buildings and structures shall have a maximum height of 16 feet except as provided for under Section 17.62 (Height Overlay District).

17.28.070 Parking and Loading Facilities.

In an RB-1 District, parking and loading on private property shall be provided in connection with any permitted or conditional use as specified in Section 17.72.

17.28.080 Signs.

In an RB-1 District, signs may be allowed in conjunction with any permitted use and are subject to the provisions of Section 17.80

17.28.090 Performance Standards.

1. Exterior Mechanical Devices: Air conditioners, heating, cooling, ventilating equipment, pumps and heaters and all other mechanical devices shall be screened.
2. Landscaping is required and shall be installed in conformance with Chapter 17.78 by this Title

and/or by conditions of approval of discretionary applications required by this Title, such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

3. Outdoor Storage of Materials: The outdoor storage of materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture is permitted as an incidental or accessory activity of a Permitted Use or the principal feature of a Conditional Use. Such storage shall be screened by a wall, fence, landscaping or structure from surrounding properties and streets.
4. Outdoor Lighting: Within one hundred feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Said lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light projection above the horizontal plane is prohibited between midnight and sunrise. (Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.)
5. Trash Receptacles: Trash receptacles shall be screened from view. Screening shall be complimentary to building design and materials.

CHAPTER 17.31

DOWNTOWN BUSINESS (DB)

SECTIONS

- 17.31.010 Intent
- 17.31.020 Permitted Principal Uses and Structures
- 17.31.030 Conditional Uses

- 17.31.040 Site Plans
- 17.31.050 Minimum Lot Requirements
- 17.31.060 Minimum Building Setback Requirements
- 17.31.070 Maximum Coverage by all Buildings
- 17.31.080 Maximum Height of Structures
- 17.31.090 Parking/Loading
- 17.31.100 Signs
- 17.31.110 Performance Standards (See B-2)

17.31.010 Intent.

The purpose of this district is to: 1) provide for an area that offers a broad range of goods and services for the citizens of Gig Harbor; 2) promote and enhance services and activities which cater to visitors to the city, and 3) maintain the traditional scale and character of downtown Gig Harbor.

The standards for development in this chapter are intended to allow uses which are: 1) primarily conducted within enclosed buildings except for parking, dining areas, and newsstands; 2) protect views; and 3) allow for commercial developments which do not adversely affect residences through excessive noise or bothersome activities.

17.31.010 Permitted Principal Uses and Structures.

The following principal uses and structures are permitted in this district:

1. Retail sales
2. Banks and financial institutions
3. Restaurants
4. Guest accommodations
5. Business and professional offices *
6. Commercial recreation (theaters, bowling alleys, etc.)
7. Gasoline service stations
8. Personal services
9. Art galleries
10. Uses and structures customarily accessory to the permitted uses.

- * Veterinary clinics shall have all activities conducted indoors.

17.31.030 Conditional Uses.

Subject to the requirements of Chapter 17.64 and standards and procedures for conditional uses set forth in this Title, the following uses may be allowed:

1. Hospitals and clinics;
2. Retirement homes;
3. Child care centers;
4. Public utilities and public service uses such as libraries, electrical substations, telephone exchanges, and police, fire, and water facilities.
5. Recreational buildings and community centers;
6. Schools (public and private), including playgrounds and athletic fields;
7. Wholesale sales and distributor establishments;
8. Light manufacturing and assembling;
9. Taverns;
10. Religious institutions;
11. Private clubs and lodges; and
12. Residential uses.
13. Uses conducted outside buildings.

17.31.040 Site Plans.

Before a building permit will be issued in a DB District, the site plan review process as specified in Chapter 17.96 shall be followed.

17.31.050 Minimum Lot Requirements.

In a DB District, the minimum lot area is 6,000 square feet, and the minimum lot width is fifty feet.

17.31.060 Minimum Building Setback Requirements.

In a DB District, there are no minimum requirements for front, side and rear building setbacks. Setback dimensions may be determined as part of the site plan reviews of Chapter 17.96. Provided, however, that where a DB District abuts a residential district, a building setback shall be required as specified below, and the space so created shall be landscaped to screen the commercial uses from the abutting residential district. Such building setbacks shall be a minimum of twenty feet.

17.31.070 Maximum Coverage by all Buildings.

In the DB District, the maximum impervious coverage is

eighty percent (80%).

17.31.080 Maximum Height of Structures.

In the DB District, all buildings and structures shall have a maximum building height of 16 feet except as provided for under Section 17.62 (Height Overlay District).

17.31.090 Parking/Loading.

In the DB District, parking and loading facilities on private property shall be provided in connection with any permitted or conditional use as specified in Section 17.72, off-street parking and loading facilities.

17.31.100 Signs.

In the DB District, signs may be allowed in conjunction with any permitted use and are subject to the provisions of Section 17.80.

17.31.110 Performance Standards.

1. Exterior Mechanical Devices: Air conditioners, heating, cooling, ventilating equipment, pumps and heaters and all other mechanical devices shall be screened.
2. Landscaping is required and shall be installed in conformance with Chapter 17.78 by this Title and/or conditions of approval of discretionary applications required by this Title, such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.
3. Outdoor Storage of Materials: The outdoor storage of materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture is permitted as an incidental or accessory activity of a Permitted Use or the principal feature of a Conditional Use. Such storage shall be screened by a wall, fence, landscaping or structure from surrounding properties and streets.
4. Outdoor Lighting: Within one hundred feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the

bottom edge of the shield shall be below the light source. Said lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. (temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.)

5. Trash Receptacles: Trash receptacles shall be screened from view. Screening shall be complimentary to building design and materials.

CHAPTER 17.36

GENERAL BUSINESS DISTRICT (B-2)

SECTIONS

- 17.36.010 Intent
- 17.36.020 Permitted Uses
- 17.36.030 Conditional Uses
- 17.36.040 Other Uses
- 17.36.050 Site Plans
- 17.36.060 Minimum Building Setback Requirements
- 17.36.070 Maximum Impervious Coverage
- 17.36.080 Maximum Height of Buildings
- 17.36.090 Parking Requirements
- 17.36.100 Signs
- 17.36.110 Off-Street Loading Facilities
- 17.36.120 Performance Standards

17.36.010 Intent.

The purpose of this district is to provide areas that offer wide range of consumer goods and services. It is further intended to group buildings and business establishments in a manner that creates convenient, attractive and safe development. The products and services shall primarily be for sale on the premises only. All business shall be conducted within enclosed building, except for approved outdoor storage, display and dining areas.

17.36.020 Permitted Uses.

The following uses and structures are permitted in a B-2 District:

1. Retail and wholesale sales (excluding motorized vehicles, trailers, and boats).
2. Business and professional offices.
3. Banks and other financial institutions.
4. Restaurants, cocktail and associated lounges and taverns (indoor dining - no drive through).
5. Commercial recreation, excluding drive-in theaters.
6. Gasoline service stations and car washes.
7. Personal and professional services.

17.36.030 Conditional Uses.

Subject to the requirements of Chapter 17.64 and the standards and procedures for conditional uses as set forth in this Title, the following uses may be permitted in a B-2 District:

1. Utilities and public service uses such as libraries, electrical substations, water storage facilities, etc.
2. Light manufacturing and assembly.
3. Mini warehouses.
4. Recreational buildings and community centers.
5. Drive-in restaurants.
6. Radio and television transmission towers.

17.36.040 Other Uses.

Other uses similar to either permitted or conditional uses which are consistent with the intent of the district may be allowed. The determination of consistency and classification of use whether permitted or conditional shall be made by the Planning Director.

17.36.050 Site Plans.

Before a building permit will be issued, the site plan review process as specified in Chapter 17.96 shall be followed.

17.36.060 Minimum Building Setback Requirements.

Front Yard - 20 feet
Rear Yard - 20 feet
Side Yard - Interior yards - 5 feet
 Flanking street - 10 feet
Any yard abutting residential development - 30 feet with dense vegetative screening.

17.36.070 Maximum Impervious Coverage.

Seventy percent (70%).

17.36.080 Maximum Height of Buildings and Structures.

Maximum height is 16 feet except as provided for under Section 17.62 (Height Overlay District).

17.36.090 Parking.

In a B-2 District, parking on private property shall be provided in connection with any permitted or conditional use as specified in Section 17.72.

17.36.100 Signs.

In a B-2 District, signs may be allowed in conjunction with any permitted use and are subject to the provisions of Section 17.80.

17.36.110 Loading.

In a B-2 District, off-street loading facilities shall be provided in accordance with the provisions of Section 17.72.

17.36.120 Performance Standards.

1. Exterior Mechanical Devices: Air conditioners, heating, cooling, ventilating equipment, pumps and heaters and all other mechanical devices shall be screened.
2. Landscaping is required and shall be installed in conformance with Chapter 17.78 by this Title and/or by conditions of approval of discretionary applications required by this Title, such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

3. Outdoor Storage of Materials: The outdoor storage of materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture is permitted as an incidental or accessory activity of a Permitted Use or the principal feature of a Conditional Use. Such storage shall be screened by a wall, fence, landscaping or structure from surrounding properties and streets.
4. Outdoor Lighting: Within one hundred feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Said lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. (Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.)
5. Trash Receptacles: Trash receptacles shall be screened from view. Screening shall be complimentary to building design and materials.

CHAPTER 17.40

COMMERCIAL DISTRICT (C-1)

SECTIONS

- 17.40.010 Intent
- 17.40.020 Permitted Uses
- 17.40.030 Permitted Accessory Uses
- 17.40.040 Conditional Uses
- 17.40.050 Prohibited Uses
- 17.40.060 Site Plans

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- 17.40.070 Minimum Lot Requirements
- 17.40.080 Minimum Setback Requirements
- 17.40.090 Maximum Coverage
- 17.40.100 Maximum Height
- 17.40.110 Parking and Loading Facilities
- 17.40.120 Performance Standards

17.40.010 Intent.

A C-1 District is intended to provide for uses that though not necessarily hazardous or offensive, are different from direct sales and services to customers or residential developments. These uses include light manufacturing, sales, storage, maintenance, and processing. The regulations for a C-1 District are intended to allow the efficient use of the land while making the District attractive and compatible with a variety of uses within the District and in surrounding Districts.

17.40.020 Permitted Principal Uses and Structures.

The following principal uses and structures are permitted in a C-1 District:

1. All uses permitted in a B-2 District;
2. Repair shops for appliances, automobiles, and small equipment;
3. The production, processing, cleaning, servicing, testing, and repair of materials, goods, and products except that junk yards, auto wrecking yards, garbage dumps, and any activity that emits smoke, excessive noise, dirt, vibration, or glare or is otherwise offensive or hazardous are prohibited;
4. Indoor amusement establishments;
5. Animal hospitals, clinics with overnight confinement, and pounds;
6. The sale of motor vehicles, cars, trailers, and vehicle services such as car washes, garages, tire, and battery service facilities;
7. Boat sales and show rooms;
8. Building material sales;
9. Cartage and express facilities and trucking;
10. Contractors' offices and shops;

11. Fishing equipment supplies and repairs;
12. Frozen food lockers;
13. Fuel and ice sales;
14. Commercial greenhouses;
15. Linen towel, diaper, and similar supply services and laundry facilities;
16. Storage, warehousing, and wholesaling establishments;
17. Light manufacturing; and
18. All permitted uses of the waterfront.

17.40.030 Permitted Accessory Uses and Structures.

The following accessory uses and structures are permitted in a C-1 District:

1. Temporary buildings for and during construction; and
2. Uses and structures that are necessary or desirable adjuncts to permitted uses and structures and are under the management and control of the person, organization, or agency responsible for the permitted principal use or structure.

17.40.040 Conditional Uses.

Subject to the requirements of Chapter 17.64 and the standards and procedures for conditional uses as set forth in this Title, the following uses may be permitted in a C-1 District:

1. Hospitals, clinics, and establishments for people convalescing from illness or operation;
2. Homes for the aged;
3. Day nursery schools;
4. Public utilities and public service uses such as libraries, electrical substations, telephone exchanges, and police, fire, and water facilities;
5. Recreational buildings and community centers;
6. Seasonal Christmas tree sales;
7. Schools, including playgrounds and athletic fields incidental thereto;
8. Houses of religious worship, rectories, and parish houses;
9. Private and not-for-profit clubs;
10. Planned unit developments;
11. Home occupations;
12. Mini-storage facilities;
13. Drive-in restaurants; and
14. Residential uses.

17.40.050 Prohibited Uses and Structures.

The following uses and structures are prohibited in a C-1 District:

1. Those not listed under B. Permitted Principal Uses and Structures, C. Permitted Accessory Uses and Structures, and D. Conditional Uses; and
2. The storage of mobile homes; and
3. Any use including permitted and conditional uses, that causes or may reasonably be expected to cause noise, vibration, odor, smoke, dust or other particulate matter, toxic or noxious matter, humidity, heat, or glare at or beyond any lot line of the lot on which the use is located. The word excessive is defined for these purposes as a degree exceeding that generated by the customary manner of operation of the uses in the District or as a degree injurious to the public health, safety, welfare, or convenience.

17.40.060 Site Plans.

Before a building permit will be issued in a C-1 District, the site plan review process as specified in Chapter 17.96 shall be followed.

17.40.070 Minimum Lot Requirements.

In a C-1 District, the minimum lot area is 6,000 square feet, and the minimum lot width is fifty feet.

17.40.080 Minimum Building Setback Requirements.

In a C-1 District, there are no minimum requirements for front, side, and rear building setbacks. Setback dimensions shall be determined as part of the site plan reviews of Chapter 17.96. Provided, however, that where a C-1 District abuts a residential district, the minimum yard shall be 30 feet, with a dense vegetative screen.

17.40.090 Maximum Coverage by all Buildings.

In a C-1 District, the maximum coverage is eighty percent.

17.40.100 Maximum Height of Structures.

In a C-1 District, all buildings shall have a maximum height of 16 feet, except as provided for under Section 17.62.

17.40.110 Parking and Loading Facilities.

In a C-1 District, parking on private property shall be provided in connection with any permitted or conditional use as specified in Section 17.72.

17.40.120 Performance Standards.

1. Exterior Mechanical Devices: Air conditioners, heating, cooling, ventilating equipment, pumps and heaters and all other mechanical devices shall be screened.
2. Landscaping is required and shall be installed in conformance with Chapter 17.78 by this Title and/or by conditions of approval of discretionary applications required by this Title, such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.
3. Outdoor Storage of Materials: The outdoor storage of materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture is permitted as an incidental or accessory activity of a Permitted Use or the principal feature of a Conditional Use. Such storage shall be screened by a wall, fence, landscaping or structure from surrounding properties and streets.
4. Outdoor Lighting: Within one hundred feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Said lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. (Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.)
5. Trash Receptacles: Trash receptacles shall be screened from view. Screening shall be complimentary to building design and materials.

CHAPTER 17.46

WATERFRONT RESIDENTIAL

SECTIONS

- 17.46.010 Intent
- 17.46.020 Permitted Uses
- 17.46.030 Conditional Uses
- 17.46.040 Development Standards
- 17.46.050 Site Plans
- 17.46.060 Maximum Height
- 17.46.070 Parking and Loading Requirements
- 17.46.080 Signs

17.46.010 Intent

This district recognizes those areas of the shoreline that are characterized by single family residences. It is intended that development occur that is respectful of the shoreline and surrounding properties while permitting a limited mix of residential structure types.

17.46.020 Permitted Uses.

1. Single Family and Duplex Dwellings
2. Accessory structures clearly incidental to the residential use of the lot
3. Public owned and operated parks and shoreline viewing facilities
4. Home Occupation
5. Family Day Care

17.46.030 Conditional Uses.

Subject to the requirements, standards and procedures for conditional uses set forth in Section 17.64 of this Title, the following uses may be permitted in a waterfront residential district:

1. Public Facilities
2. Utilities

3. Bed and Breakfast establishments.

17.46.040 Development Standards.

	Single Family	7,000 to	less than Duplex	
Non-Res.	Dwell.	12,000	7,000 Dwell.	
1. Minimum lot area per building site in square feet 12,000	12,000			15,000
2. Minimum lot width 70'	70'	50'	50'	70'
3. Minimum Front Yard Setback* 20'	20'	20'	15'	20'
4. Minimum Rear Yard Setback if Tidelands not owned 30'	20'	20'	15'	20'
5. Minimum Rear and/or Side Yard Setback to owned abutting tidelands	0	0	0	0
6. Minimum Interior Side Yard Setback 10'	8'	5'	5'	8'
7. Minimum Street Side Yard Setback 10'	10'	10'	8'	10'
8. Maximum Impervious Coverage 50%	40%	45%	50%	45%
9. Minimum Street Frontage 20'	20'			20'
10. An undersized lot shall qualify as a building site for a detached single family dwelling if the lot is of record at time this chapter became effective. Recognizing the existence of such parcels, the development standards are adjusted to grant relief as to minimum lot size only to the owners of smaller lots.				

- * In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties in the opinion of the Planning and Public Works Directors.

An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.

17.46.050 Site Plans.

Before a building permit will be issued in this district, the site plan review process as specified in Chapter 17.96 shall be followed, except in the case of a building permit for a single or two-family dwelling.

17.46.060 Height.

Maximum building height is 16 feet, except as provided for under Section 17.62.

17.46.070 Parking/Loading.

Parking and loading facilities on private property shall be provided in connection with any permitted or conditional use as specified in Section 17.72

17.46.080 Signs.

Signs may be allowed in conjunction with any permitted or conditional use subject to the provisions of Section 17.80.

CHAPTER 17.50

WATERFRONT COMMERCIAL

SECTIONS

- 17.50.010 Intent
- 17.50.020 Permitted Uses
- 17.50.030 Conditional Uses
- 17.50.040 Development Standards
- 17.50.050 Site Plans
- 17.50.060 Maximum Height

17.50.070 Parking and Loading Facilities

17.50.080 Signs

17.50.090 Performance Standards

17.50.010 Intent

It is the intent of this district to provide a wide range of uses and activities on the shorelines of Gig Harbor located within the area proximate to the downtown business district. Development should be water oriented and maintain the scale of existing structures. Highest priority will be accorded to those uses that are water dependent. Other uses that provide a high degree of physical access to the waterfront have the next priority. Those activities that are not water dependent but maintain or enhance views and the character of the area may also be permitted.

17.50.020 Permitted Uses

1. Marinas and boat launch facilities
2. Piers, docks, wharfs and associated buildings
3. Boat repair and sales facilities
4. Marine related sales and offices
5. Delicatessens
6. Public park and access facilities
7. Yacht clubs
8. Wholesale and retail sales of fisheries products for human consumption

17.50.030 Conditional Uses

1. Residential development - up to four plexes
2. Guest accommodations
3. Public facilities
4. Parking lots for related shoreline uses
5. Restaurants, taverns and lounges
6. Processing of fisheries products for off-premise human consumption
7. Boat construction

17.50.040 Development Standards

	Single Family	Multi-family (duplex-fourplex)	Non-Resi- dential
1. Min. lot area	12,000	15,000-21,000	12,000

2. Min. lot width	70'	100'	100'
3. Min. front setback	20'	20'	20'
4. Min. rear setback if Tidelands not owned	15'	15'	15'
5. Min. rear and/or side yard setback to owned abutting Tidelands	0	0	0
6. Min. int. side setback	8'	8'	10'
7. Min. street side setback	10'	10'	10'
8. Max. Impervious coverage	50%	55%	60%
9. An undersized lot shall qualify as a building site if such lot is a lot of record at the time this chapter became effective. Recognizing the existence of such parcels, the development standards are adjusted to grant relief as to minimum lot size and minimum lot width only.			

17.50.050 Site Plans

Before a building permit will be issued in a WC zone, the site plan review process specified in Chapter 17.96 shall be followed. Residential projects containing three or fewer dwelling units are exempt from this provision.

17.50.060 Height

The maximum building height is 16 feet, except as provided for under Section 17.62.

17.50.070 Parking and Loading Facilities

Parking and loading facilities on private property shall be provided in accordance with the requirements of Section 17.72

17.50.080 Signs

All signs shall comply with the provisions of Section 17.80.

17.50.090 Performance Standards

1. Exterior Mechanical Devices: Air conditioners, heating, cooling, ventilating equipment, pumps and heaters and all other mechanical devices shall be screened.
2. Landscaping is required and shall be installed

in conformance with Chapter 17.78 by this Title and/or by conditions of approval of discretionary applications required by this Title, such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

3. Outdoor Storage of Materials: The outdoor storage of materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture is permitted as an incidental or accessory activity of a Permitted Use or the principal feature of a Conditional Use. Such storage shall be screened by a wall, fence, landscaping or structure from surrounding properties and streets.
4. Outdoor Lighting: Within one hundred feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Said lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. (Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.)

Chapter 17.60

TRANSITIONAL USES

SECTIONS:

17.60.010 Intent

17.60.020 Permitted Uses

17.60.010 Intent. To provide for uses of land at the borderlines between residential and other districts,

which would not have an adverse effect on the uses in either district, but would serve as a more gradual transition to use changes.

17.60.020 Permitted Uses.

- A. In an R-1 zone, a lot which abuts upon or is located across the street or alley from property in a nonresidential zone, may be used for:
1. Two-family dwellings, provided that such lot is at fourteen thousand (14,000) square feet in size;
 2. A parking lot for a business within one hundred (100) feet of the lot, solely for the customers and employees of the business to which it is accessory, for the use of automobiles only, and provided that the entrance to the parking lot is at least thirty (30) feet from the nearest residential lot and the lot is landscaped and screened.
- B. In R-2 zones, a lot adjacent to a nonresidential zone may be used for a parking lot for a business within one hundred (100) feet, if solely for cars for customers or employees, and provided that the parking lot entrance is at least thirty (30) feet from the nearest residential lot, and the lot is landscaped and provided with a dense vegetative screen.

CHAPTER 17.64

CONDITIONAL USES

SECTIONS

- 17.64.010 Intent
- 17.64.020 Procedure
- 17.64.030 Investigation
- 17.64.040 Granting or Denial
- 17.64.050 General Conditions

- 17.64.060 Review Criteria
- 17.64.070 Expiration
- 17.64.080 Transfer of Permit
- 17.64.090 Revocation of Permit
- 17.64.100 Appeal of Examiners Decision
- 17.64.110 General Criteria

17.64.010 Intent. Certain uses, because of their unusual size, infrequent occurrence, special requirements, possible safety hazards or detrimental effect on surrounding properties are classified as conditional uses. These uses may be allowed in certain use districts by a Conditional Use Permit granted by the Hearing Examiner, subject to the procedures established in Section 17.10.

17.64.020 Procedure. Any use that requires a conditional use permit shall be processed in accordance with the following procedures:

- A. Application. An application for a conditional use permit may be filed by the property owner, lessee of the property with more than a month-to-month tenancy, or authorized agent of the property owner. The application shall be submitted in writing and be accompanied by the required plans and data. These applications shall be submitted to the Planning Department for transmittal to the Hearing Examiner with analysis and recommendation.
- B. Investigation. The Planning Director shall make an investigation to determine whether a proposed conditional use would be in accordance with the comprehensive plan, and this chapter, whether the use would be injurious to the public health, safety, or welfare, and whether the use would be detrimental to other properties in the vicinity.
- C. Granting or Denial. The decision may include special restrictions or conditions deemed necessary or desirable in furthering the intent of the ordinance pertaining to the proposed development.

D. The conditions may:

1. Stipulate the exact location of uses or structures as a means of minimizing hazards or property damage.
2. Require special structural features, equipment or site treatment.
3. Increase requirements; standards or criteria over the minimum established by this title

17.64.030 General Conditions. In considering whether to grant conditional uses, the Hearing Examiner shall be satisfied that the minimum standards set for uses specified in this chapter will be met. In addition, the Examiner shall consider the criteria listed in this section and the standards as set forth in this chapter. The Examiner may require the applicant to submit whatever reasonable evidence may be needed and may stipulate additional conditions to protect the public interest. The burden of proof rests with the applicant.

17.64.040 Review Criteria. Each determination granting a conditional use permit shall be supported by written findings of fact showing specifically wherein all of the following conditions are met.

- A. That the use for which the conditional use permit is applied for is specified by this title as being conditionally permitted within, and is consistent with the description and purpose of the zone district in which the property is located.
- B. That the granting of such conditional use permit will not be detrimental to the public health, safety, comfort, convenience and general welfare; will not adversely affect the established character of the surrounding neighborhood, and will not be injurious to the property or improvements in such vicinity and/or zone in which the property is located;
- C. That the proposed use is properly located in relation to the other land uses and to transportation and service facilities in the vicinity; and, further, that the use can be adequately served by such public facilities and street capacities without placing an undue burden on such facilities and streets;

- D. That the site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls and fences, parking, loading, landscaping and other such features as are required by this title or as needed in the opinion of the Examiner.

17.64.050 Expiration. Any conditional use permit granted by the Hearing Examiner shall expire if not exercised within one (1) year of the date of approval. If a use or activity authorized by such permit is abandoned or discontinued for a continuous period of one (1) year, it may not be reestablished unless authorized in accordance with the provisions of this chapter. A request for extension of the one (1) year time limit may be considered by the Hearing Examiner, providing that the request is in writing and is received no less than 30 days prior to the expiration date. No additional extensions shall be granted. An extension shall be valid for a period not to exceed one year.

17.64.060 Transfer of a Conditional Use Permit. A conditional use permit shall be transferable provided that the transferee complies with the conditions of the permit. If at any time the conditional use no longer complies with the conditions of the permit, the owner shall be declared in violation of this title and shall be subject to its penalties

17.64.070 Revocation of a Conditional Use Permit. Following a public hearing by the Hearing Examiner, a conditional use permit may be revoked for one or more of the following reasons:

1. That the approval was obtained by fraud or that erroneous information was presented by the applicant.
2. That the use for which approval was granted has not been exercised.
3. That use is being exercised contrary to the conditions of approval, or in violation of any statute, ordinance, law or regulation.

17.64.080 Appeal of the Examiner's Decision on a Conditional Use Permit. Any aggrieved person may file a request for reconsideration or appeal in accordance with the procedures established pursuant to Section 17.10.150/.160.

17.64.090 General Criteria. Notwithstanding the development criteria contained in this section, the Hearing Examiner shall have the authority to impose conditions and safeguards deemed necessary to protect the health, safety, and welfare of the surrounding area.

CHAPTER 17.66

VARIANCES, INTERPRETATIONS, APPEALS

SECTIONS

17.66.010 Intent

17.66.020 Variances

17.66.030 General Variances

17.66.040 Interpretations and Appeals

17.66.010 Intent

This chapter is intended to provide review procedures and criteria for those special situations where the dimensional, bulk or spacing provisions of this title may be relaxed. Variances are not intended to be used as a means of circumventing individually inconvenient regulations.

17.66.020 VARIANCES

A. Administrative Variances.

Upon the filing of a proper application, the Planning Director shall have the authority to grant, with conditions if necessary, an administrative variance from the following property development standards:

1. A decrease of not more than twenty percent (20%) of the required width of a side, front or rear yard or yard between buildings.
2. An increase of not more than ten percent (10%) of the permitted projection of cornices, sills, eave projection, unenclosed awnings, and unenclosed and uncovered decks into a required front, side or rear yard.

3. An increase of not more than ten percent (10%) in the maximum permitted height of buildings, fences or structures, or maximum permitted lot coverage.
4. A decrease of not more than ten percent (10%) in the number of required parking spaces.

B. Required Findings To Grant.

1. Each administrative variance granted shall be supported by written findings showing an affirmative determination of the variance review criteria contained in Section 17.66.

C. Planning Director Action.

Upon the filing of a properly completed application, the Director shall, within fifteen (15) working days, act to approve, modify or deny said application. If approved, the Director shall send notice of the decision to the owners of all adjacent properties. The decision shall become final fifteen (15) working days after taking an action on the application unless an appeal is filed with the Planning Department prior to the fifteenth (15) day. Any appeal of an administrative variance shall be considered by the Hearing Examiner.

17.66.030 GENERAL VARIANCES

- A. The Hearing Examiner shall have the authority to grant a variance from the requirements of this ordinance, except as identified in Section 17.66, Administrative Variances, after considering the matter at a public hearing.
- B. Before any variance can be granted, the Examiner shall make findings of fact setting forth and showing that the following circumstances exist:
 1. The proposed variance will not amount to a rezone nor authorize any use not allowed in the district.
 2. That special conditions and circumstances exist which are peculiar to the land such as size, shape, topography or location, not applicable to other land in the same district and that literal interpretation of the provisions of this ordinance would deprive the property owner of rights commonly enjoyed by other properties

- similarly situated in the same district under the terms of this ordinance.
3. That the special conditions and circumstances do not result from the actions of the applicant.
 4. That granting of the variance requested will not confer a special privilege that is denied other lands in the same district.
 5. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated.
 6. The Hearing Examiner shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land.
 7. The decision of the Hearing Examiner shall be final. Appeals of the Examiner's decision may be made to the City Council in accordance with the appeal procedures established under Section 17.10.160.

17.66.040 Time Limits

Any variance granted by the Hearing Examiner or Planning Director shall become null and void if not exercised within one year of the date of approval. Upon written request by a property owner, prior to the date of expiration, the Director may grant an extension of time up to but not exceeding one year. Any extension of time shall be based upon a finding that there has been no material change of circumstances applicable to the property since the granting of the variance.

17.66.050 INTERPRETATIONS AND APPEALS

Interpretation - Planning Director. The Planning Director shall review and determine any questions involving the proper interpretation or application of the provisions of this title that may be requested by any property owner, tenant, government officer, department, board, council or commission. The Planning Director's decision shall be in keeping with the spirit and intent of this title and of the Comprehensive Plan.

Recognizing that there may be uses not specifically

mentioned in this title, either because of advancing technology or any other reason, the Planning Director may permit such use to be established if it is clearly evident that the use is in conformity with the designated principal uses of the use district in which it is to be located. When there is doubt as to the proper classification of a use, the Hearing Examiner shall rule on the matter.

Appeals from Administrative Decision. Appeals may be taken to the Hearing Examiner by any person aggrieved or by any officer, department, board, council or commission of the city affected by any order, requirement, permit, decision or determination made by an administrative official in the administration or enforcement of this title or any amendment thereto. Such appeals shall be filed in writing, in duplicate, with the Hearing Examiner with twenty (20) days of the date of the action being appealed.

Upon the filing of such an appeal, the Hearing Examiner shall set the time and place at which the matter will be considered. At least ten (10) days notice of such time and place shall be given to the adverse parties of record in the case and to the official whose decision is being appealed. The officer from whom the appeal is being taken shall forthwith transmit to the Hearing Examiner all of the records pertaining to the decision being appealed, together with such additional written report as he deems pertinent.

In exercising the powers granted herein, the Hearing Examiner may, in conformity with this chapter, reverse or affirm, wholly or in part, or may modify the order, requirements, decision or determination appealed from and may make such order, requirement, decision or determination as should be made, and, to that end, shall have all the powers of the officer from whom the appeal is being taken, insofar as the decision on the particular issue is concerned.

CHAPTER 17.68

NONCONFORMITIES

SECTIONS

17.68.010 Intent

- 17.68.020 Nonconforming Lots of Record
- 17.68.030 Nonconforming Uses of Land
- 17.68.040 Nonconforming Structures
- 17.68.050 Repairs and Maintenance
- 17.68.060 Uses Permitted Under Conditional Uses Provisions
- 17.68.070 Nonconforming Parking, Loading, Signs, and Other Characteristics of Use
- 17.68.080 Continuity of Prior Conditions and Variances

17.68.010 Intent. Within the zoning Districts established by this Title or any amendment that may later be adopted, there may exist lots, structures, uses of land and structures, and characteristics of use that were lawful before the effective date of the applicable regulations, but that would be prohibited, regulated, or restricted under the terms of Chapter 17.04 of this Title or a future amendment thereof. This Chapter 17.68 is intended to permit these nonconformities to continue until they are removed but not to encourage their perpetuation. It is further intended that nonconformities shall not be enlarged upon, expanded, extended, or be used as grounds for adding other structures or uses prohibited elsewhere in the same District.

Because nonconformities do not conform to the requirements of the regulations within their zoning Districts, they are declared by this Chapter to be incompatible with the permitted uses in the Districts involved. A nonconforming use of land in combination shall not be extended or enlarged after passage of this Chapter by the addition of other uses. To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building for which application for a building permit was made prior to the effective date of the adoption or an amendment of this Title.

17.68.020 Nonconforming Lots of Record. In any District, notwithstanding limitations imposed by other provisions of Chapter 17.04, permitted principal uses

and structures and customary accessory buildings may be erected on any lot that is of record at the effective date of the adoption or of an amendment of the applicable regulations. This provisions shall apply, even though such lot fails to meet the requirements for area or width, or both, that are applicable in the District. Such permitted principal uses and structures and accessory buildings shall be erected on such a nonconforming lot so that all dimensional requirements of the Zoning Ordinance including minimum yard requirements, the maximum height of structures, and the maximum coverage by all buildings are complied with.

17.68.030 Nonconforming Uses of Land. When, before the effective date of the adoption or an amendment of the applicable regulations, a lawful use of land existed that would not be permitted by the regulations thereafter imposed by Chapter 17.04 or amendments thereof, the use may be continued so long as it remains otherwise lawful, and shall be deemed a nonconforming use, provided however, that

- A. No such nonconforming use shall be enlarged in size or increased in size or extended to occupy a greater area of land than was occupied at the effective date of the adoption or an amendment of such applicable regulations;
- B. No such nonconforming use shall be moved, in whole or in part, to any portion of the lot or parcel other than that occupied by such use at the effective date of the adoption or an amendment of such applicable regulations;
- C. If any such nonconforming use of land ceases for any reason for a period of more than one (1) year, any subsequent use of land shall conform to the regulations specified by this Title for the District in which such land is located;
- D. No additional structure not conforming to the requirements of this Title shall be erected in connection with such nonconforming use of land.

17.68.040 Nonconforming Structures. When a lawful structure existed at the effective date of the adoption or an amendment of the applicable regulations and could not be built under the terms of the current regulations set forth in Section 17 or amendments thereof by reason of the restrictions on area, lot size or dimension, coverage, height, yards, and the location on the lot or other requirements concerning the structure, such

structure may be continued so long as it remains otherwise lawful and shall be subject to the following provisions:

- A. No such nonconforming structure may be altered in any way that increases its nonconformity or enlarges any of its dimensions, but any structure or portion thereof may be altered to decrease its nonconformity;
- B. Should such nonconforming structure or nonconforming portion of a structure be damaged by any means it may be replaced to its original dimensions, and this replacement must occur within one (1) year of the time of damage or not at all and shall comply with all applicable building codes in force at the time of replacement;
- C. If no structural alterations are made, any nonconforming use of a structure and premises may be changed to another nonconforming use, after approval by the Hearing Examiner, and provided that the Hearing Examiner finds that the proposed use is more appropriate for the District than the existing nonconforming use, and in permitting such a change, the Hearing Examiner may require appropriate conditions and safeguards, and these conditions and safeguards may be made without public hearing;
- D. Any structure and premises in or on which a nonconforming use is superceded by a permitted use shall thereafter conform to the use regulations for the District in which they are located, and the nonconforming use may not thereafter be resumed;
- E. When a nonconforming use of a structure and premises is discontinued or abandoned for one (1) year, the structure and premises shall not thereafter be used except in conformity with the regulations of the District in which it is located; and
- F. When a structure and premises have a nonconforming use status, the removal or destruction of the structure shall eliminate the nonconforming status, and destruction for the purposes of this subsection is defined as damage causing loss value greater than fifty percent (50%) of the replacement cost at the time of destruction.

17.68.050 Repairs and Maintenance. Repairs may be made to any nonconforming structure or any portion of a structure containing a nonconforming use, provided they are restricted to the repairs or replacement of structural elements, fixtures, wiring, and plumbing

required so as to protect occupants and public safety. The need for such repairs or replacements shall be confirmed by the Building Official.

Nothing in this Chapter shall be deemed to prevent the strengthening or restoration to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety and upon the order of such official.

17.68.060 Uses Permitted Under Conditional Use Provisions. A use that existed before the effective date of the adoption or an amendment of the applicable regulations and that is permitted as a conditional use in the District in which it is located under the terms of this Title shall not be deemed a nonconforming use. Such a use shall be considered to exist as a conditional use. The scope of the conditional use shall be governed by the provisions of this Chapter unless modified by the Hearing Examiner in accordance with Chapter 17.64.

17.68.070 Nonconforming Parking, Loading, Signs, and Other Characteristics of Use. If the characteristics of a use such as signs, off-street parking, off-street loading, lighting, or other matters required by this Title in relation to specific uses of land, structures, or premises are not in accordance with the requirements of this Title, no change that increases the nonconformity with such requirements shall be made in such characteristics of use. Any change that decreases the nonconformity to the requirements of this Title shall be permitted.

17.68.080 Continuity of Prior Conditions and Variances. Any valid conditional use or variance granted prior to the enactment of this Title shall be permitted to continue in accordance with such use or variance.

CHAPTER 17.72

OFF-STREET PARKING AND LOADING REQUIREMENTS.

SECTIONS

17.72.010 Intent

17.72.020 Off-Street Parking Design Standards

17.72.030 Parking Spaces Required

17.72.040 Off-Street Loading Design

17.72.050 Off-Street Loading Berth

17.72.010 Intent.

Off-street parking is parking on privately owned property. The regulations concerning off-street parking are intended to reduce the need for parking on streets and the traffic congestion and hazards caused thereby, and to provide for off-street parking adequate to each type of development, both in terms of amount and location. All parking space requirements set forth in this Section shall be met prior to the occupancy of buildings and shall be satisfactorily maintained for each use listed in this section.

To avoid damage to the streets and hazards to the pedestrians and congestion on the streets, it is required that spaces in the form of off-street loading berths be provided on the same lot as the building to be served by the delivery or loading of goods, and that such berths be adequate in size and number to provide the service needed without affecting adjacent properties, public streets or public rights-of-way.

17.72.020 Off-Street Parking Design Standards.

1. The off-street parking required for the uses specified herein shall be for use only by the automobiles of the residents, employees, and customers of the activity served by the off-street parking.
2. Off-street parking requirements shall be met on the same lot as the building served by the off-street parking or on a lot that is within one hundred (100) feet of the building or facility served by the off-street parking and is specially reserved for the service of such building. Notwithstanding the above, off-street parking facilities for independent and separate buildings and uses may be provided collectively on a common lot, if these facilities are not less than the total requirements of the independent and separate

uses, and if all other requirements are met.

3. All off-street parking spaces shall be at least nine (9) feet in width and at least nineteen (19) feet in length, both exclusive of access drives, yards, and ramps. Such spaces shall have a vertical clearance of at least seven (7) feet.
4. Off-street parking spaces may be located in any required yard unless otherwise indicated in Chapter 17.
5. All off-street parking spaces and access areas shall be surfaced with portland cement concrete or asphaltic concrete paving, to the standards established by the City of Gig Harbor.
6. 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.

17.72.030 Number of Off-Street Parking Spaces Required.
The following is the number of off-street parking spaces required:

1. For single-family dwellings, two off-street parking spaces for each dwelling unit;
2. For multiple-family dwellings, two (2) off-street parking spaces for each dwelling unit.
3. For medical care facilities, as follows:
 - a. For hospitals, one off-street parking space for every two beds based on maximum capacity;
 - b. For medical and dental clinics, one off-street parking space for every two hundred and fifty (250) square feet of floor area;
 - c. For sanitariums, nursing homes, convalescent homes, and similar institutions, one off-street parking space for every four (4) beds as based on maximum capacity; and
 - d. For facilities for the elderly, disabled, and handicapped, the area set aside for off-street parking shall be in compliance

with Paragraph C.3.c., above, provided that, if the facility is used exclusively for the housing of the elderly, disabled, or handicapped, the City Council may allow a portion of the area required for off-street parking to be reserved as a landscaped area, if the Council finds that the required off-street parking is not immediately required and is in the best interest of the neighborhood.

4. For libraries, art galleries, and museums, two (2) off-street parking spaces for every one thousand (1,000) square feet of floor area.
5. For business, professional, and governmental offices, one off-street parking space for every three hundred (300) square feet of floor area;
6. For auditoriums, houses of religious worship, dance halls, exhibition halls, community centers, skating rinks, theaters, and other places of public assembly, one (1) off-street parking space for every possible four (4) seats in the auditoriums and assembly rooms. The maximum seating capacity shall be determined under the provisions of the Uniform Building Code;
7. For schools, as follows:
 - a. For elementary and junior high schools, one (1) off-street parking space for every five (5) seats in the main auditorium or assembly room; and
 - b. For high schools, one (1) off-street parking space for every four (4) seats in the main auditorium or assembly room, or three (3) off-street parking spaces for every classroom plus one (1) additional off-street parking space for each staff member or employee, whichever is greater.
8. For private clubs and lodges, one (1) off-street parking space for every two (2) beds plus one (1) space for each four (4) persons of the building's maximum seating capacity as determined by the Uniform Building Code.
9. For gasoline service stations and repair

garages, four (4) off-street parking spaces for each service bay or one (1) off-street parking space for every two (2) full pumps if service bays are not provided.

10. For bowling alleys, five (5) off-street parking spaces for each alley;
11. For restaurants, bars, cafeterias, and other eating and drinking establishments, one (1) off-street parking space for every three (3) seats based upon the maximum seating capacity as determined by the provisions of the Uniform Building Code.
12. For furniture and appliance stores, establishments selling motor vehicles, wholesale stores, repair shops for household equipment, and establishments selling or repairing radios and televisions and machinery, one (1) off-street parking space for every four hundred (400) square feet of floor area.
13. For retail sales, stores, personal service establishments, shoe repair establishments, barber and beauty shops, etc., one (1) off-street parking space for every three hundred (300) square feet of floor area.
14. For hotels and motels, one and one-quarter (1-1/4) off-street parking spaces for each room to rent.
15. For establishments producing, manufacturing, cleaning, servicing, testing, or repairing materials or commodities and for warehousing or storage buildings, one (1) off-street parking space for every five hundred (500) square feet of building floor area.
16. For motor freight companies, one (1) off-street parking space for every four (4) employees plus one (1) additional space for each of the vehicles in use, at any time, in the conduct of the business.
17. For marinas, moorages, and docks:
 - a. Moorages/slips less than forty-five (45) feet - one space for every two (2) berths;

- b. Moorages/slips forty-five (45) feet or longer - one space for every berth;
 - c. All moorage facilities shall provide a minimum of two (2) parking spaces;
 - d. If commercial or residential development is to be combined with a watercraft usage requiring parking, the usage which generates the larger number of spaces shall satisfy the requirements of the other usage.
18. For home occupations, a minimum of one (1) additional off-street parking space shall be provided above those off-street spaces provided to accommodate the owner's or operator's parking space (s). If the occupation requires any customers or clients to visit the premises at any time, at least two (2) off-street parking spaces shall be provided in addition to the owner's or operator's parking space (s).
19. For any other use not specifically mentioned or provided for, the Planning Director shall determine the standards to be applied for parking using as a guide the uses listed above that most closely resemble the uses proposed.

17.72.040 Off-Street Loading Design Requirements.

- 1. Off-street loading berths shall be provided on the same lot as the use the berths serve and shall not occupy the front yard of the lot.
- 2. No loading berth shall be located closer than twenty-five (25) feet to a residential lot line unless screened by shrubbery or a fence or a combination thereof, any one of which must be approved by the Planning Director.
- 3. Each loading berth shall be designed with access to a street or alley in a manner that does not permit undue interference with traffic movement on the public street or alley.
- 4. Each required loading berth shall be at least ten (10) feet by twenty-five (25) feet in size and eighteen (18) feet in height and shall provide eighty-five (85) feet of direct access uninterrupted by any change in horizontal or vertical direction between the loading dock and the street.
- 5. Each loading berth surface and access area

shall be improved with portland cement concrete or asphaltic concrete paving to the standards established by the City of Gig Harbor Public Works Director.

6. Areas set aside for off-street loading berths shall not be considered as satisfying the requirements for off-street parking space and shall not be used for vehicle repairs or servicing.
7. No approach to loading docks shall exceed a seven percent (7%) slope.
8. All or part of the off-street loading requirements may be met by loading facilities within the buildings.

17.72.050 Off-Street Loading Berth Requirements.

Off-street loading berths for passengers and freight shall be provided as given below and shall be on the same lot as the activity served unless the nature of the activities allows several owners to share a common location:

1. Public Uses. One berth required for each twenty-five thousand (25,000) square feet of building floor space;
2. Commercial Uses. One berth required for each ten thousand (10,000) square feet of wholesale commercial building floor space;
3. Professional Office Uses. One berth required for each twenty-five thousand (25,000) square feet of building floor space;
4. Industrial Uses. One berth required for each ten thousand (10,000) square feet of building floor space;
5. Residential Activities. One berth required for any residential facility occupying more than fifty thousand (50,000) square feet.

CHAPTER 17.78

LANDSCAPING AND SCREENING

SECTIONS

17.78.010 Intent

17.78.020 Application

- 17.78.030 Landscape Plans
- 17.78.040 Overlapping Requirements
- 17.78.050 Preservation of Significant Trees
- 17.78.060 Requirements for Residential Landscaping
- 17.78.070 Requirements for Commercial Landscaping
- 17.78.080 Parking Lot Landscaping and Screening
- 17.78.090 Screening/Buffering from SR-16
- 17.78.100 Alternative Landscape Plans
- 17.78.110 Performance Assurance
- 17.78.120 Maintenance

17.78.010 Intent. The intent of this chapter is to establish standards for landscaping and screening; to maintain or replace existing vegetation, provide physical and visual buffers between differing land uses, lessen environmental and improve aesthetic impacts of development and to enhance the overall appearance of the city. 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.

17.78.020 Applicability. The standards as required by this chapter shall apply to all non-residential and non-agricultural uses of land, and to the construction or location of any residential building or development in which more than two (2) attached dwelling units would be contained, and where practicable, to changes in the use of land or structures.

17.78.030 Landscape Plans. A plan of the proposed landscaping and screening shall be provided as an adjunct to or incorporated into plans submitted for site plan review or Hearing Examiner review. The plans shall be drawn to scale and contain the following:

- Identification of existing trees and tree canopies in the project.

- Significant trees and vegetation to remain.
- Parking and vehicle use areas, driveways and walkways.
- Buildings or structures (existing and proposed).
- Soil mix and amendments.
- New landscaping - location, species, diameter or size of materials using both botanical and common names. Drawings shall reflect the ultimate size of plant materials.
- Identification of tree protection techniques.

17.78.040 Overlapping Requirements. In the event of a conflict between the standards for individual uses and other general requirements of this chapter, the more stringent shall apply. Determination of the appropriate standards shall be made by the Planning Director.

17.78.050 Preservation of Significant Trees.

A. Applicability. In required perimeter landscaping area, applicants shall retain all significant trees. The city encourages retention of trees on the remaining portions of the project sites as well. Significant trees are those which possess one or more of the following characteristics:

1. Contribute to the character of the area and do not constitute a safety hazard, or
2. Form a continuous canopy or dense buffer.
3. If the grade level adjoining a tree to be retained is to be raised 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. Proof of professional design may be required.
4. The applicant may install impervious or compactable surface within the area defined by the drip line of any tree to be retained if it is demonstrated that such activities will not endanger the tree or trees.

Retention of other existing vegetation for landscaping is strongly encouraged, however, it must be equal to or better than available nursery stock.

17.78.060 Requirements for Residential Landscaping.

- A. Perimeter Areas. Notwithstanding other regulations found in this chapter, perimeter areas not covered with buildings, driveways, and parking and loading areas shall be landscaped. The required width of perimeter areas to be landscaped shall be at least the depth of the required yard or setback area. Areas to be landscaped shall be covered with live plant materials which will ultimately cover seventy-five percent (75%) of the ground area, within three (3) years. One deciduous tree a minimum of two (2) inch caliper or one six (6) foot evergreen or three (3) shrubs which should attain a height of three and one-half (3-1/2) feet within three (3) years shall be provided for every five hundred (500) square feet of the area to be landscaped. A minimum of forty percent (40%) of the required plantings shall be evergreen trees a minimum of six (6) feet in height for properties located within the boundaries of the Height Overlay District referenced in City Ordinance #537, Section 17.62. Trees shall be of a species that will ultimately grow to the height of the planned building. In the selection of trees and shrubs, consideration should be given to overall aesthetic impacts at maturity.
- B. Buffer Areas. Where a development subject to these standards is contiguous to a zoning district of less intensive land uses, then that required perimeter area shall have a dense vegetative screen which is opaque to a height of six (6) feet and broken to a height of twenty (20) feet. The screening may be achieved through any one or a combination of the following methods:
- A solid row of evergreen trees or shrubs.
 - A solid row of evergreen trees and shrubs be planted on an earthen berm an average of three and one-half (3-1/2) feet high along its midline.
 - A combination of trees or shrubs and fencing where the amount of fence does not exceed fifty percent (50%) 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 (3) years.

- C. Parking Areas. Parking areas shall be landscaped subject to the standards for parking lots found in Section 17.72 of this chapter.

17.78.070 Requirements for Commercial Uses.

- A. Perimeter Areas. Notwithstanding other regulations found in this chapter, perimeter areas not covered with buildings, driveways and parking and loading areas shall be landscaped. The required width of perimeter areas to be landscaped shall be the required yard or setback area. Areas to be landscaped shall be covered with live plant materials which will ultimately cover seventy-five percent (75%) of the ground area within three (3) years and provide one (1) deciduous tree of a minimum of two (2) inch caliper or one (1) six (6) foot high evergreen tree or three (3) shrubs which will attain a height of three and one-half (3-1/2) feet within three (3) years shall be provided for every three hundred (300) square feet of area to be landscaped.

A minimum of forty percent (40%) 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 City Ordinance #537, Section 17.62. Trees shall be of a species that will ultimately grow to the height of the planned building.

- B. Buffer Areas. Where a development subject to these standards is contiguous to a residential zoning district or areas of residential development, then that required perimeter area shall be landscaped the full width of the setback areas as follows:

- A solid screen of evergreen trees or shrubs.
- A solid screen of evergreen trees and shrubs be planted on an earthen berm an average of three (3) feet high along its midline.
- A combination of trees or shrubs and fencing where the amount of fence does not exceed fifty percent (50%) 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 (3) years.

- C. Areas Without Setbacks. In those areas where there is no required setback or where buildings are built to the property line, development subject to this chapter shall provide a street tree at an interval of one every twenty (20) feet or planter boxes at the same interval or some combination of trees and boxes, or an alternative.

Street trees shall be a minimum caliper of two (2) 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 Section 17.72 of this chapter.

17.78.080 Parking Lot Landscaping and Screening. The standards of this section shall apply to public and private parking lots, residential parking areas providing spaces for more than ten (10) cars and all non-residential uses of land and development.

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

1. Adjacent to a street or road, the minimum width shall be equal to the required yard for the underlying land use or a strip ten (10) feet wide whichever is greater. On all other perimeters the depth shall be a minimum of five (5) feet.
2. Visual screening through one or any of a combination of the following methods:
 - a. Planting of living ground cover as well as shrubs or small trees which will form a solid vegetative screen at least three (3) feet in height. OR
 - b. Construction of a barrier fence or wall to a height of three (3) feet combined with low planting or wall clinging plant

materials. Materials should be complementary to building design. OR

- c. Earth mounding or berms having a minimum height of three (3) feet and covered with shrubs and trees.

3. Other Landscaping Required. In addition to the screening required above, deciduous trees shall be provided at intervals no greater than thirty (30) feet and shall be a minimum of two (2) inch caliper.

- B. Buffer Areas. Where a development subject to these standards is contiguous to a residential zoning district or areas of residential development, then that required perimeter area shall be landscaped as follows:

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

- C. Downtown Parking Lots. For parking lots located within the downtown area, the following standards apply:

1. Provision of a minimum of five (5) foot wide landscaping strip intended to screen and soften the visual impacts of parking lots. Screening may be accomplished through any of the methods described under Section "A.2" above. In addition to screening, street trees, a minimum of two (2) inch caliper shall be provided at twenty (20) foot intervals.
2. In those instances where parking areas are bordered by more than one street, the strip required in "1" above shall only apply to the longest side. All other sides must be screened with a wall, fence, vegetative buffer or combination of these elements at a minimum

height of three and one-half (3-1/2) feet. The street tree requirements will pertain.

3. In order to protect vision clearances, areas around driveways and other access points are not required to comply with the full screening height standards. The specific horizontal distance exempt from this standard shall be determined after consultation with the Public Works Department.

D. Interior Parking Lot Landscaping. All parking lots that contain twenty (20) or more parking spaces or are larger than six thousand (6,000) square feet in area shall have interior lot landscaping as follows:

1. Landscaped Area. Parking lots that contain twenty (20) or more parking stalls or are six thousand (6,000) to thirty thousand (30,000) square feet in area shall have five (5) square feet of landscaped area per one hundred (100) square feet of vehicle use area, or fraction thereof. Parking lots larger than thirty thousand (30,000) square feet shall have seven (7) square feet of landscaped area per one hundred (100) square feet of vehicle use area or fraction thereof. Vehicle use area shall include driveways.
2. Minimum Area. The minimum area of required landscaping shall be sixty-four (64) square feet in order to provide a proper plant environment.
3. Maximum Contiguous Area. To encourage the proper distribution of landscaping throughout parking areas, no required landscaped areas shall be larger than three hundred-fifty (350) square feet in parking lots that are less than thirty thousand (30,000) square feet in area; and one thousand five hundred (1,500) square feet in larger lots. Larger landscaped areas may be provided when the excess over the minimum requirement exceeds the total area requirement for the entire lot. Interior lot landscaping may be peninsular or island in shape and may accent pedestrian ways.
4. Trees Required. Trees are required at a ratio

of at least one (1) per sixty-four (64) square feet of landscaped area or fraction thereof. They shall have a clear trunk to a height of at least five (5) feet above the ground. Trees shall be planted no closer than four (4) feet from pavement edges where vehicles overhang planted areas.

5. Shrubs and Ground Cover. Required landscaped areas remaining after three planting shall be planted in shrubs and/or ground cover. The distribution of plants shall be adequate to ultimately achieve seventy-five percent (75%) ground coverage within three (3) years of plantings.
6. Vehicle Overhang. Parked vehicles may overhang landscaped areas up to two (2) feet by wheel stops or curbing.

17.78.090 Screening/Buffering from SR-16 and SR-16 Interchanges.

All development of properties adjacent to SR-16 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 twenty-five (25) feet in depth. Along SR-16 outside of the defined interchange areas, this buffer shall be adequate to totally screen development from views from SR-16. If existing vegetation is not adequate to accomplish this, then additional evergreen vegetation with a minimum height of four (4) to six (6) feet shall be planted.

Adjacent to SR-16 interchange ramps landscape buffering shall be done according to the standards for perimeter landscaping for residential and commercial areas in the height overlay district. The buffer area shall be covered with live plant materials which will ultimately cover seventy-five percent (75%) of two (2) inch caliper or one six (6) foot evergreen or three (3) shrubs which will attain a height of three and one-half (3-1/2) feet within three (3) years shall be provided for every five hundred (500) square feet of the area to be landscaped. Forty percent (40%) of the required planting shall be evergreen trees a minimum of six (6) feet in height and of a species that will grow to the height of the buildings in the development. If possible, evergreen trees shall be retained to meet this requirement.

17.78.100 Alternative Landscaping Plans. The Planning Director may authorize modification of the landscape requirements when alternative plans comply with the intent of this chapter and:

- A. The proposed landscaping represents a superior result than that which would be achieved by strictly following requirements of this section. OR
- B. Incorporates the increased retention of significant trees and naturally occurring undergrowth. OR
- C. Incorporates unique, historic or architectural features such as fountains, sculptures, structures and the like. OR
- D. The proposed landscaping provides additional waterview and/or harbor access opportunities in a WC zone

17.78.110 Performance Assurance.

- A. Landscaping required pursuant to an approved site plan shall be installed prior to the issuance of Certificate of Occupancy or final inspection, unless the property owner submits a performance assurance device committing to install the landscaping within one year.
- B. Performance Assurance devices shall take the form of one of the following.:
 - 1. A surety bond executed by a surety company authorized to transact business in the state in a form approved by the City Attorney.
 - 2. Cash.
 - 3. A letter of credit approved by the City Attorney from a financial institution stating that the money is held for the purpose of development of the landscaping.
 - 4. Assigned savings pursuant to an agreement approved by the City Attorney.
- C. If a performance assurance device is employed, the property owner shall provide the City with a non-revocable notarized agreement granting the City

and its agents the right to enter the property and perform any required work remaining undone at the expiration of the assurance device.

- D. If the developer/property owner fails to carry out provisions of the agreement and the City has incurred costs or expenses resulting from such failure, the City shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash deposit is less than the cost and expense incurred by the city, the developer shall be liable to the city for the difference. If the amount of the bond or cash deposit exceeds the cost and expense incurred by the City, the remainder shall be released.

17.78.120 Maintenance. 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 surfaces. All landscaped areas shall be provided with sprinkler systems or hose bibs within seventy-five (75) feet of plantings. Dead or dying trees or shrubs shall be replaced immediately, and the planting area shall be maintained reasonable free of noxious weeds and trash.

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

CHAPTER 17.84

HOME OCCUPATIONS

SECTIONS

- 17.84.010 Intent
17.84.020 Definition
17.84.030 General Requirement

17.84.010 Intent.

It is the purpose of this section to:

1. Protect residential areas from potential adverse impact of activities defined as home occupations.
2. Permit residents of the community a broad choice in the use of their homes as a place of livelihood and the production or supplementing of personal/family income.
3. Establish criteria and development standards for the use of residential structures or dwelling units for home occupations.

17.84.020 Definition.

1. Home Occupation. Any activity conducted for financial gain or profit in a dwelling unit, and which activity is not generally or customarily characteristic of activities for which dwelling units are intended or designed.
2. Such activity is clearly incidental or secondary to the residential use of a dwelling unit, and is conducted only by persons residing in the dwelling unit plus no more than one (1) non-resident assistant or employee. Persons engaged in building trades or similar fields, using their dwelling unit or residential premises as an office for business activities carried on off the premises may have more employees than the limitation set forth in this section if they are not employed on the premises.
3. The occupation may include such uses as personal, business or professional services, offices and repair shops for household items; however, home occupations shall emit no noise, air pollutants, waste products or other effects detrimental to the environment or the neighborhood beyond those normally emanating from residential use.

17.84.030 General Requirements.

1. Home occupations shall occupy not more than

thirty percent (30%) of the total floor area of the residence.

2. The occupation shall be carried on entirely within a residence by the occupant thereof.
3. The occupation shall be conducted in such a manner as to give no outward appearance nor manifest any characteristics of a business, in the ordinary meaning of the term, that would infringe upon the right of the neighboring residents to enjoy a peaceful occupancy of their homes.
4. Retail sales are generally discouraged. Limited stock in trade may be sold or displayed within the structure on the premises, and no equipment or material shall be stored on any exterior portion of the premises.
5. Parking of customers' or clients' vehicles shall create no hazard or unusual congestion. The home occupation shall not generate traffic volumes greater than what would normally be expected in a residential neighborhood. Parking shall be provided in conformance with Chapter 17.72.
6. Any signs utilized in the home occupation shall be limited to one (1) flush-mounted sign on the main residential structure which shall not exceed two (2) square feet in area. Such sign shall be unlit and shall use nonflashing, nonrelective materials; and the legend shall show only the name of the occupant and type of occupation. Colors shall be subdued and consistent with residential character.
7. Home occupations shall comply with all other local, state or federal regulations pertinent to the activity pursued, and the requirements or permission granted or implied by this section shall not be construed as an exemption from such regulations.
8. A home occupation permit issued to one person shall not be transferable to any other person; nor shall a home occupation permit be valid at any address other than the one appearing on the

permit.

9. Any person engaging in a home occupation shall register as a business under Section 5 of the Gig Harbor Municipal Code.

CHAPTER 17.88

PLANNED RESIDENTIAL DEVELOPMENT ZONE (PRD)

SECTIONS

- 17.88.010 Intent
- 17.88.020 Where Permitted
- 17.88.030 Permitted Uses
- 17.88.040 Who May Apply
- 17.88.050 Relationship of Chapter to Other Ordinances
- 17.88.060 Minimum Site Area
- 17.88.070 Procedure for Approval
- 17.88.080 Contents of Application
- 17.88.090 Development/Design Standards
- 17.88.100 Density Bonus
- 17.88.110 Open Space
- 17.88.120 Expiration/Extensions
- 17.88.130 Minor/Major Adjustments to Final Plan
- 17.88.140 Parties Bound

17.88.010 Intent

The intent of the PRD zone is to provide for greater site design and flexibility and, thus, more creative and imaginative projects than generally possible under conventional zoning regulations. It is further intended

to preserve unique or sensitive physical features, such as steep slopes, views, retention of natural vegetation, and to provide more open space and recreational amenities than would be available under conventional land development practices. Additionally, it is intended to promote more economical and efficient use of land and a unified design concept for residential development.

17.88.020 Where Permitted.

Planned Residential Development may be permitted in the following zoning districts consistent with the development and design standards of this chapter.

1. All residential districts (R-1, R-2, R-3);
2. Waterfront residential.

17.88.030 Types of Uses Permitted.

1. All single family detached dwellings, as defined in Section 17.04 in R-1 Districts.
2. All single family and multifamily dwellings as defined in Section 17.04 in R-2 and R-3 Districts.
3. Accessory uses.
4. Uses that may be allowed by conditional use permits in the underlying zoning subject to the requirements of Section 17.64.

17.88.040 Who May Apply

An application for approval of a PRD may be filed by a person having a legal interest in the property to be included in the PRD.

17.88.050 Relationship of this Chapter to Other Ordinance Provisions.

1. The lot size, lot width, setbacks, building and development coverage, height limits and other dimensional requirements of the underlying use district may be superceded.
2. Platting Requirements.
When any parcel of land in a PRD is intended for sale or individual ownership, the platting requirements of the Gig Harbor Subdivision Ordinance and applicable state laws pertaining to subdivisions shall be followed.

Applications for plat approval should be submitted and processed concurrently with an application for PRD approval.

3. Public Hearing Required.
Prior to the approval of a PRD, the Hearing Examiner shall hold a public hearing in accordance with the procedures of Section 17.10 of the Gig Harbor Zoning Ordinance.

17.88.060 Minimum Site Area
The minimum site area for PRD shall be two (2) acres.

17.88.070 Procedure for Approval of a Planned Residential Development Projects

1. Approval of a PRD shall be considered an amendment to the official zoning map and except as provided by this chapter, shall be processed as any other amendment with respect to notice, hearing and appeals. Prior to making application, the proponent may meet with the city staff for an initial discussion of the proposal and applicable policies, ordinances and standards.
2. The preliminary development plan shall be reviewed by the Hearing Examiner. The action of the Examiner shall constitute a recommendation to the City Council. The Hearing Examiner shall not recommend approval of the PRD unless it is determined that said plan complies with the policies of the Comprehensive Plan, the requirements of the Gig Harbor Zoning Ordinance Title 17 and the intent and provisions of this Section. The Examiner may recommend terms and conditions of approval. The approved preliminary plan or subsequent revision thereto, shall be binding as to the general intent and layout of roads, buildings, use of land and open spaces.
3. Within three (3) years of the date of the preliminary development plan approval, the applicant shall submit a final development plan for the proposed development for approval by the City Council. After finding that the final development plan has been completed in accordance with the provisions of the approved

preliminary development plan, and that all required improvements have been completed or that arrangements or contracts have been entered into to guarantee that such required improvements will be completed, and that the interests of the City are fully protected, the City Council shall approve the final development plan, accepting the dedications and easements which are included thereon. The final development plan shall consist of a final plat, binding site plan, or any combination thereof.

4. If a proposed PRD is to be developed in phases, the entire project shall be portrayed on the preliminary development plan, and each phase shall individually receive final development plan review.

17.88.080 Preliminary Approval Contents of Application.
Each application for preliminary development plan approval shall contain the following information:

1. An environmental checklist or impact statement, as may be applicable, pursuant to Title 18 of the Gig Harbor Municipal Code.
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, the nature and size in gross floor area of each use, and the total amount of square feet to be covered by impervious surfaces.
4. A vicinity map showing site boundaries and existing roads and accesses within and bounding the site.
5. A topographic map delineating contours, existing and proposed, at five (5) foot intervals and which locates existing streams, marshes, steep slopes and other natural features.
6. Site plans drawn to a scale no smaller than one

inch equals thirty (30) feet showing the 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 size and location of all driveways, streets and roads, parking and loading areas, and existing and proposed pedestrian circulation system.
8. A utility, drainage and stormwater runoff plan.
9. A plot plan of all proposed landscaping including the types of plants and screening to be used.
10. Any other information deemed pertinent by the City staff.

17.88.090 Development and Design Standards

1. Lot area and width requirements may be reduced where the site plan is such that light, air and privacy are provided.
2. Building and development coverage of individual parcels may exceed the percentage permitted by the underlying zone, provided that overall coverage of the project does not exceed the percentage permitted by the underlying zone.
3. Building height may exceed the maximum permitted by ordinance, provided that the project 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.
4. Structures located on the perimeter of the PRD shall be setback in accordance with front yard setbacks of the underlying zone.
5. 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 (5) feet for each foot of excess height.

17.88.100 Density Bonus

Increases in density over that permitted in the underlying zone are permitted as follows:

1. Provisions for open space, as identified in subsection K: Ten percent increase (+10%).

2. Preservation of a natural feature such as, but no limited to, a wetland, stream corridor, unique geological feature, substantial overstory vegetation, etc.: Ten percent increase (+10%)
3. Preservation of a scenic vista corridor (s) within and off-site: Ten percent increase (+10%).
4. Unique landscaping throughout the project site: Ten percent increase (+10%).
5. Additional open space: One percent (1%) increase in density for each one percent (1%) increase in open space over the minimum required.

The total, allowable maximum density increase shall not exceed 30%.

17.88.110 Open Space

1. Common open space shall comprise at least thirty percent (30%) of the gross area of the PRD, and shall be used as a recreational, park or environmental amenity for collective enjoyment by occupants of the development. Common open space shall not include public or private streets, driveways, parking areas, or the required yards for buildings or structures; provided, however, that up to thirty percent (30%) of the required open space may be composed of open space on contiguous privately owned properties reserved by easement or covenant to assure that the open space will be permanent.
2. Common open space areas may not be computed to include any submerged.
3. At least fifty percent (50%) of the common open space area must be usable for active or passive recreation, and which is also not utilized as a utility improvement or structure.
4. Common open space may contain such structures and improvements as are necessary and appropriate for the out-of-doors enjoyment of the residents of the PRD.
5. The developer shall provide a bond or other financial assurance acceptable to the City Council that any improvements made in the common open space will be completed. The City shall release the bond or other assurance when

- the improvements have been completed in accordance with the development plan.
6. Before approval of the final development plan may be granted, the developer shall submit to the city covenants, deeds and/or homeowners' association by-laws and other documents guaranteeing maintenance, construction and common fee ownership, if applicable, of open space, community facilities, private roads and drives, and all other commonly owned and operated property. These documents shall be reviewed and approved by the city attorney to insure that they comply with the requirements of this chapter prior to approval of the final development plan by the city. Such documents and conveyances shall be recorded, with the County Auditor as a condition of any final development plan approval.
 7. All common open space shall be landscaped in accordance with the landscaping plan submitted by the applicant and approved by the city. Natural landscape features which are to be preserved, such as existing trees, drainage ways, etc., may be accepted as part of the landscaping plan.

17.88.120 Expiration and Extensions

1. If a final development plan is not approved within three (3) years of the date of preliminary development plan approval, and an extension of time has not been granted, the PRD approval shall expire.
2. Knowledge of the expiration date and initiation of a request for an extension of time is the responsibility of the applicant. Requests for an extension of time must be submitted to the Planning Department at least thirty (30) days prior to the expiration of PRD approval. The Planning Department shall schedule the request for extension for public hearing before the Hearing Examiner. One extension is the maximum to be granted and it shall be for no more than two (2) years and the PRD may be subject to any new or amended regulations, requirements, policies or standards which are adopted after the original date of approval, unless there has been substantial on site work completed.

17.88.130 Minor and Major Adjustment of the Final Plan

1. Minor adjustments may be made and approved when a building permit is issued. Any such alteration must be approved by the Planning Director. Minor adjustments are those which may affect the precise dimensions or siting of buildings (i.e., lot coverage, height, setbacks), but which do not affect the basic character or arrangement and number of buildings approved in the plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than ten percent (10%) from the original.
2. Major amendments are those which substantially change the character, basic design, density, open space or other requirements and conditions of the final plan. When a change constitutes a major amendment, no building or other permit shall be issued without prior review and recommendation by the Hearing Examiner, and approval by the City Council, of such amendment.

17.88.140 Parties Bound

Once the development plan is approved, all persons and parties, their successors, heirs or assigns, who own, have or will have, by virtue of purchase, inheritance or assignment, any interest in the real property within the proposed PRD, shall be bound by the conditions of approval of the development and these shall be recorded as a covenant to any deed with the land.

CHAPTER 17.90

PLANNED UNIT DEVELOPMENT

SECTIONS

- 17.90.010 Intent
- 17.90.020 Approval (Council Action)
- 17.90.030 Parcel Characteristics

17.90.040 Requirements

17.90.050 Findings

17.90.060 Approval

17.90.070 Application Available

17.90.080 Duration of Approval

17.90.010 Intent

The intent of Planned Unit Developments is to allow and make possible greater variety and diversification in the relationships between buildings, open spaces, and uses, and to encourage the conservation and retention of historical and natural topographic features, while meeting the purposes and objectives of the comprehensive plan. To accomplish this purpose the underlying district regulations such as, but not limited to, setback lines, density, uses, and height and bulk of buildings, may be varied. Provided, however, such variances shall not conflict with the comprehensive plan and existing uses, nor create adverse environmental affects. A planned unit development may be allowed in any district.

17.90.020 Approval of Planned Development

The City Council, after receiving recommendations from the Hearing Examiner, shall approve, approve with conditions, or disapprove proposed planned unit developments, subject to a public hearing and the provisions of this Chapter. Changes in a proposed planned unit development including use, expansion of continuation of site area, or alteration of structures shall not be allowed unless all regulations in this Chapter are complied with including this approval procedure.

17.90.030 Parcel Characteristics

No planned unit development application shall be made for an area of less than two (2) acres unless the City makes the following findings:

1. An unusual physical or topographical feature of importance, exists on the site or in the neighborhood, which can be conserved and still leave the applicant equivalent use of the land by the use of a planned unit development.

2. The property or its neighborhood has a historical character of importance to the community that will be protected by use of a planned unit development.
3. The property is adjacent to or across the street from property which has been developed or redeveloped under a planned unit development, and a planned unit development will contribute to the maintenance of the amenities and values of the neighboring planned unit development.

17.90.040 Requirements

The use of a planned unit development shall be as follows:

1. All private roads and drives and/or vehicle maneuvering area shall have an unobstructed width consistent with traffic loads and overall design of the planned unit development, and shall be constructed so that the roadway pavement structure meets City standards. The configuration and design of such facilities shall be approved by the Public Works Director.
2. All provisions for vehicle parking shall be in designated parking areas.
3. Uses at variance with the underlying district shall be compatible with, and no more detrimental than, those uses specifically listed for a district. Mixed uses may be allowed.
4. No open area may be accepted as common open space within a planned unit development, unless it meets the following requirements:
 - a. The location, shape, size, and character of the common open space is suitable for the planned unit development.
 - b. The common open space is for preservation of natural flora and fauna, amenity or recreational purposes, and the uses authorized are appropriate to the scale and character of the planned unit development, considering its size, density, expected

- population, topography, and the number and type of dwelling provided.
- c. Common open space will be suitably improved for its intended use, except that common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements to be permitted in the common open space are those appropriate to the uses which are authorized for the common open space.
 - d. Land shown in the final development plan as common open space, and landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following:
 - i. An association of owners shall be formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and by-laws, and adopt and improve a declaration of covenants and restrictions on the common open space that are acceptable to the City, in providing for the continuing care of the space. No common open space may be put to a use not specified in the final development plan unless the final development plan is first amended to permit the use. No change of use may be considered as a waiver of any of the covenants limiting the use of common open space areas, and all rights to enforce these covenants against any use permitted are expressly reserved to the City as well as the owners.
 - ii. A public agency which agrees to maintain the common open space and any buildings, structures, or other improvements which have been placed on it.

17.90.050 Findings

In approving the preliminary development plans, conditionally or otherwise, the Hearing Examiner shall first find that all of the following conditions exist:

1. That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking loading, landscaping, and other features necessary to ensure compatibility with and not inconsistent with the underlying district.
2. That the site for the proposed use relates to streets, adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed uses and that adequate public utilities are available to serve the proposal.
3. That the proposed use will have no significant adverse effect on existing uses or permitted uses.
4. That the establishment maintenance and/or conducting of the uses for which the development plan review is sought will not, under the circumstances of the particular case be detrimental to the public welfare, injurious to the environment, nor shall the use be inconsistent with or injurious to the character of the neighborhood or contrary to its orderly development.

17.90.060 Approval

1. The following information shall be submitted for Hearing Examiner and City Council review of the preliminary development plans:
 - a. A copy of the site plan drawn to scale, showing the proposed layout.
 - b. A landscape plan drawn to scale, showing the location of landscape areas.
 - c. A written statement by the landowner or his agent setting forth the reasons why this planned unit development would be consistent with the goals and policies of the comprehensive plan.
2. The following information shall be submitted for Hearing Examiner and City Council review and approval of the final development plan:
 - a. Environmental checklist or environmental impact statement, if required.
 - b. Seven copies of a site plan drawn to scale and dimensioned, showing the existing topography at five (5) foot contour intervals, the proposed layout of structures, off-street parking and loading

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- areas, landscape areas, pedestrian walks, driveways, ornamental lighting, screening, fences, and walls.
- c. Seven copies of a landscape plan, drawn to scale and dimensioned, showing the location of proposed landscape areas, together with varieties and size of plant materials to be used, together with the method of maintenance, also, other landscape features such as screening, fences, lighting, and signing shall be indicated.
 - d. Copies of architectural drawings or sketches, drawn to scale, including floor plan and elevation indicating types of materials and colors to be used may be required.
 - e. A schedule showing the proposed time and sequence within which the applications for final approval of all sections of the planned unit development are intended to be filed.
3. Within 3 years following the approval of the development plan, the applicant shall file with the City Council a final development plan containing in final form the information required in the preliminary plan. The City Council may extend the period up to a maximum of one year. If the City Council finds that the final development plan is consistent with the preliminary development plan approval, and that all conditions of the preliminary development plan approval have been satisfied, it may approve the final development plan in total, or in phases.
4. In granting any planned unit development, the City Council may require adequate guarantees of compliance with the final development plan. Such guarantee may be a performance bond or other form of security in an amount sufficient to assure compliance, and may provide that such security be reduced as stages of construction are completed. Alternatively, or in addition to the security, conditions may be imposed requiring other adequate assurances that the structures and improvements will be completed, subject to review and approval as to form by the City Attorney, or that the City may, in the event of the applicant's failure to comply, take the steps necessary to assure compliance,

including performing the construction or maintenance itself, and levy a lien for all costs thereof against the property.

17.90.070 Application to be Available for Public Inspection. From the time of the filing of the application until the time of final action by the City Council, the application together with all plans and data submitted shall be available for public inspection in the office of the Planning Director.

17.90.080 Duration of Approval. Construction on the project must commence within twelve (12) months from the date of final Council action; otherwise, the approval of the application becomes null and void.

CHAPTER 17.96

SITE PLANS

SECTIONS

- 17.96.010 Intent
- 17.96.020 Applicability
- 17.96.030 Site Plans and Review
- 17.96.040 Preliminary Site Plan Conference
- 17.96.050 Contents of Application
- 17.96.060 Application Open for Public Inspection
- 17.96.070 Duration of Approval
- 17.96.840 Amendments to a Site Plan

17.96.010 Intent. This Chapter is intended to provide procedures for the review of site plan applications. Site plan review is intended to insure that development projects carried out in given zoning districts are executed in a manner consistent with existing ordinances concerning public utilities, traffic, facilities, and services and provide unified site design, access,

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landscaping, screening, building placement, and parking lot layout. The site plan review process is not intended to review and determine the appropriateness of a given use on a given site. It is intended to insure that development of a site will provide the features necessary to protect the health, safety, and general welfare of the citizens of the City of Gig Harbor.

17.96.020 Applicability. Site plan review and approval shall be required prior to issuance of a building permit when provided under this section.

- A. Site plan review and approval shall be required for all non-residential uses, or for the location of any building or multi-family development in which more than two (2) dwelling units would be contained, and shall apply throughout the City of Gig Harbor.. Planned unit developments and divisions of land of four (4) lots or less are exempted from review.
- B. The expansion of a building or development exceeding twenty percent (20%) of the existing floor or site area, or any one thousand (1,000) square foot addition, thereto, whichever is the lessor.
- C. The change of use or occupancy of any existing building or development, as defined per the Uniform Building Code.

17.96.030 Site Plans and Review. Any use that is subject to the requirements for a site plan review prior to issuance of building permits shall be processed in accordance with the following procedures:

- A. Application. An application for site plan approval may be filed by the property owner, lessee of the property with more than a month-to-month tenancy, or authorized agent of the property owner. These shall be submitted to the Planning Director for transmittal to the Hearing Examiner with Analysis and recommendation.
- B. Hearing Examiner Review. The Planning Director shall assign a date no earlier than two (2) weeks after the date of application for a public hearing before the Hearing Examiner. The site plans will be forwarded to the Examiner who shall consider the approval of the site plans with specific attention to the following:

1. Compatibility with the City's Comprehensive Plan;
2. Compatibility with the surrounding buildings' occupancy and use factors; and
3. All relevant statutory codes, regulations, ordinance, and compliance with the same.

The review and decision of the Examiner shall be in accordance with the provisions of Chapter 17.10.

17.96.040 Preliminary Site Plan Conference. Prior to applying for site plan review, a developer may present to city staff, a preliminary site plan, which shall contain a rough and approximate manner all of the information required on the site plan application. The purpose of the conference is to enable the developer to obtain the advice of city staff as to the intent, standards and provisions of this chapter with regard to the proposed plan. Information presented for preliminary site plan discussion shall be considered confidential.

17.96.050 Contents of Application. Each application for site plan review shall contain the following information:

- A. An environmental checklist when required.
- B. 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.
- C. 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 surfaces.
- D. A vicinity map showing site boundaries and existing roads and accesses within and bounding the site.
- E. A topographic map delineating contours, existing and proposed, at five (5) foot intervals and which locates existing streams, marshes and other natural

features.

- F. Site plans drawn to a scale no smaller than one inch equals thirty (30) feet showing location and size of uses, buffer areas, yards, open spaces and landscaped areas and any existing structures, easements and utilities.
- G. A circulation plan drawn to a scale acceptable to the Public Works Director illustrating all access points for the site, the size and location of all driveways, streets and roads with proposed width and outside turning radius, the location, size and design of parking and loading areas, and existing and proposed pedestrian circulation system.
- H. A drainage and storm water runoff plan.
- I. A utility plan.
- J. A plot plan of all proposed landscaping including the treatment and materials used for open spaces, and the types of plants and screening to be used.
- K. Typical building elevation and architectural style.
- L. Any other information deemed pertinent by the city staff.

17.96.060 Application Open for Public Inspection. From the time of the filing of the application until the time of final action by the City, the application together with all plans and data submitted shall be available for public inspection at the Planning Department.

17.96.070 Duration of Approval. Construction on the project must commence within twenty-four (24) months from the date of final council action; otherwise, the approval of the project becomes null and void.

17.96.840 Amendments to a Site Plan.

- A. Minor adjustments may be made and approved when a building permit is issued. Any such alteration must be approved by both the Planning Director and the Public Works Director. Minor adjustments are those which may affect the precise dimensions or siting of building (i.e., lot coverage, height, setbacks), but which do not affect the basic character or

arrangement and number of buildings approved in the plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than ten percent (10%) from the original, but shall not exceed the standards of the applicable district.

- B. Major amendments are those which substantially change the character, basic design, density, open space or other requirements and conditions of the site plan. When a change constitutes a major amendment, no building or other permit shall be issued without prior review and recommendation by the Hearing Examiner, and approval by the City Council, of such amendment.

CHAPTER 17.100

AMENDMENTS

SECTIONS

- 17.100.010 Authority to Amend
- 17.100.020 Manner of Initiation
- 17.100.030 Report to the City Council
- 17.100.040 Hearing Prior to Amendment
- 17.100.050 Amendment Determination
- 17.100.060 Amendment Recording
- 17.100.070 Amendment Procedure

17.100.010 Authority to Amend. Whenever the public health, safety, general welfare, modifications to the Comprehensive Plan, or good zoning practice requires, the City Council may amend, supplement, modify, repeal, or otherwise change these regulations and the boundaries of the Districts in conformity with the provisions of this Chapter and in accordance with the Comprehensive Plan.

17.100.020 Manner of Initiation. Changes in this Title

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may be initiated in the following manner:

A. Source.

1. The City Council upon its own motion may initiate changes in this title.
2. The Planning Commission upon its own motion may initiate changes in this Title.
3. Any individual, corporation, or agency other than those listed above may initiate changes in this Title subject to the following:
 - a. For a zoning map amendment, the initiating individual, corporation, or agency must be the owners or owner of a majority of the land in the petition area; and
 - b. For an amendment to the text of this Title, the initiating individual, corporation, or agency must be an owner of real property within the City of Gig Harbor.

B. Form. An application for a change in the boundary of a District or the text of this section shall be filed with the Planning Department and shall be accompanied by such data and information as are necessary to assure the fullest practicable presentation of the facts. It shall set forth reasons and justification for proposing a change.

C. Minimum Area. Except for the extension of existing District boundaries, no change in any use District, classification, or official zoning map shall be considered, if it contains fewer than two (2) acres as measured without including streets or alley rights-of-way.

D. The City Council shall not consider any proposed amendment to the zoning map that is substantially the same as any other proposed amendment submitted within the previous twelve (12) months which was disapproved.

17.100.030 Public Hearing and Notification. Public hearings and notifications related thereto shall be accomplished in accordance with the procedures and requirements established pursuant to Section 17.01.080, except that for amendments to the text of the Title, a public hearing shall be conducted by the Planning

Commission. The Planning Commission's action shall be a recommendation to the City Council.

17.100.040 Report to the City Council. The City Council shall consider the report and recommendation of the Hearing Examiner or Planning Commission on any proposed change or amendment regardless of the manner in which such change is initiated. Such report shall base its conclusion on the following criteria:

- A. That the request for reclassification furthers the goals, policies, and objectives of the Comprehensive Plan.
- B. That there has been a change in conditions upon which the existing zoning classification is based, sufficient to demonstrate that the current classification does not meet the public's interest. A changed condition constitutes a substantial and material change which was not anticipated nor foreseen since the adoption of the Comprehensive Plan or the last area zoning.
- C. That the requested classification will further the public's health, safety, and general welfare.

17.100.050 Amendment Determination. The City Council shall consider a recommendation for change in the boundary of a District or any other recommendation proposing a change in this Title together with the report of the Planning Director and the Hearing Examiner or Planning Commission at the City Council's next regular meeting after the receipt of such report, and if, from the facts presented by the findings of the report, it is determined that the public health, safety, and general welfare would be preserved, and change or amendment is in keeping with the spirit and intent of the Comprehensive Plan, the City Council, by ordinance, shall approve such amendment, supplemental change, or reclassification.

17.100.060 Amendment Recording. All changes of the District boundaries shall be filed within the office of the City Clerk and shall be noted on the appropriate official zoning map.

17.100.070 Amendment Procedure. Amendments to this Title or District boundaries shall comply with the requirements of Title 1, Chapter 1.08 Ordinance Passing Procedure, of the Gig Harbor Municipal Code.

Section 3. The following chapter of the Gig Harbor Municipal

Code is hereby modified as follows:

17.60.020 Permitted Uses.

A. In an R-1 zone, a lot which abuts upon or is located across the street or alley from property in a nonresidential zone, may be used for:

1. Two-family dwellings, provided that such lot is at least ~~fifteen~~ fourteen thousand square feet in size;...

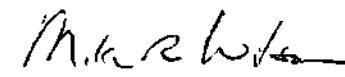
Section 4. If any section, sentence, clause, or phrase of this ordinance, or the statutes adopted herein by reference, should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

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

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this 26th day of February, 1990.


Gretchen A. Wilbert, Mayor

ATTEST:



Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 12/12/89
Passed by city council: 2/26/90
Date published: 3/28/90
Date effective: 4/2/90

ORDINANCE NO. 710

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, MAKING ADJUSTMENTS TO THE CODE TO PERMIT FAMILY DAY CARE AND ADULT FAMILY HOMES IN RESIDENTIAL DISTRICTS, PERMITTING MANUFACTURED/MOBILE HOME SUBDIVISIONS AND PARKS IN RESIDENTIAL ZONES, REVISING THE PARKING STANDARDS TO ALLOW SHARED PARKING IN THE DOWNTOWN BUSINESS DISTRICT, DEFINING COMPLETE APPLICATION AND PERMIT TYPE FOR VARIANCES, CONDITIONAL USE AND SPECIAL USE PERMITS AND AMENDING SECTIONS 17.12.020, 17.16.020, 17.16.030, 17.16.040, 17.16.070, 17.16.080, 17.20.010, 17.20.020, 17.20.030, 17.20.050, 17.20.060, 17.20.070, 17.24.020, 17.24.030, 17.24.050, 17.24.060, 17.28.010, 17.28.020, 17.28.030, 17.28.060, 17.28.070, 17.30.020, 17.30.050, 17.30.070, 17.30.110, 17.30.030, 17.31.080, 17.31.110, 17.32.010, 17.32.020, 17.32.030, 17.32.040, 17.32.050, 17.26.020, 17.36.030, 17.36.080, 17.36.120, 17.40.020, 17.40.030, 17.40.040, 17.40.050, 17.40.070, 17.40.080, 17.40.100, 17.46.020, 17.46.040, 17.46.060, 17.46.040, 17.48.060, 17.50.040, 17.50.050, 17.50.060, 17.62.010, 17.62.020, 17.62.030, 17.66.020, 17.68.010, 17.68.040, 17.68.050, 17.72.020, 17.72.030, 17.78.020, 17.78.050, 17.28.070, 17.78.080, 17.78.090, 17.78.110, 17.84.030, 17.89.020, 17.89.030, 17.89.030, 17.89.070, 17.89.120, 17.89.130, 17.90.010, 17.80.020, 17.90.020, 17.90.030, 17.90.040, 17.90.060, 17.90.070, 17.90.080, 17.96.030, 17.96.050, 17.96.080, 17.100.020, 17.100.025, 17.100.030, 17.100.040; ADDING NEW SECTIONS 17.16.080, 17.24.070, 17.32.033, 17.32.035, 17.36.060, 17.40.055, 17.40.075, 17.62.040, 17.64.015, 17.64.045, 17.66.015, 17.66.025, 17.72.060, 17.72.060, 17.72.070, 17.100.035; REPEALING SECTIONS 17.16.060, 17.16.040, 17.64.090, 17.102.010 AND 17.100.050 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the Growth Management Act requires that local government planning under the act must adopt development regulations which implement comprehensive plans; and,

WHEREAS, the State Regulatory Reform Act of 1995 requires local governments planning under RCW 36.70A to consolidate permit processes to meet the requirements of the act; and,

WHEREAS, the current zoning code, which was last updated in 1991, is in need of refinement to reflect current state law; and,

WHEREAS, updating the zoning code is in the public's health, interest, welfare and safety as it implements the goals and policies of the amended City of Gig Harbor Comprehensive Plan of November, 1994; and,

WHEREAS, there are many policy areas relevant to administrative procedures which should be amended to increase the efficiency of land use permit processing within the city; Now, Therefore,

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

Section 1. Section 17.12.010 of the Gig Harbor Municipal Code is hereby amended as to read as follows:

17.12.010 Districts established. The city is divided into the following use districts:

- A. Single-family residential (R-1);
- B. Medium density residential (R-2);
- C. Multiple-family residential (R-3);
- D. Residential business 1 (RB-1);
- E. Residential business 2 (RB-2);
- F. Downtown business (DB);
- G. ~~General business~~ Neighborhood Commercial (B-1);
- H. General business (B-2);
- I. General commercial (C-1);
- J. ~~Westside commercial (WSC)~~ Public-Institutional (PI);
- K. Waterfront residential (WR);
- L. Waterfront Millville (WM);
- M. Waterfront commercial (WC).
- N. Employment District (ED)

Section 2. Section 17.16.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.16.020 Permitted principal uses and structures. The following principal uses and structures are permitted in an R-1 district:

- A. Single-family dwelling;
- B. ~~Agricultural uses including nurseries and truck gardens as long as objectionable odors or dust are not created;~~ Adult family homes
- C. Publicly owned and operated parks and playgrounds;
- D. Temporary buildings for and during construction;
- E. Family day care and adult family homes;
- F. Uses and structures that are necessary or desirable adjuncts to permitted uses and structures and are under the management and control of the person, organization or agency responsible for the permitted principal use or structure.

I. Manufactured housing in approved manufactured housing subdivisions.

J. Home occupations subject to chapter 17.84.

Section 3. Section 17.16.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.16.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in an R-1 district:

~~A. Child care facilities serving more than six children outside of a home in an institution;~~

~~A.~~ ~~B.~~ Public utilities and public service uses such as libraries, electric substations, telephone exchanges and police, fire and water facilities;

~~B.~~ ~~C.~~ Schools, including playgrounds and athletic fields incidental thereto;

~~C.~~ ~~D.~~ Houses of religious worship, rectories and parish houses;

~~E.~~ Home occupations;

~~D.~~ ~~F.~~ Bed and breakfast establishments;

~~E.~~ ~~G.~~ Accessory apartment which meet the criteria as established under Section 17.64.045. ~~When reviewing a conditional use request for an accessory apartment, the hearing examiner shall consider the following guidelines:~~

~~1.~~ ~~The required parking space for the accessory apartment is placed behind the primary structure or is paved with grass block pavers to avoid an expansive area of hard surface;~~

~~2.~~ ~~The accessory apartment is attached to or placed at least six feet behind the primary structure;~~

- ~~3. The design of the accessory apartment is incorporated into the primary unit's design with matching materials, colors, window style and roof design;~~
- ~~4. The entrance to the accessory apartment is oriented away from the view of the street or is designed to appear as a secondary entrance to the primary unit (e.g., garage entrance or service porch entrance);~~
- ~~5. Utilities for the accessory apartment shall be metered separate from the primary dwelling unit;~~
- ~~6. The accessory apartment and the primary unit conforms to all other building and zoning code requirements.~~

Section 4. Section 17.16.040 of the Gig Harbor Municipal Code is hereby repealed.

Section 5. Section 17.16.060 of the Gig Harbor Municipal Code is hereby repealed.

Section 6. Section 17.16.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.16.0760 Development standards. In an R-1 district, the minimum lot requirements are as follows:

A. ¹ Minimum lot area per building site <u>for short plats</u>	12,000 square feet
B. ¹ Minimum lot width	70'
C. ² Minimum front yard setback	25'
D. Minimum rear yard setback	30'
E. Minimum side yard setback	8'
F. Maximum impervious lot coverage	40%
G. Minimum street frontage	20'
H. <u>Maximum Density</u>	<u>3 dwelling units/acre</u>

¹A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7% of the lot area, in lineal feet.

²In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line; provided, such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties ~~in the opinion of as determined by the~~ planning and public works directors. The other property line abutting a street shall be deemed the

side property line. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.

² A maximum density of up to 4 dwelling units per acre may be permitted within a planned residential development, pursuant to Chapter 17.89 of the GHMC.

The other property line abutting a street shall be deemed the side property line. An undersized lot or parcel shall qualify as a building site if such lot is a lot ~~on~~ of record.

Section 7. Section 17.16.080 of the Gig Harbor Municipal Code shall be amended to read as follows:

17.16.0870 Maximum height of structures. In an R-1 district, all buildings and structures shall not exceed ~~have a maximum height of 16-35~~ feet except as provided for under Chapter 17.62 GHMC, height ~~overlay district~~ restriction area

Section 8. A new Section 17.16.080 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.16.080 Height Variance for Single Family Dwellings

The maximum height of a single family dwelling may be increased, subject to the requirements established in Section 17.66.025 of this Title. Requests for a height variance is a Type II application and shall be processed in accordance with the procedures in Title 19 of the GHMC.

Section 9. Section 17.20.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.20.010 Intent. A R-2 district is intended to allow for a moderate density of land use that is greater than is permitted in an R-1 district but less than is permitted in an R-3 district, where suitable facilities such as streets, water, sewer and storm drainage are available. An R-2 district provides a transition between a higher density residential district in order to preserve the primarily residential character of existing lower density residential areas.

Section 10. Section 17.20.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

H.G. Home occupations subject to Chapter 17.84 GHMC.

I. Manufactured housing in approved manufactured housing subdivisions or parks.

J. Home occupations

Section 10. Section 17.20.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.20.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in an R-2 district:

~~A.~~ Child care facilities serving more than six children outside of a home in an institution;

A.B. Public utilities and public service uses such as libraries, electric substations, telephone exchanges, and municipal service facilities;

~~B.C.~~ Schools, public and private, including accessory playgrounds and athletic fields;

~~C.D.~~ Houses of religious worship, rectories and accessory buildings;

~~D.E.~~ Bed and breakfast establishments;

~~E.F.~~ Nursing and retirement homes;

F.G. Recreational buildings and community centers.

Section 11. Section 17.20.040 of the Gig Harbor Municipal Code is hereby repealed.

Section 12. Section 17.20.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.20.050_040 Development standards. In a R-2 district, the minimum lot requirements are as follows:

	7000- to 12000	Single Family Dwelling 12000+	Duplex Dwelling	Nonresidential
Minimum lot area per building site in square feet		12000	14000	12000
Minimum lot width	50'	70'		70'
Minimum front yard setback	25'	25'	25'	25'
Minimum rear yard	25'	25'	25'	30'

Minimum interior side yard	7'	8'	8'	10'
Maximum impervious lot coverage	40%	40%	45%	50%
Minimum street frontage	20'	20'	20'	20'

A.	Minimum lot area for short plats:	7000 square feet/dwelling unit
B.	¹ Minimum lot width:	50 feet
C.	¹ Minimum front yard:	25 feet
D.	Minimum side yard:	7 feet
E.	Minimum rear yard:	25 feet
F.	Maximum site coverage:	40 % of the total lot area.
G.	² Maximum density:	6 dwelling units per acre

¹A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7% of the lot area, in lineal feet.

²In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line; provided, such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties in the opinion of as determined by the planning and public works directors. The other property line abutting a street shall be deemed the side property line. An undersized lot or parcel shall qualify as a building site if such lot is a lot on record.

² A maximum density of up to 7.8 dwelling units per acre may be permitted within a planned residential development, pursuant to Chapter 17.89 of the GHMC.

Section 13. Section 17.20.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.20.060 Maximum height of structures. In an R-2 district, all buildings and structures shall not exceed ~~have a maximum height of 16~~ 35 feet except as provided for under Chapter 17.62 GHMC, height overlay district restriction area

Section 14. Section 17.24.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.24.020 Permitted principal uses and structures. The following principal uses and structures are permitted in an R-3 district:

- A. Duplexes and multiple-family dwellings up to eight attached dwelling units per structure;
- B. Bed and breakfast establishments;
- C. Nursing and retirement homes subject to the basic density requirements of the district;
- D. Adult family homes;
- E.D. Family day care;
- F.E. Publicly owned parks and playgrounds; and
- G.F. Accessory uses and structures such as:
 - 1. Temporary buildings for and during construction, and
 - 2. Uses and structures that are normal, necessary or desirable adjuncts to permitted uses.
- I. Manufactured housing in approved manufactured housing subdivisions or parks.
- J. Home occupations as established in chapter 17.84.

Section 15. Section 17.24.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.24.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in an R-3 district:

- ~~A. Child care facilities serving six or more children outside of a home in an institution;~~
- A.B. Public utilities and public services uses such as libraries, electrical substations, telephone exchanges and police and fire and water facilities;
- B.C. Recreational buildings and community centers;
- C.D. Schools, public and private;
- D.E. Houses of religious worship, rectories and parish houses;
- E.F. Private nonprofit clubs;
- F.G. Parking lots; and
- G.H. Single-family dwellings.

Section 16. 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:

Single Family Dwelling	Duplex Dwelling	Three or more units	Nonresidential

Minimum lot area per building site in square feet	7000	14000	20000	12000
Minimum lot width	70'	70'	70'	70'
Minimum front yard setback	25'	25'	25'	25'
Minimum rear yard	25'	25'	15'	30'
Minimum interior side yard	8'	8'	8'	10'
Maximum impervious lot coverage	40%	40%	65%	50%
Minimum street frontage	20'	20'	20'	20'

A.	¹ Minimum area for short plats:	<u>5400 square feet/dwelling unit</u>
B.	¹ Minimum lot width:	<u>50 feet</u>
C.	² Minimum front yard:	<u>20 feet</u>
D.	Minimum side yard:	<u>7 feet</u>
E.	Minimum rear yard:	<u>25 feet</u>
F.	Maximum site coverage:	<u>60 % of the total lot area.</u>
G.	³ Maximum Density	<u>8 dwelling units per acre</u>

¹A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7% of the lot area, in lineal feet.

²In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line; provided, such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties ~~in the opinion of~~ as determined by the planning and public works directors. ~~An undersized lot shall qualify as a building site if such lot is a lot of record. The maximum density in an R-3 district is eight dwelling units per acre.~~

³ A maximum density of up to 10.4 dwelling units per acre may be permitted within a planned residential development, pursuant to Chapter 17.89 of the GHMC.

Section 17. Section 17.24.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.24.060 Maximum height of structures. In an R-3 district, all buildings and structures shall not exceed have a maximum height of ~~16~~ 35 feet in height except as provided for under Chapter 17.62 GHMC, height overlay district restriction area

Section 18. Section 17.28.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.28.010 Intent. An RB-1 district is intended to provide a mix of residential uses with certain specified business, personal and professional services. It is also intended to serve as a buffer between high intensity commercial and lower density residential uses. The regulations and restrictions in an RB-1 district are intended to protect and preserve residential uses while permitting business uses characterized principally by professional and consultive services or executive and administrative offices, compatible with single-family residential development. To this extent, non-residential structures should be limited in total gross floor area per lot in order to minimize the impact of bulk and scale to residential neighborhoods.

Section 19. Section 17.28.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.28.020 Permitted uses and structures. The following principal uses and structures are permitted in an RB-1 district:

- A. All uses permitted in the R-1 district;
- B. Bed and breakfast establishments;
- C. ~~Business and Professional offices and personal services;~~
- D. Publicly owned parks and playgrounds;
- E. Temporary buildings for and during construction;
- F. ~~Uses and structures that are necessary or desirable adjuncts to permitted uses and structures and are under the management and control of the person, organization or agency responsible for the permitted principal use or structure;~~
- G.F. Uses which complement or facilitate permitted uses such as parking facilities or public plazas; and
- H. G. Pharmacies solely incidental to medical offices.
- I. Mobile/Manufactured home parks or subdivisions.
- J. Family Day Care
- K. Adult Family Homes

Section 20. Section 17.28.030 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.28.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in an RB-1 district:

- A. Nursing homes and retirement facilities;
- B. Child care facilities ~~containing more than six children~~;
- C. Public utilities and public service uses such as libraries, electrical substations, telephone exchanges and police, fire and water facilities;
- D. Recreational buildings and community centers;
- E. Schools, public and private;
- F. Outdoor recreational activities.
- G. Houses of religious worship

17.28.050 - Minimum Development Standards

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

	Single	Non-
	Family	residential
A. Lot area (square feet)	12,000	12,000
B. Lot width (feet)	70'	70'
C. Nonresidential yards:		
1. Front	20	20
2. Side	10	10
3. Rear	15	15
Abutting R-1/R-2 district	30 feet, with dense vegetative screening	
E. Residential yards	Same as setbacks in R-3 district	
F. Maximum impervious coverage	50%	60%
G. Minimum street frontage	20'	50'
	<u>Residential</u>	<u>Non-residential</u>
A. Minimum lot area (square feet)	12,000	15,000
B. Minimum lot width	70'	70'
C. Minimum front yard setback	20'	20'
D. Minimum rear yard setback	25'	15'
E. Minimum side yard setback	7'	10'
F. Maximum impervious lot coverage	50%	60%
G. Minimum street frontage	20'	50'
H. Maximum Density	3 dwelling units/acre	

~~I. More than one principal structure may be allowed on a single lot in an RB-1 district. Any yard abutting a single family residence shall be required to maintain a 30' wide dense vegetated screen.~~

~~I. An undersized lot of record shall qualify as a building lot provided it cannot be combined with another lot and; provided further, that compliance with the setback and coverage requirements are met.~~

~~J. Parking is not permitted in the side yards. Parking in front and rear yards is permitted, provided that a minimum landscape buffer of 10 feet is provided. In rear yards, a dense vegetative screen shall be provided between the parking area and any adjacent residence.~~

Section 21. Section 17.28.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.28.060 Maximum height of structures. In an RB-1 district, all buildings and structures shall not exceed have a maximum height of 16-35 feet in height except as provided for under Chapter 17.62 GHMC, height overlay district restriction area.

Section 22. Section 17.28.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.28.070 Parking and loading facilities. In an RB-1 district, parking and loading on private property shall be provided in connection with any permitted or conditional use as specified in Chapter 17.72 GHMC. Parking is not permitted in the side yards. Parking in front and rear yards is permitted, provided that a minimum landscape buffer of 10 feet is provided. In rear yards, a dense vegetative screen shall be provided between the parking area and any adjacent residence.

Section 23. Section 17.30.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.30.020 Permitted uses and structures. The following uses and structures are permitted in an RB-2 district:

- A. Multiple-family dwellings;
- B. Bed and breakfast accommodations;
- C. Business and Professional offices or services as described in GHMC 17.28.020;
- D. Retail uses clearly accessory to the principal office use of a structure;

- ~~E. Day care centers containing six or fewer children; Family Day Care~~
- ~~E. F. Publicly owned parks and playgrounds; and~~
- ~~F. G. Banking institutions.~~
- G. Mobile/Manufactured home parks and subdivisions.
- H. Adult Family Homes

Section 24. Section 17.30.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

* * *

I. Hotels and motels

Section 25. Section 17.30.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.30.050 Development standards. In an RB-2 district, development standards shall be satisfied for all new and redeveloped uses requiring site plan review:

- A. Minimum lot area: 12,000 square feet;
- B. Minimum lot width: 70 feet;
- C. Front yard setback: 20 feet;
- D. Side yard setback: 8 feet;
- E. Rear yard setback: 15 feet;
- F. Any yard abutting an existing residential use or zone: 40 feet with dense vegetative screening. Easements not having dense vegetative screening are not included
- G. Maximum Density: Eight dwelling units per acre permitted outright; 12 dwelling units per acre ~~maximum~~ allowed as a conditional use.

Section 26. Section 17.30.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.30.070 Maximum building height.

~~Maximum building height in an RB-2 district shall be limited as follows:~~

- ~~—— A. Twenty eight feet within the first 100 feet of an existing residential use or zone;~~
- ~~—— B. Thirty five feet for structures located more than 100 feet from an existing residential use or zone.~~ In an RB-2 district, all buildings and structures shall not exceed have a maximum height of 16–35 feet except as provided for under Chapter 17.62 GHMC, height overlay district restriction area

Section 27. Section 17.30.110 of the Gig Harbor Municipal Code is hereby amended to read as follows:

~~17.30.110—Supplemental standards. Performance standards. In an RB-2 district, the development standards set forth in GHMC 17.58.060 through 17.58.110 shall be applicable to this chapter.~~

In an RB-2 district, performance standards are as follows:

A. Exterior Mechanical Devices. Air conditioners, heating, cooling and ventilating equipment, pumps and heaters and all other mechanical devices shall be screened.

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

C. Outdoor Storage of Materials. The outdoor storage of materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture, is permitted as an incidental or accessory activity of a permitted use or the principal feature of a conditional use. Such storage shall be screened by a wall, fence, landscaping or structure from surrounding properties and streets.

D. Outdoor Lighting. Within 100 feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Such lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

E. Trash Receptacles. Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

Section 28. Section 17.31.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.31.080 Maximum height of structures. In the DB district, all buildings and structures shall have a maximum height of 16 feet ~~except as provided for under Chapter 17.62 GHMC, height overlay district.~~

Section 29. Section 17.31.110 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.31.110 Performance standards. In a DB district, performance standards are as follows:

* * *

D. Outdoor Display of Merchandise. The outdoor display of merchandise is limited to the area immediately along the building frontage a maximum distance of twelve feet from the building. Out door displays of merchandise on public sidewalks or right-of-ways shall be regulated per Chapter 12.02 of the Gig Harbor Municipal Code.

E. Outdoor Lighting. Within 100 feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Such lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

F. Trash Receptacles. Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

Section 30. Section 17.32.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.32.010 Intent. This district is intended to provide shopping facilities close to residential areas for the convenience of nearby residences in satisfaction of only daily or frequent shopping needs, while reducing the hazards of local traffic by limiting the kinds of retail activities to those suitable for stores of 40,000 5,000 square feet of floor area or less per parcel, such as groceries, bakeries or drugstores. Residential uses, subordinate to the principal commercial use, are suitable for this district. The protective standards for site development contained in this chapter are intended to minimize any adverse effect of such development on nearby property values, and to provide for safe and efficient use of the development itself. ~~Submission of a site development plan is intended to serve as a guide to the city council and planning commission for the evaluation of the application in terms of the public interest. Such information is further intended to substantiate a finding that the proposed development will promote the general welfare of the city. It is further intended that any financial responsibility of the developer for work to be done on city streets bounding or giving access to the development, which arises out of the provisions of this chapter, be made the subject of a contractual agreement between the developer and the city, and that~~

~~such contractual agreement may contain provisions to effectuate any other Chapter of this chapter.~~ The principles or guidelines to be applied are as follows:

A. All business establishments shall be retail or service establishments dealing directly with consumers, and only those goods shall be produced that are sold on the premises. Residential uses are allowed, if they are subordinate to the principal commercial use on the site and providing that they do not occupy the groundfloor of the structure.

B. The maximum gross floor area for a non-residential structure occupied by any business establishment shall not exceed ~~10,000~~ 5,000 square feet per lot, exclusive of required parking.

C. All business shall be conducted within completely enclosed buildings.; ~~no~~ Open or drive-in establishments being permitted are not permitted.

Section 31. Section 17.32.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.32.020 Permitted uses. Subject to the regulations of GHMC 17.32.030, the following uses are permitted in a B-1 district:

A. All uses permitted in an R-2 district, with the exception of detached single family dwellings;

B. Barbershops and beauty parlors;

C. Drugstores;

D. Drycleaning and laundry receiving establishments, processing not to be done on the premises;

E. Food stores, such as grocery stores, ~~meat markets,~~ bakeries and delicatessen stores;

F. Hardware stores;

G. Laundries, of the automatic, self-service type;

H. Shoe repair stores;

I. Variety stores;

J. Temporary buildings for and during construction;

~~K. Relating to storage uses, such establishments may be permitted to conduct business outside of enclosed buildings for the purposes of storage of wheeled vehicles, trailers and other wheeled implements. Any such business conducted outside of enclosed buildings shall be within the confines of an area properly secured, fenced and screened, and shall be allowed only after completion of site plan review as specified in GHMC 17.32.030;~~Residences located above the ground floor of a commercial establishment.

~~L. Light manufacturing;~~

~~M. Bowling alleys;~~

~~N. Restaurants, cocktail lounges and taverns.~~

Section 32. Section 17.32.030 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.32.030 Site plans. The procedures established under Chapter 17.96 shall apply to development within this district.

~~A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the city clerk for transmittal to the city building inspector.~~

~~B. Site plans will be drawn to scale of no smaller than one inch equals 30 feet and shall include the following:~~

~~1. Location and arrangement of proposed building on lot;~~

~~2. Three contiguous property lines of adjacent property owners;~~

~~3. Location and size of off street parking to include ingress and egress as well as internal traffic circulation and service facilities;~~

~~4. Proposed landscaping to include drainage and permanent landscaping or screening which is feasible for the property within the proposed development;~~

~~5. A separate scale drawing of the exterior of the building(s) to include siding material, signs, and screening design and material;~~

~~6. A city of Gig Harbor environmental work sheet.~~

~~C. If the city clerk and the city building inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the city clerk or the city building inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the city clerk and the city building inspector for review and transmittal to the planning commission.~~

~~D. If the city clerk and the city building inspector find a variance, a conditional use permit or a rezone would be a necessary adjunct to the carrying out of the proposed plans, the applicant (s) shall be so notified, that they may make application for such variance, conditional use permit or zone change coincident with the application for site plan approval, if so desired.~~

~~E. The city clerk shall assign public hearing dates for the applicant for both the planning commission and city council and forward the site plans to the planning commission which shall, at its earliest possible regular meeting, consider approval of the plans with special attention to:~~

~~1. Compatibility with the city's comprehensive plan;~~

~~2. Compatibility with surrounding buildings, occupancy, and use factors;~~

~~3. All relevant statutory codes, regulations and ordinances and compliance with same.~~

~~F. Upon completion of its study of the site plans the planning commission shall transmit same to the city council together with a letter of approval or rejection of the plans. Should approval be recommended the letter may include recommendations for any special~~

~~restrictions or regulations deemed necessary or desirable in furthering the intent of the code pertaining to this proposed development.~~

~~G. The city council, upon receipt of the site plans, shall hold an advertised public hearing and accept or reject, with or without special restrictions or regulations, the site plans submitted.~~

~~H. The city council may require suitable performance bonds to assure compliance with all city ordinances, the amount and nature of same shall be set by the city council, and the city clerk shall arrange for same.~~

~~I. All site plans submitted shall become property of the city and shall be considered an integral part of the building permit when issued.~~

~~J. Upon approval by the city council, the city building inspector is authorized to issue permits for the proposed building(s) and/or development.~~

Section 33. A new Section 17.32.033 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.32.033 General Standards. The following general standards shall apply:

- | | | |
|----|-----------------------------------|---------------------------|
| A. | Minimum lot area: | 5,000 square feet |
| B. | Minimum lot width: | 50 feet |
| C. | Minimum front yard: | 20 feet |
| D. | Minimum side yard: | 10 feet |
| E. | Minimum rear yard: | 25 feet |
| F. | Maximum site impervious coverage: | 80 % |
| G. | Maximum Residential Density: | 4 dwelling units per acre |

Section 34. A new Section 17.32.035 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.32.035 Maximum District Area. The maximum area of a B-1 district shall not exceed 3 acres. A B-1 district may not be located within one-half mile of another commercial district.

Section 35. Section 17.32.090 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.32.090 Off-street loading. One off-street loading berth shall be provided, in accordance with Chapter 17.72 GHMC. ~~for 10,000 square feet or more of floor area up to 20,000 square feet, and one additional berth provided for each 20,000 square feet of floor area over 20,000 square feet.~~

Section 36. Section 17.32.100 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.32.100 Off-street parking.

- ~~— A. Off street parking shall be provided for residences on the basis of one space for each dwelling unit.~~
- ~~— B. Off street parking shall be provided for all other uses, in accordance with the off street parking requirements of Chapter 17.72 GHMC. Off-street parking and loading shall comply with the standards of Chapter 17.72.~~

Section 37. Section 17.36.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.020 Permitted uses. The following uses and structures are permitted in a B-2 district:

- A. Retail and wholesale sales, excluding motorized vehicles, trailers and boats;
- B. Business and professional offices;
- C. Banks and other financial institutions;
- D. Restaurants, cocktail and associated lounges and taverns (indoor dining - no drive-through);
- E. Commercial recreation, excluding drive-in theaters;
- F. Gasoline service stations and car washes; and
- G. Personal and professional services.
- H. Adult family homes
- I. Family day care
- J. Hotels and motels

Section 38. Section 17.36.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in a B-2 district:

- A. Utilities and public service uses such as libraries, electrical substations, water storage facilities, etc.;
- B. Light manufacturing and assembly;
- C. ~~Ministorage~~warehouses;
- D. Recreational buildings and community centers;
- E. Drive-in restaurants; and

F. Radio and television transmission towers.

Section 39. Section 17.36.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.060 Minimum building setback requirements.

A. Front yard 20 feet

B. Rear yard 20 feet

C. Side Yard:

1. Interior yards 5 feet

2. Flanking street 10 feet

D. Separation Between Structures 20 feet

~~D.E.~~ Any yard abutting residential development, 30 feet with dense vegetative screening.

Section 40. Section 17.36.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.080 Maximum height of structures. In a B-2 district, all buildings and structures shall not exceed a ~~maximum~~ height of ~~16-~~ 35 feet except as provided for under Chapter 17.62 GHMC, height ~~overlay district~~ restriction area.

Section 41. Section 17.36.120 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.120 Performance standards. In a B-2 district, performance standards are as follows:

A. Exterior Mechanical Devices. Air conditioners, heating, cooling and ventilating equipment, pumps and heaters and all other mechanical devices shall be screened.

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained for the life of the project ~~in a neat manner~~. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

C. Outdoor Storage of Materials. The outdoor storage of materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture, is permitted as an incidental or accessory activity of a permitted use

or the principal feature of a conditional use. Such storage shall be screened by a wall, fence, landscaping or structure from surrounding properties and streets.

D. Outdoor Display of Merchandise. The outdoor display of merchandise is limited to the area immediately along the building frontage a maximum distance of twelve feet from the building. Out door displays of merchandise on public right-of-way or sidewalks shall be regulated under the provisions of Chapter 12.02 of the Gig Harbor Municipal Code.

E.D. Outdoor Lighting. Within 100 feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Such lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

F.E. Trash Receptacles. Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

Section 42. Section 17.40.020 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.40.020 Permitted principal uses and structures. The following principal uses and structures are permitted in a C-1 district:

- A. All uses permitted in a B-2 district;
- B. Repair shops for appliances, automobiles and small equipment;
- C. The production, processing, cleaning, servicing, testing, and repair of materials, goods and products, except that junkyards, auto wrecking yards, garbage dumps and any activity that emits smoke, excessive noise, dirt, vibration or glare, or is otherwise offensive or hazardous, is prohibited;
- D. Indoor amusement establishments;
- E. Animal hospitals, clinics with overnight confinement and pounds;
- F. The sale of motor vehicles, cars and trailers, and vehicle services such as carwashes, garages, tire and battery service facilities;
- G. Boat sales and show rooms;
- H. Building material sales;
- I. Cartage and express facilities and trucking;
- J. Contractors' offices and shops;
- K. Fishing equipment supplies and repairs;
- L. Frozen food lockers;
- M. Fuel and ice sales;
- N. Commercial greenhouses;

- O. Linen towel, diaper and similar supply services and laundry facilities;
- P. Storage, warehousing and wholesaling establishments;
- Q. Light assembly or manufacturing; and
- R. All permitted uses of the waterfront.
- S. Child day ~~nursery care facilities schools~~
- T. Family day care adult family homes

Section 43. Section 17.40.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.030 Permitted accessory uses and structures. The following accessory uses and structures are permitted in a C-1 district:

- ~~A. Temporary portable buildings for and during construction; and~~
- ~~B. Uses and structures that are necessary or desirable adjuncts to permitted uses and structures and are under the management and control of the person, organization or agency responsible for the permitted principal use or structure.~~

Section 44. Section 17.40.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.040 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in a C-1 district:

- A. Hospitals, clinics and establishments for people convalescing from illness or operation;
- B. Homes for the aged;
- ~~C. Day nursery schools;~~
- ~~C.D.~~ Public utilities and public service uses such as libraries, electrical substations, telephone exchanges and police, fire and water facilities;
- ~~D.E.~~ Recreational buildings and community centers;
- ~~F. Seasonal Christmas tree sales;~~
- ~~E.G.~~ Schools, including playgrounds and athletic fields incidental thereto;
- ~~F.H.~~ Houses of religious worship, rectories and parish houses;
- ~~G.I.~~ Private and not-for-profit clubs;
- ~~H.J.~~ Planned unit developments;
- ~~I.K.~~ Home occupations;
- ~~J.L.~~ Ministorage facilities;
- ~~K.M.~~ Drive-in restaurants; and
- ~~L.N.~~ Residential uses.

Section 45. Section 17.40.050 of the Gig Harbor Municipal Code is hereby repealed.

Section 46. Section 17.40.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.070 Minimum lot requirements. In a C-1 district, the minimum site development lot-area is 6,000 square feet, and the minimum lot width is 50 feet.

Section 47. A new Section 17.40.075 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.40.075 Maximum Residential Density. The maximum residential density is 7 dwelling units per acre.

Section 48. Section 17.40.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.080 Minimum building setback requirements. In a C-1 district, there are no minimum requirements for front, side and rear building setbacks. Setback dimensions shall be determined as part of the site plan reviews of Chapter 17.96 GHMC.; ~~provided, however, that~~ Where a C-1 district abuts a residential district, the minimum yard shall be 30 feet with a dense vegetative screen located on the commercial property. The minimum separation between commercial structures on the same site shall be 20 feet.

Section 49. Section 17.40.100 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.100 Maximum height of structures. In a C-1 district, all buildings and structures shall not exceed a height of ~~46~~ 35 feet except as provided for under Chapter 17.62 GHMC, height ~~overlay district~~ restriction area.

Section 50. Section 17.46.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.46.020 Permitted uses. The following uses are permitted in a waterfront residential district:

- A. Single-family and duplex dwellings;
- B. Accessory structures clearly incidental to the residential use of the lot;
- C. Publicly owned and operated parks and shoreline viewing facilities;
- D. Home occupation;
- E. Family day care;
- F. Adult family homes

Section 51. Section 17.46.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.46.040 Development standards. ~~In a waterfront residential district, A minimum lot area for new subdivisions is not specified.~~ The minimum lot requirements are as follows:

	<u>Single Family Dwelling</u>	<u>7000 to 12000</u>	<u>Less than 7000</u>	<u>Duplex Dwelling</u>	<u>Non- reside ntial</u>
<u>Minimum lot area per buidling site in square feet</u>	<u>7000</u>			<u>15000</u>	<u>12000</u>
<u>Minimum lot width</u>	<u>70'</u>	<u>50'</u>	<u>50</u>	<u>70'</u>	<u>70</u>
<u>Minimum front yard setback</u>	<u>20'</u>	<u>20'</u>	<u>15'</u>	<u>20'</u>	<u>20</u>
<u>Minimum rear and/or cedarwood setback abutting tidelands</u>	<u>0'</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Minimum interior side yard setback</u>	<u>8'</u>	<u>5</u>	<u>5</u>	<u>8</u>	<u>10</u>
<u>Minimum street cedarwood setback</u>	<u>10</u>	<u>10</u>	<u>8</u>	<u>10</u>	<u>10</u>
<u>Maximum impervious lot coverage</u>	<u>40%</u>	<u>45%</u>	<u>50%</u>	<u>45%</u>	<u>50</u>
<u>Minimum street frontage</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20</u>

	Single	Duplex	Nonresidential
A. Minimum lot area (square feet):	7,000	14,000	12,000
B. Minimum lot width:	70 feet	50 feet	50 feet
C. ¹ Minimum front yard:	20 feet	20 feet	20 feet
D. Minimum side yard:	10 feet	10 feet	10 feet
E. Minimum rear yard:	25 feet	25 feet	25 feet
F. Minimum Yard Abutting Tidelands:	0 feet	0 feet	0 feet
G. Maximum site impervious coverage:	40 %	45 %	50 %.
H. ² Maximum Density:	3 dwelling units per acre		

¹In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties ~~in the opinion~~ of as determined by the planning and public works directors. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.

²Density bonus of up to 30 % may be granted subject to the requirements of Chapter 17.96 (Planned Residential District).

* * *

Section 52. Section 17.46.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.46.060 Maximum height of structures. In a WR district, all buildings and structures shall not exceed ~~have a maximum~~ height of 16 35 feet except as provided for under Chapter 17.62 GHMC.

Section 53. Section 17.48.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.48.040 Development standards. ~~A. Development standards in the WM district are as follows: A minimum lot area for new subdivisions is not specified.~~ The minimum development standards are as follows:

Single	Multi-family	Nonresi
--------	--------------	---------

	Family	(duplex fourplex)	dential
Min. lot area (sq. ft.)	12,000	15,000/duplex	12,000
		18,000/triplex	
		21,000/fourplex	
Min. lot width	70'	100'	100'
Min. front setback	20'	20'	20'
Min. rear and/or side yard abutting Tidelands	0	0	0
Min. int. side setback	8'	8'	10'
Min. street side setback	10'	10'	10'
Max. Impervious coverage	50%	55%	70%
	Single Family Dwelling	Attached up to 4 unit	Non residential
A. Minimum lot area (square feet):	6,000	6,000/unit	15,000
B. Minimum lot width:	50 feet	100 feet	100 feet
C. ¹ Minimum front yard:	20 feet	20 feet	20 feet
D. Minimum side yard:	8 feet	10 feet	10 feet
E. Minimum rear yard:	25 feet	25 feet	25 feet
F. Minimum Yard Abutting Tidelands:	0 feet	0 feet	0 feet
G. Maximum site impervious coverage:	50 %	55 %	70 %.
H. ² Maximum Density:	3.5 dwelling units per acre		

¹In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties in the opinion of the planning and public works directors. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.

²Density bonus of up to 30 % may be granted subject to the requirements of Chapter 17.96 (Planned Residential District).

Section 54. Section 17.48.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.48.060 Height.

A. ~~The maximum building height is~~ Structures shall not exceed 16 feet ~~in height, except as provided for under Chapter 17.62 GHMC.~~ Additional height increase of up to 824 feet, maximum, may be permitted for each structure if ~~two~~ one additional waterview and one access opportunityes are provided per structure, per lot and the following criteria are met:

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

- measured 2. Each story or floor shall be less than or equal to 10 feet in height as from the top of the first floor to the top of the second floor.
3. There shall be no occupancy of the attic space.
4. The pitch of the roof shall have a minimum slope of 2:1 (6:12 pitch) and a maximum slope of 1:1 (12:12 pitch).
- and 5. The proposal is reviewed in accordance with the site plan review criteria and procedure as established in Chapter 17.96 GHMC.

Section 55. Section 17.50.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.50.040 Development standards.

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

Multifamily				
Single	(Duplex Fourplex)	Non residential		
A. Minimum lot area	12,000	15,000	12,000	
		21,000		
B. Minimum lot width	70'	100'	100'	
C. Minimum front setback	20'	20'	20'	
D. Minimum rear setback				
if tidelands not owned	15'	15'	15'	
E. Minimum rear and/or				
side yard setback to				
owned abutting tidelands	0	0	0	
F. Minimum interior				
side setback	8'	8'	10'	
G. Minimum street				
side setback	10'	10'	10'	
H. Maximum impervious				
coverage	50%	55%	60%	
Single Family Dwelling Attached up to 4 unit Non residential				
A. Minimum lot area (square feet)	6,000	6,000/unit	15,000	
B. Minimum lot width	50 feet	100 feet	100 feet	
C. ¹ Minimum front yard	20 feet	20 feet	20 feet	
D. Minimum side yard	8 feet	10 feet	10 feet	
E. Minimum rear yard	25 feet	25 feet	25 feet	
F. Minimum Yard Abutting Tidelands	0 feet	0 feet	0 feet	
G. Maximum site impervious coverage	50 %	55%	70%.	
H. ² Maximum Density	3.5 dwelling units per acre			

¹In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties ~~in the opinion of~~ as determined by the planning and public works directors. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record. An undersized lot shall qualify as a building site if such lot is a lot of record at the time this chapter became effective. Recognizing the existence of such parcels, the development standards are adjusted to grant relief as to minimum lot size and minimum lot width only.

²Density bonus of up to 30 % may be granted subject to the requirements of Chapter 17.96 (Planned Residential District).

* * *

Section 56. Section 17.50.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.50.050 Site plans. Before a building permit will be issued in a waterfront commercial district, the site plan review process specified in Chapter 17.96 GHMC shall be followed. Residential projects containing less than three or fewer dwelling units are exempt from this provision.

Section 57. Section 17.50.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.50.060 Maximum height of structures.

In a waterfront commercial district, the maximum building height shall not exceed is 16 feet., ~~except as provided for under Chapter 17.62 GHMC.~~

Section 58. Section 17.62.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.010 Intent. The purpose of this ~~district~~ height restriction area is to establish standards for those properties ~~and zoning districts~~ located ~~outside~~ inside the Gig Harbor view basin where ~~greater~~ decreased building height ~~may be allowed~~ shall be required. This is intended to be a limitation on height so as not to restrict zone where views from adjacent properties ~~will not be adversely affected~~.

Section 59. Section 17.62.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.020 Map adopted. The standards of this Chapter shall be imposed as an overlay zone shown on the City's official Height Restriction Area Map, which depicts the property subject to the height restrictions. The standards of this Chapter are map overlay zone and supplementary to the regulations ~~prescribed~~ contained in by the underlying zones. ~~The application of said standards shall pertain to those properties designated on the official zoning map dated March 8, 1988.~~

Section 60. Section 17.62.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.030 Standards. ~~The maximum height for residential structures containing three or fewer units shall be 25 feet. The maximum height of commercial structures or residential structures containing four or more units shall be 35~~ 16 feet, except as otherwise may be provided in a planned unit development, or a planned residential development.

Section 61. A new Section 17.62.040 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.62.040 Amendment to Height Restriction Area Map
Amendments to the height restriction area map are a type IV permit procedure. The procedures established under Chapter 17.10 and Title 19 of the GHMC for the consideration of amendments to the zoning district map shall be followed for amendments to the height restriction area map. The criteria for approval shall be as follows:

- A. That the request to amend the height restriction area map furthers the goals, policies and objectives of the comprehensive plan;
- B. The property or area proposed for exclusion from the height restriction area map does not currently possess a view of Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows;
- C. The gradient of the land within 100 feet of the property or area does not have a slope of 5% or greater toward Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows.
- D. That views from adjacent properties will not be adversely affected.

Section 62. A new Section 17.64.015 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.64.015 Complete Application. An application for a conditional use permit is considered complete upon submittal of the information as required under Chapter 17.96.050(B) through (D), including the written statement of justification for granting the variance pursuant to the requirements of Chapter 17.64.040. This is in addition to the application requirements of Section 19.02.002 for a Type III application. Seven copies of all information required shall be submitted along with the processing fee.

Section 63. A new Section 17.64.045 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.64.045 Review criteria for accessory apartments. When reviewing a conditional use request for an accessory apartment, the hearing examiner shall consider the following guidelines:

- A. The required parking space for the accessory apartment is placed behind the primary structure or is paved with grass-block pavers to avoid an expansive area of hard surface,
- B. The accessory apartment is attached to or placed at least six feet behind the primary structure,
- C. The design of the accessory apartment is incorporated into the primary unit's design with matching materials, colors, window style and roof design,
- D. The entrance to the accessory apartment is oriented away from the view of the street or is designed to appear as a secondary entrance to the primary unit (e.g., garage entrance or service porch entrance),
- E. Utilities for the accessory apartment shall be metered separate from the primary dwelling unit,
- F. The accessory apartment and the primary unit conforms to all other building and zoning code requirements.

Section 64. Section 17.64.090 of the Gig Harbor Municipal Code is hereby repealed.

Section 65. A new Section 17.66.015 is hereby added to the Gig Harbor Municipal Code to read as follows:

17.66.015 Complete Application. An application for a general variance is considered complete upon submittal of the information as required under Chapter 17.96.050(B) through (D), including the written statement of justification for granting the variance pursuant to the requirements of Chapter 17.66.030(B). This is in addition to the application requirements of Chapter 19.02.002 for a Type III application. An application for an administrative variance shall contain the information required for a general variance, but shall include a written statement of justification for granting the variance pursuant to the requirements of Chapter 17.66.020(A).

Section 66. Section 17.66.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.66.020 Variances.

A. Administrative Variances. An administrative variance is a type II permit procedure. Upon the filing of a proper application, the planning director shall have the authority to grant, with conditions if necessary, an administrative variance from the following property development standards:

1. A decrease of not more than 20 percent of the required width of a side, front or rear yard or yard between buildings;
2. An increase of not more than 10 percent of the permitted projection of cornices, sills, eave projections, fences or structures, maximum permitted lot coverage, unenclosed awnings and unenclosed and uncovered decks into a required front, side or rear yard;
3. An increase of not more than ~~40~~ 5 percent in the maximum permitted height of a building; ;
4. ~~A decrease of not more than 10 percent in the number of required parking spaces.~~

B. Required Findings to Grant. Each administrative variance granted shall be supported by written findings as follows: ~~showing an affirmative determination of the variance review criteria contained in GHMC 17.66.030B.~~

The variance will not compromise the intent of the comprehensive plan nor be inconsistent with the goals, policies and objectives of the comprehensive plan;

1. The variance is an immediate remedy to a condition not readily apparent during the construction of a structure and which, if permitted, would not result in any significant adverse impacts to adjacent properties or structures;
2. A strict application of the standards would impose an unreasonable hardship upon the applicant or property owner;
3. The need for the variance is not the result of the deliberate actions of the applicant or property owner;
4. The variance does not create health and safety hazards.

~~C. Planning Director Action. Upon the filing of a properly completed application, the director shall, within fifteen working days, act to approve, modify or deny the application. If approved, the director shall send notice of the decision to the owners of all adjacent properties. The decision shall become final 145 working days after taking an action on the application unless an appeal is filed with the planning department prior to the fifteenth-fourteenth day. Any appeal of an administrative variance shall be considered by the hearing examiner.~~

Section 67. Section 17.68.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.68.010 Intent.

A. Within the zoning districts established by this title or any amendment that may later be adopted, there may exist lots, structures, uses of land and structures, and characteristics of use that were lawful before the effective date of the applicable regulations, but that would be prohibited, regulated, or restricted under the terms of ~~Chapter Title 17-01 of the~~ GHMC or a future amendment thereof. This chapter is intended to permit these nonconformities to continue until they are removed but not to encourage their perpetuation. It is further intended that nonconformities shall not be enlarged upon, expanded, extended or be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

* * *

Section 68. Section 17.68.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.68.040 Nonconforming structures. When a lawful structure existed at the effective date of the adoption or an amendment of the applicable regulations and could not be built under the terms of the current regulations set forth in GHMC Title 17, or amendments thereof, by reason of the restrictions on area, lot size or dimension, coverage, height, yards and the location on the lot or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful and shall be subject to the following provisions:

A. No such nonconforming structure may be altered in any way that increases its nonconformity respective to bulk or dimensional standards in effect or

enlarges any of its dimensions, but any structure or portion thereof may be altered to decrease its nonconformity;

* * *

Section 69. Section 17.68.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.68.050 Repairs and maintenance.

A. Repairs may be made to any nonconforming structure or any portion of a structure containing a nonconforming use; provided, they are restricted to the repairs or replacement of structural elements, fixtures, wiring and plumbing required so as to protect occupants and public safety. The need for such repairs or replacements shall be confirmed by the building official.

B. Nothing in this chapter shall be deemed to prevent the strengthening or restoration to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety and upon the order of such official.

Section 70. Section 17.72.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.72.020 Off-street parking design standards.

* * *

C. All off-street parking spaces shall be at least ~~nine~~ eight feet in width and at least ~~19~~ eighteen feet in length, both exclusive of access drives, yards, and ramps. Such spaces shall have a vertical clearance of at least seven feet. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, provided that the parking space so created contains within it the rectangular area required by this Chapter. Parking area aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking:

Aisle Width	Parking Angle				
	0°	30°	45°	60°	90°
One Way	12'	12'	15'	18'	20'
Two Way	19'	20'	21'	23'	24'

Driveways shall not be less than 12 feet in width for one way traffic and 20 feet in width for two-way traffic.

D. Off-street parking spaces may be located in any required yard unless otherwise indicated in ~~Chapter 17.72~~ in Title 17 of the GHMC.

* * *

Section 71. Section 17.72.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.72.030 Number of off-street parking spaces required.

* * *

T. For drive-through carwashes or quick service lubrication facilities, two parking spaces per service bay plus one space for every two employees. In addition, a stacking lane or lanes capable of accommodating a minimum of ten (10%) percent of the projected maximum hourly throughput of vehicles for the car wash shall be provided near the entrance to the car wash bay(s). One car length within the stacking lane shall be equal to the length of a standard parking stall.

Section 72. A new Section 17.72.060 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.72.060 Joint Use of Required Parking Spaces for the Downtown Business (DB) and the Waterfront Commercial (WC) Districts.

A. One parking area may contain required spaces for several different uses. Except as otherwise provided in this Chapter, the required space assigned to one use may not be credited to any other use which will require parking space simultaneously.

B. To the extent that developments that wish to make joint use of the same parking spaces operate at different times, the spaces may be credited to both uses.

C. Joint use of parking as specified under this Chapter shall be by written agreement between the developments using the parking facilities. The agreement shall be subject to the approval of the City. Said agreement shall be filed with the Pierce County Auditor as a covenant running with the land and is deemed binding between the assenting parties. The parking agreement shall have a minimum term of five years and shall specifically provide that the party whose parking will be eliminated or

reduced (the "affected party") by the agreement's termination shall notify the City at least six months prior to such termination. The affected party shall secure off-street parking sufficient to meet the code-required parking for the use.

Section 73. A new Section 17.72.070 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.72.070 Special Provisions for Lots With Existing Buildings in the Downtown Business District. Notwithstanding any other provisions of this chapter, whenever (i) there exists a lot with one or more structures on the effective date of this chapter, and (ii) a change in use does not involve any enlargement of a structure proposed for such lot, and (iii) the parking requirements of this Chapter as applicable under the proposed changes cannot be satisfied on such lot because there is insufficient area available on the lot that can practicably be used for parking, the parking standards for this Chapter may be reduced if parking is practicably available within two hundred feet of the site, either as public parking and/or joint-use parking on private property.

Section 74. 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 ~~nonresidential and nonagricultural~~ uses of land which are subject to site plan review, to the construction or location of any multifamily structure of three or more attached dwelling units and to any new subdivision plat.

Section 75. Section 17.78.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.78.050 Preservation of significant trees.

* * *

B. Significant Trees. Significant trees are those which possess one or more of the following characteristics:

1. Contribute to the character of the area and do not constitute a safety hazard; or
2. Form a continuous canopy or dense ~~buffer~~ vegetated screen;
3. If the grade level adjoining a tree to be retained is to be ~~raised~~ 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. Proof of professional design may be required;

4. The applicant may install impervious or compactible surface within the area defined by the drip line of any tree to be retained if it is demonstrated by a qualified arborist that such activities will not endanger the tree or trees.

C. Other Existing Vegetation. Retention of other existing vegetation for landscaping is strongly encouraged; however, it must be equal to or better than available nursery stock.

D. Areas of native vegetation which are designated as landscape or buffers areas shall be subject to a ten (10) foot wide no-construction zone and shall be protected by a temporary perimeter fence. 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 set-back will not harm nor existing vegetation within the designated landscape or buffer area.

Section 76. Section 17.78.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.78.070 Requirements for commercial uses.

A. Perimeter Areas.

1. Notwithstanding other regulations found in this chapter, perimeter areas not covered with buildings, driveways and parking and loading areas shall be landscaped. The required width of perimeter areas to be landscaped shall be the required yard or setback area or a 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.

* * *

Section 77. Section 17.78.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.78.080 Parking lot landscaping and screening.

* * *

C. Downtown Parking Lots. For parking lots located within the downtown area, the following standards apply:

1. Provision of a minimum of five-foot-wide landscaping strip intended to screen and soften the visual impacts of parking lots. Screening may be accomplished through any of the methods described under subdivision 2 of subChapter A of this Chapter. In addition to screening, street trees a minimum of two-inch caliper shall be provided at 20-foot intervals.

2. In those instances where parking areas are bordered by more than one street, the strip required in subdivision 1 of this subChapter shall only apply to the longest side. All other sides must be screened with a wall, fence, vegetative buffer or combination of these elements at a minimum height of three and one-half feet. The street tree requirements will pertain.

3. In order to protect vision clearances, areas around driveways and other access points are not required to comply with the full screening height standards. The specific horizontal distance exempt from this standard shall be ~~determined after consultation with the public works department~~ as established in the City of Gig Harbor Public Works Standards.

4. Trees Required. Trees are required at a ratio of at least one per 64 square feet of landscaped area or fraction thereof. They shall have a clear trunk to a height of at least five feet above the ground at maturity. Trees shall be planted no closer than four feet from pavement edges where vehicles overhang planted areas.

* * *

Section 78. 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, the Tacoma City Light Right-of -Way and SR-16 interchanges.

A. All development of properties adjacent to SR-16, the Tacoma City Light Right-of-Way 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 25 feet in depth. Along SR-16 and the Tacoma City Light Right-of-Way, outside of the defined interchange areas, this buffer shall be adequate to totally screen development from views from SR-16. If existing vegetation is not adequate to accomplish this, then additional evergreen vegetation with a minimum height of four to six feet shall be planted.

* * *

Section 79. Section 17.78.110 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.78.110 Performance assurance.

A. Landscaping required pursuant to an approved site plan shall be installed prior to the issuance of certificate of occupancy or final inspection, unless the property owner submits a performance assurance equal to not less than 110% of a contractor's bid ~~device~~ and which ~~commitments~~ to install the landscaping within one year.

* * *

Section 80. Section 17.84.030 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.84.030 General requirements. The general requirements are:

A. Home occupations shall ~~occupy not more than 30 percent of the total floor area of the residence~~ only be permitted within the principal residential dwelling.

B. The occupation shall be carried on ~~entirely within a residence~~ by the ~~occupant~~ residents thereof.

C. The occupation shall be conducted in such a manner as to give no outward appearance nor manifest any characteristics of a business, in the ordinary meaning of the term, that would infringe upon the right of the neighboring residents to enjoy a peaceful occupancy of their homes.

D. Point of purchase retail sales are ~~generally discouraged~~ not permitted. ~~Limited stock in trade may be sold or displayed within the structure on the premises, and no equipment or material shall be stored on any exterior portion of the premises.~~

E. Parking of customers' or clients' vehicles shall create no hazard or unusual congestion. The home occupation shall not generate traffic volumes greater than what would normally be expected in a residential neighborhood. Parking shall be provided in conformance with Chapter 17.72 GHMC.

F. ~~Any signs utilized in the home occupation shall be limited to one flush mounted sign on the main residential structure which shall not exceed two square feet in area. Such sign shall be unlit and shall use nonflashing, nonreflective materials, and the legend shall show only the name of the occupant and type of occupation. Colors shall be subdued and consistent with residential character.~~ Signs shall not be permitted.

* * *

Section 81. Section 17.89.020 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.89.020 Where permitted. Planned residential development may be permitted in the following zoning districts consistent with the development and design standards of this chapter:

- A. All residential districts (~~R-1, R-2, R-3~~);
- B. Waterfront Residential (WR) and Waterfront Millville (WM).

Section 82. Section 17.89.030 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.89.030 Types of uses permitted. The following uses are permitted in a PRD zone:

- A. ~~All~~ Single-family detached dwellings and up to four-unit attached structures as defined in Chapter 17.04 GHMC in R-1 districts;
- B. All single-family and multifamily dwellings as defined in Chapter 17.04 GHMC in R-2 and R-3 districts;
- C. Accessory uses;
- D. Uses that may be allowed by conditional use permits in the underlying zoning subject to the requirements of Chapter 17.64 GHMC.

Section 83. Section 17.89.070 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.89.070 Procedure for approval of a planned residential development project.

A planned residential development is a Type III permit application for a preliminary plat approval and a Type IV permit application for a final plat approval. The following are the procedures for approval of a PRD project:

~~A. Approval of a PRD shall be considered an amendment to the official zoning map and except as provided by this chapter, shall be processed as any other amendment with respect to notice, hearing and appeals. Prior to making application, the proponent may meet with the city staff for an initial discussion of the proposal and applicable policies, ordinances and standards.~~

~~A.B.~~ The preliminary development plan shall be reviewed in accordance with the procedures of this chapter 17.89, Title 16 and Title 19 of the GHMC. ~~by the hearing examiner. The action of the examiner shall constitute a~~

~~recommendation to the city council. The city hearing examiner shall not recommend~~ approve of the PRD unless it is determined that the plan complies with the policies of the comprehensive plan, the requirements of this title and the intent and provisions of this chapter. ~~The city examiner may recommend~~ develop terms and conditions of approval. The approved preliminary plan or subsequent revision thereto shall be binding as to the general intent and layout of roads, buildings, use of land and open spaces.

~~B.C.~~ Within ~~three~~ five years of the date of the preliminary development plan approval, the applicant shall submit a final development plan for the proposed development for approval by the city council. After finding that the final development plan has been completed in accordance with the provisions of the approved preliminary development plan, and that all required improvements have been completed or that arrangements or contracts have been entered into to guarantee that such required improvements will be completed, and that the interests of the city are fully protected, the city council shall approve the final development plan, accepting the dedications and easements which are included thereon. The final development plan shall consist of a final plat, binding site plan or any combination thereof.

~~C.-D.~~ If a proposed PRD is to be developed in phases, the entire project shall be portrayed on the preliminary development plan, and each phase shall individually receive final development plan review.

Section 84. Section 17.89.120 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.89.120 Expiration and extensions.

A. If a final development plan is not approved within ~~three~~ five years of the date of preliminary development plan approval, and an extension of time has not been granted, the PRD approval shall expire.

B. Knowledge of the expiration date and initiation of a request for an extension of time is the responsibility of the applicant. Requests for an extension of time must be submitted to the planning department at least 30 days prior to the expiration of PRD approval. The planning department shall schedule the request for extension for public hearing before the hearing examiner. One extension is the maximum to be granted and it shall be for no more than two years and the PRD may be subject to any new or amended regulations, requirements, policies or standards which are adopted after the original date of approval, unless ~~there has been substantial~~ fifty (50) percent or more of on-site work has been completed.

Section 85. Section 17.89.130 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.89.130 Minor and major adjustments amendments of the final plan.

A. Minor ~~adjustments~~ amendments are a Type I permit application and may be made and approved when a building permit is issued. Any such alteration must be approved by the planning director. Minor adjustments are those which may affect the precise dimensions or siting of buildings (i.e., lot coverage, height, setbacks) but which do not affect the basic character or arrangement and number of buildings approved in the plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than ~~10~~ five (5) percent from the original.

B. Major amendments are a Type III permit application. A major amendment is that ~~those~~ which substantially change the character, basic site design, density, open space or other requirements and conditions of the final plan. When a change constitutes a major amendment, no building or other permit shall be issued ~~without prior review and recommendation by the hearing examiner and approval by the city council of such amendment until such review proceedings required under Title 19 of the GHMC are completed.~~

Section 86. Section 17.90.010 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.90.010 Intent. The intent of planned unit developments is to allow ~~and make possible~~ greater flexibility in the design of a development, more variety and diversification in the relationships between buildings, open spaces and uses, and to encourage the conservation and retention of historical and natural topographic features while meeting the ~~purposes~~ goals, policies and objectives of the comprehensive plan. To accomplish this purpose, the underlying district regulations such as, but not limited to, ~~setback lines~~ minimum yards, density, uses, and height and bulk of buildings may be varied; provided, however, such variances shall not ~~conflict~~ compromise the overall intent of ~~with the comprehensive plan and nor significantly impact~~ existing uses, ~~nor~~ create adverse environmental effects. A planned unit development may be allowed in any district.

Section 87. Section 17.90.020 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.90.020 Approval of planned development. ~~The city council, after receiving recommendations from the hearing examiner, shall approve, approve with conditions, or disapprove proposed planned unit developments subject to a public hearing and the provisions of this chapter. Changes in a proposed planned unit development including use, expansion or continuation of site area or alteration of structures shall not be allowed unless all regulations in this chapter are complied with including this approval procedure.~~

Section 88. Section 17.90.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.90.030 Parcel characteristics. Planned unit developments shall be limited to a minimum site area of two acres. No planned unit development application shall be made for an area of less than two acres unless the city makes the following findings:

- A. An unusual physical, natural resource or topographical feature of importance exists on the site or in the neighborhood which can be conserved and still leave the applicant equivalent use of the land by the use of a planned unit development; or,
- B. The property or its neighborhood has a historical character of importance to the community that will be protected by use of a planned unit development; or,
- C. The property is adjacent to or across the street from property which has been developed or redeveloped under a planned unit development, and a planned unit development will contribute to the maintenance of the amenities and values of the neighboring planned unit development.

Section 89. Section 17.90.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.90.040 Requirements. The use of a planned unit development shall be as follows:

- A. ~~All private roads and drives and/or vehicle maneuvering areas shall have an unobstructed width consistent with traffic loads and overall design of the planned unit development and shall be constructed so that the roadway pavement structure meets city standards. All roads shall be public roads and the configuration and design of such facilities shall be consistent with the approved by adopted policies and standards in of the City of Gig Harbor Public Works director Construction Standards. Private roads within the PUD may be approved by the city if the following criteria are met:~~

- ~~1. Physical limitations of the site preclude the possibility of future linkage with existing public roads or proposed public roads which are part of the City's adopted road or transportation plan.~~
- ~~2. The proposed street design, pedestrian access and layout represents a superior design which meets the objectives of the Public Works Standards.~~
- ~~3. A direct and tangible public benefit will accrue from the proposed street design.~~

B. All provisions for vehicle parking shall be in designated parking areas.

C. Uses at variance with the underlying district shall be compatible with, and no more detrimental than, those uses specifically listed for a district. ~~Mixed uses may be allowed.~~

D. No open area may be accepted as common open space within a planned unit development unless it meets the following requirements:

1. The location, ~~shape~~, size and character of the common open space is suitable for the planned unit development;

* * *

Section 90. Section 17.90.060 of the Gig Harbor Municipal

Code is hereby amended to read as follows:

17.90.060 Approval Procedures.

~~A. The following information shall be submitted for hearing examiner and city council review of the preliminary development plans:~~

- ~~1. A copy of the site plan drawn to scale, showing the proposed layout;~~
- ~~2. A landscape plan drawn to scale, showing the location of landscape areas;~~
- ~~3. A written statement by the landowner or his agent setting forth the reasons why this planned unit development would be consistent with the goals and policies of the comprehensive plan.~~

~~A.B.~~ The following information shall be submitted for hearing examiner and city council review as a Type III application and approval of the preliminary final development plan:

1. Environmental checklist or environmental impact statement, if required;
2. ~~Twelve~~ Seven copies of a site plan drawn to scale and dimensioned, showing the existing topography at five-foot contour intervals, the proposed layout of structures, off-street parking and loading areas, landscape areas, pedestrian walks, driveways, ornamental lighting, screening, fences and walls;
3. ~~Twelve~~ Seven copies of a landscape plan drawn to scale and dimensioned, showing the location of proposed landscape areas together with varieties and size of plant materials to be used, together with the method of

maintenance. Also, other landscape features such as screening, fences, lighting and signing shall be indicated;

4. Copies of architectural drawings or sketches drawn to scale, including floor plan and elevation indicating types of materials and colors to be used may be required;

5. A schedule showing the proposed time and sequence within which the applications for final approval of all Chapters of the planned unit development are intended to be filed.

~~B.C.~~ Within ~~three~~ five years following the approval of the development plan, the applicant shall file with the city ~~council~~ a final development plan containing in final form the information required in the preliminary plan. The city ~~council~~ may extend the period up to a maximum of one year. If the city ~~council~~ finds that the final development plan is consistent with the preliminary development plan approval, and that all conditions of the preliminary development plan approval have been satisfied, it may approve the final development plan in total or in phases.

~~C.D.~~ In conditioning the approval of ~~granting~~ any planned unit development, the city ~~council~~ may require adequate guarantees of compliance with the final development plan, all as approved as to form by the City Attorney. Such guarantee may be a performance bond or other form of security in an amount sufficient to assure compliance, and may provide that such security be reduced as stages of construction are completed. In addition to the above, the city may, in the event of the applicant's failure to perform under the guarantees or other security, take steps necessary to ensure compliance, including the City's performance of the construction and/or maintenance at the applicant's cost in any manner allowed by law. ~~Alternatively, or in addition or in addition to the security, conditions may be imposed requiring other adequate assurances that the structures and improvements will be completed, subject to review and approval as to form by the city attorney, or that the city may, in the event of the applicant's failure to comply, take the steps necessary to assure compliance, including performing the construction or maintenance itself, and levy a lien for all costs thereof against the property.~~

Section 91. Section 17.90.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.90.070—~~Application to be available for public inspection. Amendments to a Planned Unit Development. From the time of the filing of the application until the time of final action by the city council, the application together with all plans and data submitted shall be available for public inspection in the office of the planning director. Amendments to a planned~~

unit development may be authorized as follows:

A. Minor amendments are Type I permit applications and shall be processed as established under Title 19 of the GHMC and may be made and approved when a building permit is issued. Any such alteration must be approved by the planning director. Minor adjustments are those which may affect the precise dimensions or siting of buildings (i.e., lot coverage, height, setbacks) but which do not affect the basic character or arrangement and number of buildings approved in the plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than five (5) percent from the original.

B. Major amendments are Type III permit applications and shall be processed as established under Title 19 of the GHMC. Major amendments are those which substantially change the character, basic site design, density, open space or other requirements and conditions of the final plan. When a change constitutes a major amendment, no building or other permit shall be issued without prior review and approval by the city of such amendment.

Section 92. Section 17.90.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.90.080 Duration of approval. Construction on the project must commence within 12 months from the date of final council action approval; otherwise, the approval of the application becomes null and void.

Section 93. Section 17.96.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.96.030 Site plans and review. Any use that is subject to the requirements for a site plan review prior to issuance of building permits shall be processed in accordance with the following procedures established under Title 19 of the GHMC for Type III project permit applications.

* * *

~~B. Criteria for approval. Hearing Examiner Review. The planning director shall assign a date no earlier than two weeks after the date of filing of a complete application for a public hearing before the hearing examiner. The site plans will be forwarded to the city examiner who shall consider the approval of the site plans with specific attention to the following:~~

1. Compatibility with the city's comprehensive plan;
2. Compatibility with the surrounding buildings' occupancy and use factors; and

3. All relevant statutory codes, regulations, ordinances and compliance with the same.

The review and decision of the ~~city examiner~~ shall be in accordance with the provisions of Chapter 17.10 GHMC and Title 19 of the GHMC.

Section 94. Section 17.96.050 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:

* *

E. A topographic map based upon a site survey delineating contours, existing and proposed, at no less than five-foot intervals and which locates existing streams, marshes and other natural features;

F. Site plans drawn to a scale no smaller than one inch equals 30 ~~fifty~~ (50) feet showing location and size of uses, buffer areas, proposed areas of disturbance or construction outside of the building footprint, yards, open spaces and landscaped areas and any existing structures, easements and utilities;

G. A circulation plan drawn to a scale acceptable to the public works director illustrating all access points for the site, the size and location of all driveways, streets and roads with proposed width and outside turning radius, the location, size and design of parking and loading areas, and existing and proposed pedestrian circulation system;

H. A preliminary drainage and stormwater runoff plan;

Section 95. Section 17.96.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

* * *

B. Major amendments are Type III permit applications and are processed in accordance with Chapter 19. Major amendments are those which substantially change the character, basic design, density, open space or other requirements and conditions of the site plan. When a change constitutes a major amendment, no building or other permit shall be issued without prior review and ~~recommendation~~ approval by the and approval by the city council ~~of such amendment.~~

Section 96. Section 17.100.020 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.100.020 Manner of initiation. Changes in this title may be initiated in the following manner:

A. Source.

1. The city council upon its own motion may initiate changes in this title.
2. The planning commission upon its own motion may initiate changes in this title.
3. Any individual, corporation or agency other than those listed above may initiate changes in this title. Amendments are processed as a Type IV permit procedure subject to the following:
 - a. For a zoning map amendment, the initiating individual, corporation or agency must be the owners or owner of a majority of the land in the petition area; and,
 - b. For an amendment to the text of this title, the initiating individual, corporation or agency must be an owner of real property within the city.

B. Form. An application for a change in the boundary of a district or the text of this title shall be filed with the planning department and shall be accompanied by such data and information as are necessary to assure the fullest practicable presentation of the facts. It shall set forth reasons and justification for proposing a change.

C. Minimum Area. Except for the extension of existing district boundaries, no change in any use district, classification or official zoning map shall be considered if it contains fewer than two acres, ~~as measured without including~~ excluding public streets or alley rights-of-way.

D. Submittal Consideration. The city council shall not consider any proposed amendment to the zoning map that is substantially the same as any other proposed amendment submitted within the previous 12 months which was disapproved.

Section 97. A new Section 17.100.025 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.100.025 Citizen Suggestions for Zoning Code Update. Prior to June 1 of each year, the Planning Commission will review any interested citizen's, staff members or the Hearing Examiner's request of any text or zoning

district map adjustment received. The Planning Commission may, at its discretion, consider such request and, if deemed to be in furtherance of the goals and policies of the comprehensive plan and in the public's health, safety and general welfare, may conduct a public hearing on any text or map adjustments it deems appropriate. The Planning Commission's recommendation to the City Council will be considered in accordance with the procedures established in Section 17.100.050 of this Title.

Section 98. Section 17.100.030 of the Gig Harbor Municipal Code shall be amended to read as follows:

17.100.030 Public hearing and notification. Public hearings and notifications related thereto shall be accomplished in accordance with the procedures and requirements established pursuant to ~~GHMC 17.01.070,~~ except that for amendments to the text of the title, a public hearing shall be conducted by the planning commission. Chapter 19.05 GHMC. The planning commission's action shall be a recommendation to the city council.

Section 99. A new section 17.100.035 of the Gig Harbor Municipal Code is hereby added to the Gig Harbor Municipal Code to read as follows:

17.100.035 General Criteria for Zoning District Map Amendment.
Requests for amending the zoning district designation of an area or the zoning code text shall be based upon the following criteria:

- A. That the request for the zoning district reclassification or zoning code text change is consistent with and furthers the goals, policies and objectives of the comprehensive plan;
- B. That the requested zoning district classification or zoning code text change will further the public's health, safety and general welfare.
- C. That no substantial detrimental effect shall be caused by the granting of the requested reclassification or amendment.

Section 100. Section 17.100.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

~~17.100.040—Report to the city council.~~

~~—The city council shall consider the report and recommendation of the hearing examiner or planning commission on any proposed change or amendment~~

~~regardless of the manner in which such change is initiated. Such report shall base its conclusion on the following criteria:~~

~~A. That the request for reclassification furthers the goals, policies and objectives of the comprehensive plan;~~

~~B. That there has been a change in conditions, upon which the existing zoning classification is based, sufficient to demonstrate that the current classification does not meet the public's interest. A changed condition constitutes a substantial and material change which was not anticipated nor foreseen since the adoption of the comprehensive plan or the last area zoning.~~
General Criteria for Zoning Text Amendment.

Requests for amending the zoning text shall be based upon the criteria as stated in Section 17.100.035.

~~C. That the requested classification will further the public's health, safety and general welfare.~~

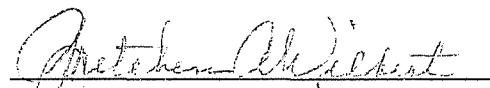
Section 101. Section 17.100.050 of the Gig Harbor Municipal Code is hereby repealed.

Section 103. Section 17.102.010 is hereby repealed.

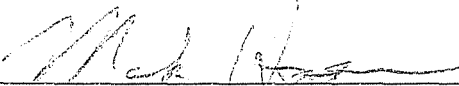
Section 104. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 105 This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:


MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:


CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK:	1/8/96
PASSED BY THE CITY COUNCIL:	1/22/96
PUBLISHED:	1/31/96
EFFECTIVE DATE:	2/5/96
ORDINANCE NO. <u>710</u>	

ORDINANCE NO. 710

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, MAKING ADJUSTMENTS TO THE CODE TO PERMIT FAMILY DAY CARE AND ADULT FAMILY HOMES IN RESIDENTIAL DISTRICTS, PERMITTING MANUFACTURED/MOBILE HOME SUBDIVISIONS AND PARKS IN RESIDENTIAL ZONES, REVISING THE PARKING STANDARDS TO ALLOW SHARED PARKING IN THE DOWNTOWN BUSINESS DISTRICT, DEFINING COMPLETE APPLICATION AND PERMIT TYPE FOR VARIANCES, CONDITIONAL USE AND SPECIAL USE PERMITS AND AMENDING SECTIONS 17.12.020, 17.16.020, 17.16.030, 17.16.040, 17.16.070, 17.16.080, 17.20.010, 17.20.020, 17.20.030, 17.20.050, 17.20.060, 17.20.070, 17.24.020, 17.24.030, 17.24.050, 17.24.060, 17.28.010, 17.28.020, 17.28.030, 17.28.060, 17.28.070, 17.30.020, 17.30.050, 17.30.070, 17.30.110, 17.30.030, 17.31.080, 17.31.110, 17.32.010, 17.32.020, 17.32.030, 17.32.040, 17.32.050, 17.26.020, 17.36.030, 17.36.080, 17.36.120, 17.40.020, 17.40.030, 17.40.040, 17.40.050, 17.40.070, 17.40.080, 17.40.100, 17.46.020, 17.46.040, 17.46.060, 17.46.040, 17.48.060, 17.50.040, 17.50.050, 17.50.060, 17.62.010, 17.62.020, 17.62.030, 17.66.020, 17.68.010, 17.68.040, 17.68.050, 17.72.020, 17.72.030, 17.78.020, 17.78.050, 17.28.070, 17.78.080, 17.78.090, 17.78.110, 17.84.030, 17.89.020, 17.89.030, 17.89.030, 17.89.070, 17.89.120, 17.89.130, 17.90.010, 17.80.020, 17.90.020, 17.90.030, 17.90.040, 17.90.060, 17.90.070, 17.90.080, 17.96.030, 17.96.050, 17.96.080, 17.100.020, 17.100.025, 17.100.030, 17.100.040; ADDING NEW SECTIONS 17.16.080, 17.24.070, 17.32.033, 17.32.035, 17.36.060, 17.40.055, 17.40.075, 17.62.040, 17.64.015, 17.64.045, 17.66.015, 17.66.025, 17.72.060, 17.72.060, 17.72.070, 17.100.035; REPEALING SECTIONS 17.16.060, 17.16.040, 17.64.090, 17.102.010 AND 17.100.050 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the Growth Management Act requires that local government planning under the act must adopt development regulations which implement comprehensive plans; and,

WHEREAS, the State Regulatory Reform Act of 1995 requires local governments planning under RCW 36.70A to consolidate permit processes to meet the requirements of the act; and,

WHEREAS, the current zoning code, which was last updated in 1991, is in need of refinement to reflect current state law; and,

WHEREAS, updating the zoning code is in the public's health, interest, welfare and safety as it implements the goals and policies of the amended City of Gig Harbor Comprehensive Plan of November, 1994; and,

WHEREAS, there are many policy areas relevant to administrative procedures which should be amended to increase the efficiency of land use permit processing within the city; Now, Therefore,

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

Section 1. Section 17.12.010 of the Gig Harbor Municipal Code is hereby amended as to read as follows:

17.12.010 Districts established. The city is divided into the following use districts:

- A. Single-family residential (R-1);
- B. Medium density residential (R-2);
- C. Multiple-family residential (R-3);
- D. Residential business 1 (RB-1);
- E. Residential business 2 (RB-2);
- F. Downtown business (DB);
- G. ~~General business~~ Neighborhood Commercial (B-1);
- H. General business (B-2);
- I. General commercial (C-1);
- J. ~~Westside commercial (WSC)~~ Public-Institutional (PI);
- K. Waterfront residential (WR);
- L. Waterfront Millville (WM);
- M. Waterfront commercial (WC).
- N. Employment District (ED)

Section 2. Section 17.16.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.16.020 Permitted principal uses and structures. The following principal uses and structures are permitted in an R-1 district:

- A. Single-family dwelling;
- B. ~~Agricultural uses including nurseries and truck gardens as long as objectionable odors or dust are not created;~~ Adult family homes
- C. Publicly owned and operated parks and playgrounds;
- D. Temporary buildings for and during construction;
- E. Family day care and adult family homes;
- F. Uses and structures that are necessary or desirable adjuncts to permitted uses and structures and are under the management and control of the person, organization or agency responsible for the permitted principal use or structure.
- I. Manufactured housing in approved manufactured housing subdivisions.
- J. Home occupations subject to chapter 17.84.

Section 3. Section 17.16.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.16.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in an R-1 district:

- ~~A. Child care facilities serving more than six children outside of a home in an institution;~~
- ~~A.~~ B. Public utilities and public service uses such as libraries, electric substations, telephone exchanges and police, fire and water facilities;
- ~~B.~~ C. Schools, including playgrounds and athletic fields incidental thereto;
- ~~C.~~ D. Houses of religious worship, rectories and parish houses;
- ~~E.~~ F. Home occupations;
- ~~D.~~ E. Bed and breakfast establishments;
- ~~E.~~ G. Accessory apartment which meet the criteria as established under Section 17.64.045. ~~When reviewing a conditional use request for an accessory apartment, the hearing examiner shall consider the following guidelines:~~
- ~~1.~~ 1. The required parking space for the accessory apartment is placed behind the primary structure or is paved with grass block pavers to avoid an expansive area of hard surface;
- ~~2.~~ 2. The accessory apartment is attached to or placed at least six feet behind the primary structure;

- ~~3. The design of the accessory apartment is incorporated into the primary unit's design with matching materials, colors, window style and roof design;~~
- ~~4. The entrance to the accessory apartment is oriented away from the view of the street or is designed to appear as a secondary entrance to the primary unit (e.g., garage entrance or service porch entrance);~~
- ~~5. Utilities for the accessory apartment shall be metered separate from the primary dwelling unit;~~
- ~~6. The accessory apartment and the primary unit conforms to all other building and zoning code requirements.~~

Section 4. Section 17.16.040 of the Gig Harbor Municipal Code is hereby repealed.

Section 5. Section 17.16.060 of the Gig Harbor Municipal Code is hereby repealed.

Section 6. Section 17.16.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.16.0760 Development standards. In an R-1 district, the minimum lot requirements are as follows:

A. ¹ Minimum lot area per building site <u>for short plats</u>	12,000 square feet
B. ¹ Minimum lot width	70'
C. ² Minimum front yard setback	25'
D. Minimum rear yard setback	30'
E. Minimum side yard setback	8'
F. Maximum impervious lot coverage	40%
G. Minimum street frontage	20'
H. <u>Maximum Density</u>	<u>3 dwelling units/acre</u>

¹A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7% of the lot area, in lineal feet.

²In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line; provided, such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties ~~in the opinion of as determined by the~~ planning and public works directors. The other property line abutting a street shall be deemed the

side property line. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.

² A maximum density of up to 4 dwelling units per acre may be permitted within a planned residential development, pursuant to Chapter 17.89 of the GHMC.

The other property line abutting a street shall be deemed the side property line. An undersized lot or parcel shall qualify as a building site if such lot is a lot ~~on~~ of record.

Section 7. Section 17.16.080 of the Gig Harbor Municipal Code shall be amended to read as follows:

17.16.0870 Maximum height of structures. In an R-1 district, all buildings and structures shall not exceed ~~have a maximum height of 16-35~~ feet except as provided for under Chapter 17.62 GHMC, height ~~overlay district~~ restriction area

Section 8. A new Section 17.16.080 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.16.080 Height Variance for Single Family Dwellings

The maximum height of a single family dwelling may be increased, subject to the requirements established in Section 17.66.025 of this Title. Requests for a height variance is a Type II application and shall be processed in accordance with the procedures in Title 19 of the GHMC.

Section 9. Section 17.20.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.20.010 Intent. A R-2 district is intended to allow for a moderate density of land use that is greater than is permitted in an R-1 district but less than is permitted in an R-3 district, where suitable facilities such as streets, water, sewer and storm drainage are available. An R-2 district provides a transition between a higher density residential district in order to preserve the primarily residential character of existing lower density residential areas.

Section 10. Section 17.20.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

~~H.G.~~ Home occupations subject to Chapter 17.84 GHMC.

I. Manufactured housing in approved manufactured housing subdivisions or parks.

J. Home occupations

Section 10. Section 17.20.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.20.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in an R-2 district:

~~A. Child care facilities serving more than six children outside of a home in an institution;~~

A.B. Public utilities and public service uses such as libraries, electric substations, telephone exchanges, and municipal service facilities;

~~B.C.~~ Schools, public and private, including accessory playgrounds and athletic fields;

~~C.D.~~ Houses of religious worship, rectories and accessory buildings;

~~D.E.~~ Bed and breakfast establishments;

~~E.F.~~ Nursing and retirement homes;

F.G. Recreational buildings and community centers.

Section 11. Section 17.20.040 of the Gig Harbor Municipal Code is hereby repealed.

Section 12. Section 17.20.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.20.050 040 Development standards. In a R-2 district, the minimum lot requirements are as follows:

	7000- to 12000	Single Family Dwelling 12000+	Duplex Dwelling	Nonresidential
Minimum lot area per building site in square feet		12000	14000	12000
Minimum lot width	50'	70'		70'
Minimum front yard setback	25'	25'	25'	25'
Minimum rear yard	25'	25'	25'	30'

Minimum interior side yard	7'	8'	8'	10'
Maximum impervious lot coverage	40%	40%	45%	50%
Minimum street frontage	20'	20'	20'	20'

A.	Minimum lot area for short plats:	7000 square feet/dwelling unit
B.	¹ Minimum lot width:	50 feet
C.	¹ Minimum front yard:	25 feet
D.	Minimum side yard:	7 feet
E.	Minimum rear yard:	25 feet
F.	Maximum site coverage:	40 % of the total lot area.
G.	² Maximum density:	6 dwelling units per acre

¹A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7% of the lot area, in lineal feet.

²In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line; provided, such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties in the opinion of as determined by the planning and public works directors. The other property line abutting a street shall be deemed the side property line. An undersized lot or parcel shall qualify as a building site if such lot is a lot on record.

² A maximum density of up to 7.8 dwelling units per acre may be permitted within a planned residential development, pursuant to Chapter 17.89 of the GHMC.

Section 13. Section 17.20.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.20.060 Maximum height of structures. In an R-2 district, all buildings and structures shall not exceed ~~have a maximum height of 16~~ 35 feet except as provided for under Chapter 17.62 GHMC, height overlay district restriction area

Section 14. Section 17.24.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.24.020 Permitted principal uses and structures. The following principal uses and structures are permitted in an R-3 district:

- A. Duplexes and multiple-family dwellings up to eight attached dwelling units per structure;
- B. Bed and breakfast establishments;
- C. Nursing and retirement homes subject to the basic density requirements of the district;
- D. Adult family homes;
- ~~E.D.~~ Family day care;
- ~~F.E.~~ Publicly owned parks and playgrounds; and
- ~~G.F.~~ Accessory uses and structures such as:
 - 1. Temporary buildings for and during construction, and
 - 2. Uses and structures that are normal, necessary or desirable adjuncts to permitted uses.
- I. Manufactured housing in approved manufactured housing subdivisions or parks.
- J. Home occupations as established in chapter 17.84.

Section 15. Section 17.24.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.24.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in an R-3 district:

- ~~A. Child care facilities serving six or more children outside of a home in an institution;~~
- ~~A.B.~~ Public utilities and public services uses such as libraries, electrical substations, telephone exchanges and police and fire and water facilities;
- ~~B.C.~~ Recreational buildings and community centers;
- ~~C.D.~~ Schools, public and private;
- ~~D.E.~~ Houses of religious worship, rectories and parish houses;
- ~~E.F.~~ Private nonprofit clubs;
- ~~F.G.~~ Parking lots; and
- G.H. Single-family dwellings.

Section 16. 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:

Single Family Dwelling	Duplex Dwelling	Three or more units	Nonresidential

Minimum lot area per building site in square feet	7000	14000	20000	12000
Minimum lot width	70'	70'	70'	70'
Minimum front yard setback	25'	25'	25'	25'
Minimum rear yard	25'	25'	15'	30'
Minimum interior side yard	8'	8'	8'	10'
Maximum impervious lot coverage	40%	40%	65%	50%
Minimum street frontage	20'	20'	20'	20'

A.	¹ Minimum area for short plats:	5400 square feet/dwelling unit
B.	¹ Minimum lot width:	50 feet
C.	² Minimum front yard:	20 feet
D.	Minimum side yard:	7 feet
E.	Minimum rear yard:	25 feet
F.	Maximum site coverage:	60 % of the total lot area.
G.	³ Maximum Density	8 dwelling units per acre

¹A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7% of the lot area, in lineal feet.

²In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line; provided, such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties ~~in the opinion of~~ as determined by the planning and public works directors. ~~An undersized lot shall qualify as a building site if such lot is a lot of record. The maximum density in an R-3 district is eight dwelling units per acre.~~

³ A maximum density of up to 10.4 dwelling units per acre may be permitted within a planned residential development, pursuant to Chapter 17.89 of the GHMC.

Section 17. Section 17.24.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.24.060 Maximum height of structures. In an R-3 district, all buildings and structures shall not exceed have a maximum height of ~~16~~35 feet in height except as provided for under Chapter 17.62 GHMC, height overlay district restriction area

Section 18. Section 17.28.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.28.010 Intent. An RB-1 district is intended to provide a mix of residential uses with certain specified business, personal and professional services. It is also intended to serve as a buffer between high intensity commercial and lower density residential uses. The regulations and restrictions in an RB-1 district are intended to protect and preserve residential uses while permitting business uses characterized principally by professional and consultive services or executive and administrative offices, compatible with single-family residential development. To this extent, non-residential structures should be limited in total gross floor area per lot in order to minimize the impact of bulk and scale to residential neighborhoods.

Section 19. Section 17.28.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.28.020 Permitted uses and structures. The following principal uses and structures are permitted in an RB-1 district:

- A. All uses permitted in the R-1 district;
- B. Bed and breakfast establishments;
- C. ~~Business and Professional offices and personal services;~~
- D. Publicly owned parks and playgrounds;
- E. Temporary buildings for and during construction;
- F. ~~Uses and structures that are necessary or desirable adjuncts to permitted uses and structures and are under the management and control of the person, organization or agency responsible for the permitted principal use or structure;~~
- G.F. Uses which complement or facilitate permitted uses such as parking facilities or public plazas; and
- H. G. Pharmacies solely incidental to medical offices.
- I. Mobile/Manufactured home parks or subdivisions.
- J. Family Day Care
- K. Adult Family Homes

Section 20. Section 17.28.030 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.28.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in an RB-1 district:

- A. Nursing homes and retirement facilities;
- B. Child care facilities ~~containing more than six children~~;
- C. Public utilities and public service uses such as libraries, electrical substations, telephone exchanges and police, fire and water facilities;
- D. Recreational buildings and community centers;
- E. Schools, public and private;
- F. Outdoor recreational activities.
- G. Houses of religious worship

17.28.050 - Minimum Development Standards

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

	Single	Non-
	Family	residential
A. Lot area (square feet)	12,000	12,000
B. Lot width (feet)	70'	70'
C. Nonresidential yards:		
 1. Front	20	20
 2. Side	10	10
 3. Rear	15	15
 Abutting R-1/R-2 district	30 feet, with dense vegetative screening	
E. Residential yards	Same as setbacks in R-3 district	
F. Maximum impervious coverage	50%	60%
G. Minimum street frontage	20'	50'
	<u>Residential</u>	<u>Non-residential</u>
A. Minimum lot area (square feet)	12,000	15,000
B. Minimum lot width	70'	70'
C. Minimum front yard setback	20'	20'
D. Minimum rear yard setback	25'	15'
E. Minimum side yard setback	7'	10'
F. Maximum impervious lot coverage	50%	60%
G. Minimum street frontage	20'	50'
H. Maximum Density	3 dwelling units/acre	

~~I. More than one principal structure may be allowed on a single lot in an RB-1 district. Any yard abutting a single family residence shall be required to maintain a 30' wide dense vegetated screen.~~

~~I. An undersized lot of record shall qualify as a building lot provided it cannot be combined with another lot and; provided further, that compliance with the setback and coverage requirements are met.~~

~~J. Parking is not permitted in the side yards. Parking in front and rear yards is permitted, provided that a minimum landscape buffer of 10 feet is provided. In rear yards, a dense vegetative screen shall be provided between the parking area and any adjacent residence.~~

Section 21. Section 17.28.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.28.060 Maximum height of structures. In an RB-1 district, all buildings and structures shall not exceed have a maximum height of 16-35 feet in height except as provided for under Chapter 17.62 GHMC, height overlay district restriction area.

Section 22. Section 17.28.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.28.070 Parking and loading facilities. In an RB-1 district, parking and loading on private property shall be provided in connection with any permitted or conditional use as specified in Chapter 17.72 GHMC. Parking is not permitted in the side yards. Parking in front and rear yards is permitted, provided that a minimum landscape buffer of 10 feet is provided. In rear yards, a dense vegetative screen shall be provided between the parking area and any adjacent residence.

Section 23. Section 17.30.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.30.020 Permitted uses and structures. The following uses and structures are permitted in an RB-2 district:

- A. Multiple-family dwellings;
- B. Bed and breakfast accommodations;
- C. Business and Professional offices or services as described in GHMC 17.28.020;
- D. Retail uses clearly accessory to the principal office use of a structure;

- ~~E. Day care centers containing six or fewer children; Family Day Care~~
- ~~E. F. Publicly owned parks and playgrounds; and~~
- ~~F. G. Banking institutions.~~
- G. Mobile/Manufactured home parks and subdivisions.
- H. Adult Family Homes

Section 24. Section 17.30.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

* * *

I. Hotels and motels

Section 25. Section 17.30.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.30.050 Development standards. In an RB-2 district, development standards shall be satisfied for all new and redeveloped uses requiring site plan review:

- A. Minimum lot area: 12,000 square feet;
- B. Minimum lot width: 70 feet;
- C. Front yard setback: 20 feet;
- D. Side yard setback: 8 feet;
- E. Rear yard setback: 15 feet;
- F. Any yard abutting an existing residential use or zone: 40 feet with dense vegetative screening. Easements not having dense vegetative screening are not included
- G. Maximum Density: Eight dwelling units per acre permitted outright; 12 dwelling units per acre ~~maximum~~ allowed as a conditional use.

Section 26. Section 17.30.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.30.070 Maximum building height.

~~Maximum building height in an RB-2 district shall be limited as follows:~~

- ~~—— A. Twenty eight feet within the first 100 feet of an existing residential use or zone;~~
- ~~—— B. Thirty five feet for structures located more than 100 feet from an existing residential use or zone.~~ In an RB-2 district, all buildings and structures shall not exceed have a maximum height of 16–35 feet except as provided for under Chapter 17.62 GHMC, height overlay district restriction area

Section 27. Section 17.30.110 of the Gig Harbor Municipal Code is hereby amended to read as follows:

~~17.30.110—Supplemental standards. Performance standards. In an RB-2 district, the development standards set forth in GHMC 17.58.060 through 17.58.110 shall be applicable to this chapter.~~

In an RB-2 district, performance standards are as follows:

A. Exterior Mechanical Devices. Air conditioners, heating, cooling and ventilating equipment, pumps and heaters and all other mechanical devices shall be screened.

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

C. Outdoor Storage of Materials. The outdoor storage of materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture, is permitted as an incidental or accessory activity of a permitted use or the principal feature of a conditional use. Such storage shall be screened by a wall, fence, landscaping or structure from surrounding properties and streets.

D. Outdoor Lighting. Within 100 feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Such lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

E. Trash Receptacles. Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

Section 28. Section 17.31.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.31.080 Maximum height of structures. In the DB district, all buildings and structures shall have a maximum height of 16 feet ~~except as provided for under Chapter 17.62 GHMC, height overlay district.~~

Section 29. Section 17.31.110 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.31.110 Performance standards. In a DB district, performance standards are as follows:

* * *

D. Outdoor Display of Merchandise. The outdoor display of merchandise is limited to the area immediately along the building frontage a maximum distance of twelve feet from the building. Out door displays of merchandise on public sidewalks or right-of-ways shall be regulated per Chapter 12.02 of the Gig Harbor Municipal Code.

E.D. Outdoor Lighting. Within 100 feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Such lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

F.E. Trash Receptacles. Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

Section 30. Section 17.32.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.32.010 Intent. This district is intended to provide shopping facilities close to residential areas for the convenience of nearby residences in satisfaction of only daily or frequent shopping needs, while reducing the hazards of local traffic by limiting the kinds of retail activities to those suitable for stores of 40,000 5,000 square feet of floor area or less per parcel, such as groceries, bakeries or drugstores. Residential uses, subordinate to the principal commercial use, are suitable for this district. The protective standards for site development contained in this chapter are intended to minimize any adverse effect of such development on nearby property values, and to provide for safe and efficient use of the development itself. ~~Submission of a site development plan is intended to serve as a guide to the city council and planning commission for the evaluation of the application in terms of the public interest. Such information is further intended to substantiate a finding that the proposed development will promote the general welfare of the city. It is further intended that any financial responsibility of the developer for work to be done on city streets bounding or giving access to the development, which arises out of the provisions of this chapter, be made the subject of a contractual agreement between the developer and the city, and that~~

~~such contractual agreement may contain provisions to effectuate any other Chapter of this chapter. The principles or guidelines to be applied are as follows:~~

A. All business establishments shall be retail or service establishments dealing directly with consumers, and only those goods shall be produced that are sold on the premises. Residential uses are allowed, if they are subordinate to the principal commercial use on the site and providing that they do not occupy the groundfloor of the structure.

B. The maximum gross floor area for a non-residential structure occupied by any business establishment shall not exceed ~~10,000~~ 5,000 square feet per lot, exclusive of required parking.

C. All business shall be conducted within completely enclosed buildings.; ~~no~~ Open or drive-in establishments being permitted are not permitted.

Section 31. Section 17.32.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.32.020 Permitted uses. Subject to the regulations of GHMC 17.32.030, the following uses are permitted in a B-1 district:

A. All uses permitted in an R-2 district, with the exception of detached single family dwellings;

B. Barbershops and beauty parlors;

C. Drugstores;

D. Drycleaning and laundry receiving establishments, processing not to be done on the premises;

E. Food stores, such as grocery stores, ~~meat markets~~, bakeries and delicatessen stores;

F. Hardware stores;

G. Laundries, of the automatic, self-service type;

H. Shoe repair stores;

I. Variety stores;

J. Temporary buildings for and during construction;

~~K. Relating to storage uses, such establishments may be permitted to conduct business outside of enclosed buildings for the purposes of storage of wheeled vehicles, trailers and other wheeled implements. Any such business conducted outside of enclosed buildings shall be within the confines of an area properly secured, fenced and screened, and shall be allowed only after completion of site plan review as specified in GHMC 17.32.030;~~Residences located above the ground floor of a commercial establishment.

~~L. Light manufacturing;~~

~~M. Bowling alleys;~~

~~N. Restaurants, cocktail lounges and taverns.~~

Section 32. Section 17.32.030 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.32.030 Site plans. The procedures established under Chapter 17.96 shall apply to development within this district.

~~A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the city clerk for transmittal to the city building inspector.~~

~~B. Site plans will be drawn to scale of no smaller than one inch equals 30 feet and shall include the following:~~

~~1. Location and arrangement of proposed building on lot;~~

~~2. Three contiguous property lines of adjacent property owners;~~

~~3. Location and size of off street parking to include ingress and egress as well as internal traffic circulation and service facilities;~~

~~4. Proposed landscaping to include drainage and permanent landscaping or screening which is feasible for the property within the proposed development;~~

~~5. A separate scale drawing of the exterior of the building(s) to include siding material, signs, and screening design and material;~~

~~6. A city of Gig Harbor environmental work sheet.~~

~~C. If the city clerk and the city building inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the city clerk or the city building inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the city clerk and the city building inspector for review and transmittal to the planning commission.~~

~~D. If the city clerk and the city building inspector find a variance, a conditional use permit or a rezone would be a necessary adjunct to the carrying out of the proposed plans, the applicant (s) shall be so notified, that they may make application for such variance, conditional use permit or zone change coincident with the application for site plan approval, if so desired.~~

~~E. The city clerk shall assign public hearing dates for the applicant for both the planning commission and city council and forward the site plans to the planning commission which shall, at its earliest possible regular meeting, consider approval of the plans with special attention to:~~

~~1. Compatibility with the city's comprehensive plan;~~

~~2. Compatibility with surrounding buildings, occupancy, and use factors;~~

~~3. All relevant statutory codes, regulations and ordinances and compliance with same.~~

~~F. Upon completion of its study of the site plans the planning commission shall transmit same to the city council together with a letter of approval or rejection of the plans. Should approval be recommended the letter may include recommendations for any special~~

~~restrictions or regulations deemed necessary or desirable in furthering the intent of the code pertaining to this proposed development.~~

~~G. The city council, upon receipt of the site plans, shall hold an advertised public hearing and accept or reject, with or without special restrictions or regulations, the site plans submitted.~~

~~H. The city council may require suitable performance bonds to assure compliance with all city ordinances, the amount and nature of same shall be set by the city council, and the city clerk shall arrange for same.~~

~~I. All site plans submitted shall become property of the city and shall be considered an integral part of the building permit when issued.~~

~~J. Upon approval by the city council, the city building inspector is authorized to issue permits for the proposed building(s) and/or development.~~

Section 33. A new Section 17.32.033 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.32.033 General Standards. The following general standards shall apply:

- | | | |
|----|-----------------------------------|---------------------------|
| A. | Minimum lot area: | 5,000 square feet |
| B. | Minimum lot width: | 50 feet |
| C. | Minimum front yard: | 20 feet |
| D. | Minimum side yard: | 10 feet |
| E. | Minimum rear yard: | 25 feet |
| F. | Maximum site impervious coverage: | 80 % |
| G. | Maximum Residential Density: | 4 dwelling units per acre |

Section 34. A new Section 17.32.035 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.32.035 Maximum District Area. The maximum area of a B-1 district shall not exceed 3 acres. A B-1 district may not be located within one-half mile of another commercial district.

Section 35. Section 17.32.090 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.32.090 Off-street loading. One off-street loading berth shall be provided, in accordance with Chapter 17.72 GHMC. ~~for 10,000 square feet or more of floor area up to 20,000 square feet, and one additional berth provided for each 20,000 square feet of floor area over 20,000 square feet.~~

Section 36. Section 17.32.100 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.32.100 Off-street parking.

- ~~— A. Off street parking shall be provided for residences on the basis of one space for each dwelling unit.~~
- ~~— B. Off street parking shall be provided for all other uses, in accordance with the off street parking requirements of Chapter 17.72 GHMC. Off-street parking and loading shall comply with the standards of Chapter 17.72.~~

Section 37. Section 17.36.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.020 Permitted uses. The following uses and structures are permitted in a B-2 district:

- A. Retail and wholesale sales, excluding motorized vehicles, trailers and boats;
- B. Business and professional offices;
- C. Banks and other financial institutions;
- D. Restaurants, cocktail and associated lounges and taverns (indoor dining - no drive-through);
- E. Commercial recreation, excluding drive-in theaters;
- F. Gasoline service stations and car washes; and
- G. Personal and professional services.
- H. Adult family homes
- I. Family day care
- J. Hotels and motels

Section 38. Section 17.36.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.030 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in a B-2 district:

- A. Utilities and public service uses such as libraries, electrical substations, water storage facilities, etc.;
- B. Light manufacturing and assembly;
- C. ~~Ministorage~~warehouses;
- D. Recreational buildings and community centers;
- E. Drive-in restaurants; and

F. Radio and television transmission towers.

Section 39. Section 17.36.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.060 Minimum building setback requirements.

A. Front yard 20 feet

B. Rear yard 20 feet

C. Side Yard:

1. Interior yards 5 feet

2. Flanking street 10 feet

D. Separation Between Structures 20 feet

~~D.E.~~ Any yard abutting residential development, 30 feet with dense vegetative screening.

Section 40. Section 17.36.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.080 Maximum height of structures. In a B-2 district, all buildings and structures shall not exceed a ~~maximum~~ height of ~~16-~~ 35 feet except as provided for under Chapter 17.62 GHMC, height ~~overlay district~~ restriction area.

Section 41. Section 17.36.120 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.36.120 Performance standards. In a B-2 district, performance standards are as follows:

A. Exterior Mechanical Devices. Air conditioners, heating, cooling and ventilating equipment, pumps and heaters and all other mechanical devices shall be screened.

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained for the life of the project ~~in a neat manner~~. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

C. Outdoor Storage of Materials. The outdoor storage of materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture, is permitted as an incidental or accessory activity of a permitted use

or the principal feature of a conditional use. Such storage shall be screened by a wall, fence, landscaping or structure from surrounding properties and streets.

D. Outdoor Display of Merchandise. The outdoor display of merchandise is limited to the area immediately along the building frontage a maximum distance of twelve feet from the building. Out door displays of merchandise on public right-of-way or sidewalks shall be regulated under the provisions of Chapter 12.02 of the Gig Harbor Municipal Code.

E.D. Outdoor Lighting. Within 100 feet of any residential zone or use, outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Such lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

F.E. Trash Receptacles. Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

Section 42. Section 17.40.020 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.40.020 Permitted principal uses and structures. The following principal uses and structures are permitted in a C-1 district:

- A. All uses permitted in a B-2 district;
- B. Repair shops for appliances, automobiles and small equipment;
- C. The production, processing, cleaning, servicing, testing, and repair of materials, goods and products, except that junkyards, auto wrecking yards, garbage dumps and any activity that emits smoke, excessive noise, dirt, vibration or glare, or is otherwise offensive or hazardous, is prohibited;
- D. Indoor amusement establishments;
- E. Animal hospitals, clinics with overnight confinement and pounds;
- F. The sale of motor vehicles, cars and trailers, and vehicle services such as carwashes, garages, tire and battery service facilities;
- G. Boat sales and show rooms;
- H. Building material sales;
- I. Cartage and express facilities and trucking;
- J. Contractors' offices and shops;
- K. Fishing equipment supplies and repairs;
- L. Frozen food lockers;
- M. Fuel and ice sales;
- N. Commercial greenhouses;

- O. Linen towel, diaper and similar supply services and laundry facilities;
- P. Storage, warehousing and wholesaling establishments;
- Q. Light assembly or manufacturing; and
- R. All permitted uses of the waterfront.
- S. Child day ~~nursery care facilities schools~~
- T. Family day care adult family homes

Section 43. Section 17.40.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.030 Permitted accessory uses and structures. The following accessory uses and structures are permitted in a C-1 district:

- ~~A. Temporary portable buildings for and during construction; and~~
- ~~B. Uses and structures that are necessary or desirable adjuncts to permitted uses and structures and are under the management and control of the person, organization or agency responsible for the permitted principal use or structure.~~

Section 44. Section 17.40.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.040 Conditional uses. Subject to the requirements of Chapter 17.64 GHMC and the standards and procedures for conditional uses as set forth in this title, the following uses may be permitted in a C-1 district:

- A. Hospitals, clinics and establishments for people convalescing from illness or operation;
- B. Homes for the aged;
- ~~C. Day nursery schools;~~
- ~~C.D.~~ Public utilities and public service uses such as libraries, electrical substations, telephone exchanges and police, fire and water facilities;
- ~~D.E.~~ Recreational buildings and community centers;
- ~~F. Seasonal Christmas tree sales;~~
- ~~EG.~~ Schools, including playgrounds and athletic fields incidental thereto;
- ~~FH.~~ Houses of religious worship, rectories and parish houses;
- ~~GI.~~ Private and not-for-profit clubs;
- ~~HJ.~~ Planned unit developments;
- ~~L.K~~ Home occupations;
- ~~JE.~~ Ministorage facilities;
- ~~K.M.~~ Drive-in restaurants; and
- ~~L.N.~~ Residential uses.

Section 45. Section 17.40.050 of the Gig Harbor Municipal Code is hereby repealed.

Section 46. Section 17.40.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.070 Minimum lot requirements. In a C-1 district, the minimum site development lot-area is 6,000 square feet, and the minimum lot width is 50 feet.

Section 47. A new Section 17.40.075 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.40.075 Maximum Residential Density. The maximum residential density is 7 dwelling units per acre.

Section 48. Section 17.40.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.080 Minimum building setback requirements. In a C-1 district, there are no minimum requirements for front, side and rear building setbacks. Setback dimensions shall be determined as part of the site plan reviews of Chapter 17.96 GHMC.; ~~provided, however, that~~ Where a C-1 district abuts a residential district, the minimum yard shall be 30 feet with a dense vegetative screen located on the commercial property. The minimum separation between commercial structures on the same site shall be 20 feet.

Section 49. Section 17.40.100 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.40.100 Maximum height of structures. In a C-1 district, all buildings and structures shall not exceed a height of ~~46~~ 35 feet except as provided for under Chapter 17.62 GHMC, height ~~overlay district~~ restriction area.

Section 50. Section 17.46.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.46.020 Permitted uses. The following uses are permitted in a waterfront residential district:

- A. Single-family and duplex dwellings;
- B. Accessory structures clearly incidental to the residential use of the lot;
- C. Publicly owned and operated parks and shoreline viewing facilities;
- D. Home occupation;
- E. Family day care;
- F. Adult family homes

Section 51. Section 17.46.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.46.040 Development standards. ~~In a waterfront residential district, A minimum lot area for new subdivisions is not specified.~~ The minimum lot requirements are as follows:

	<u>Single Family Dwelling</u>	<u>7000 to 12000</u>	<u>Less than 7000</u>	<u>Duplex Dwelling</u>	<u>Non- reside ntial</u>
<u>Minimum lot area per buidling site in square feet</u>	<u>7000</u>			<u>15000</u>	<u>12000</u>
<u>Minimum lot width</u>	<u>70'</u>	<u>50'</u>	<u>50</u>	<u>70'</u>	<u>70</u>
<u>Minimum front yard setback</u>	<u>20'</u>	<u>20'</u>	<u>15'</u>	<u>20'</u>	<u>20</u>
<u>Minimum rear and/or cedarwood setback abutting tidelands</u>	<u>0'</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Minimum interior side yard setback</u>	<u>8'</u>	<u>5</u>	<u>5</u>	<u>8</u>	<u>10</u>
<u>Minimum street cedarwood setback</u>	<u>10</u>	<u>10</u>	<u>8</u>	<u>10</u>	<u>10</u>
<u>Maximum impervious lot coverage</u>	<u>40%</u>	<u>45%</u>	<u>50%</u>	<u>45%</u>	<u>50</u>
<u>Minimum street frontage</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20</u>

	Single	Duplex	Nonresidential
A. Minimum lot area (square feet):	7,000	14,000	12,000
B. Minimum lot width:	70 feet	50 feet	50 feet
C. ¹ Minimum front yard:	20 feet	20 feet	20 feet
D. Minimum side yard:	10 feet	10 feet	10 feet
E. Minimum rear yard:	25 feet	25 feet	25 feet
F. Minimum Yard Abutting Tidelands:	0 feet	0 feet	0 feet
G. Maximum site impervious coverage:	40 %	45 %	50 %.
H. ² Maximum Density:	3 dwelling units per acre		

¹In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties ~~in the opinion~~ of as determined by the planning and public works directors. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.

²Density bonus of up to 30 % may be granted subject to the requirements of Chapter 17.96 (Planned Residential District).

* * *

Section 52. Section 17.46.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.46.060 Maximum height of structures. In a WR district, all buildings and structures shall not exceed ~~have a maximum~~ height of 16 35 feet except as provided for under Chapter 17.62 GHMC.

Section 53. Section 17.48.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.48.040 Development standards. ~~A. Development standards in the WM district are as follows: A minimum lot area for new subdivisions is not specified.~~ The minimum development standards are as follows:

Single	Multi-family	Nonresi
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	Family	(duplex fourplex)	dential
Min. lot area (sq. ft.)	12,000	15,000/duplex	12,000
		18,000/triplex	
		21,000/fourplex	
Min. lot width	70'	100'	100'
Min. front setback	20'	20'	20'
Min. rear and/or side yard abutting Tidelands	0	0	0
Min. int. side setback	8'	8'	10'
Min. street side setback	10'	10'	10'
Max. Impervious coverage	50%	55%	70%
	Single Family Dwelling	Attached up to 4 unit	Non residential
A. Minimum lot area (square feet):	6,000	6,000/unit	15,000
B. Minimum lot width:	50 feet	100 feet	100 feet
C. ¹ Minimum front yard:	20 feet	20 feet	20 feet
D. Minimum side yard:	8 feet	10 feet	10 feet
E. Minimum rear yard:	25 feet	25 feet	25 feet
F. Minimum Yard Abutting Tidelands:	0 feet	0 feet	0 feet
G. Maximum site impervious coverage:	50 %	55 %	70 %.
H. ² Maximum Density:	3.5 dwelling units per acre		

¹In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties in the opinion of the planning and public works directors. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.

²Density bonus of up to 30 % may be granted subject to the requirements of Chapter 17.96 (Planned Residential District).

Section 54. Section 17.48.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.48.060 Height.

A. ~~The maximum building height is~~ Structures shall not exceed 16 feet ~~in height, except as provided for under Chapter 17.62 GHMC.~~ Additional height increase of up to 824 feet, maximum, may be permitted for each structure if ~~two~~ one additional waterview and one access opportunityies are provided per structure, per lot and the following criteria are met:

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

- measured 2. Each story or floor shall be less than or equal to 10 feet in height as from the top of the first floor to the top of the second floor.
3. There shall be no occupancy of the attic space.
4. The pitch of the roof shall have a minimum slope of 2:1 (6:12 pitch) and a maximum slope of 1:1 (12:12 pitch).
- and 5. The proposal is reviewed in accordance with the site plan review criteria and procedure as established in Chapter 17.96 GHMC.

Section 55. Section 17.50.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.50.040 Development standards.

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

Multifamily				
Single	(Duplex Fourplex)	Non residential		
A. Minimum lot area	12,000	15,000	12,000	
		21,000		
B. Minimum lot width	70'	100'	100'	
C. Minimum front setback	20'	20'	20'	
D. Minimum rear setback				
if tidelands not owned	15'	15'	15'	
E. Minimum rear and/or				
side yard setback to				
owned abutting tidelands	0	0	0	
F. Minimum interior				
side setback	8'	8'	10'	
G. Minimum street				
side setback	10'	10'	10'	
H. Maximum impervious				
coverage	50%	55%	60%	
Single Family Dwelling Attached up to 4 unit Non residential				
A. Minimum lot area (square feet)	6,000	6,000/unit	15,000	
B. Minimum lot width	50 feet	100 feet	100 feet	
C. ¹ Minimum front yard	20 feet	20 feet	20 feet	
D. Minimum side yard	8 feet	10 feet	10 feet	
E. Minimum rear yard	25 feet	25 feet	25 feet	
F. Minimum Yard Abutting Tidelands	0 feet	0 feet	0 feet	
G. Maximum site impervious coverage	50 %	55%	70%.	
H. ² Maximum Density	3.5 dwelling units per acre			

¹In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties ~~in the opinion of~~ as determined by the planning and public works directors. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record. An undersized lot shall qualify as a building site if such lot is a lot of record at the time this chapter became effective. Recognizing the existence of such parcels, the development standards are adjusted to grant relief as to minimum lot size and minimum lot width only.

²Density bonus of up to 30 % may be granted subject to the requirements of Chapter 17.96 (Planned Residential District).

* * *

Section 56. Section 17.50.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.50.050 Site plans. Before a building permit will be issued in a waterfront commercial district, the site plan review process specified in Chapter 17.96 GHMC shall be followed. Residential projects containing less than three or fewer dwelling units are exempt from this provision.

Section 57. Section 17.50.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.50.060 Maximum height of structures.

In a waterfront commercial district, the maximum building height shall not exceed is 16 feet., ~~except as provided for under Chapter 17.62 GHMC.~~

Section 58. Section 17.62.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.010 Intent. The purpose of this ~~district~~height restriction area is to establish standards for those properties ~~and zoning districts~~ located ~~outside~~ inside the Gig Harbor view basin where ~~greater~~ decreased building height ~~may be allowed~~ shall be required. This is intended to be a limitation on height so as not to restrict zone where views from adjacent properties ~~will not be adversely affected~~.

Section 59. Section 17.62.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.020 Map adopted. The standards of this Chapter shall be imposed as an overlay zone shown on the City's official Height Restriction Area Map, which depicts the property subject to the height restrictions. The standards of this Chapter are map overlay zone and supplementary to the regulations ~~prescribed~~ contained in by the underlying zones. ~~The application of said standards shall pertain to those properties designated on the official zoning map dated March 8, 1988.~~

Section 60. Section 17.62.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.030 Standards. ~~The maximum height for residential structures containing three or fewer units shall be 25 feet. The maximum height of commercial structures or residential structures containing four or more units shall be 35~~ 16 feet, except as otherwise may be provided in a planned unit development, or a planned residential development.

Section 61. A new Section 17.62.040 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.62.040 Amendment to Height Restriction Area Map
Amendments to the height restriction area map are a type IV permit procedure. The procedures established under Chapter 17.10 and Title 19 of the GHMC for the consideration of amendments to the zoning district map shall be followed for amendments to the height restriction area map. The criteria for approval shall be as follows:

- A. That the request to amend the height restriction area map furthers the goals, policies and objectives of the comprehensive plan;
- B. The property or area proposed for exclusion from the height restriction area map does not currently possess a view of Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows;
- C. The gradient of the land within 100 feet of the property or area does not have a slope of 5% or greater toward Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows.
- D. That views from adjacent properties will not be adversely affected.

Section 62. A new Section 17.64.015 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.64.015 Complete Application. An application for a conditional use permit is considered complete upon submittal of the information as required under Chapter 17.96.050(B) through (D), including the written statement of justification for granting the variance pursuant to the requirements of Chapter 17.64.040. This is in addition to the application requirements of Section 19.02.002 for a Type III application. Seven copies of all information required shall be submitted along with the processing fee.

Section 63. A new Section 17.64.045 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.64.045 Review criteria for accessory apartments. When reviewing a conditional use request for an accessory apartment, the hearing examiner shall consider the following guidelines:

- A. The required parking space for the accessory apartment is placed behind the primary structure or is paved with grass-block pavers to avoid an expansive area of hard surface,
- B. The accessory apartment is attached to or placed at least six feet behind the primary structure,
- C. The design of the accessory apartment is incorporated into the primary unit's design with matching materials, colors, window style and roof design,
- D. The entrance to the accessory apartment is oriented away from the view of the street or is designed to appear as a secondary entrance to the primary unit (e.g., garage entrance or service porch entrance),
- E. Utilities for the accessory apartment shall be metered separate from the primary dwelling unit,
- F. The accessory apartment and the primary unit conforms to all other building and zoning code requirements.

Section 64. Section 17.64.090 of the Gig Harbor Municipal Code is hereby repealed.

Section 65. A new Section 17.66.015 is hereby added to the Gig Harbor Municipal Code to read as follows:

17.66.015 Complete Application. An application for a general variance is considered complete upon submittal of the information as required under Chapter 17.96.050(B) through (D), including the written statement of justification for granting the variance pursuant to the requirements of Chapter 17.66.030(B). This is in addition to the application requirements of Chapter 19.02.002 for a Type III application. An application for an administrative variance shall contain the information required for a general variance, but shall include a written statement of justification for granting the variance pursuant to the requirements of Chapter 17.66.020(A).

Section 66. Section 17.66.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.66.020 Variances.

A. Administrative Variances. An administrative variance is a type II permit procedure. Upon the filing of a proper application, the planning director shall have the authority to grant, with conditions if necessary, an administrative variance from the following property development standards:

1. A decrease of not more than 20 percent of the required width of a side, front or rear yard or yard between buildings;
2. An increase of not more than 10 percent of the permitted projection of cornices, sills, eave projections, fences or structures, maximum permitted lot coverage, unenclosed awnings and unenclosed and uncovered decks into a required front, side or rear yard;
3. An increase of not more than ~~40~~ 5 percent in the maximum permitted height of a buildings; ;
4. ~~A decrease of not more than 10 percent in the number of required parking spaces.~~

B. Required Findings to Grant. Each administrative variance granted shall be supported by written findings as follows: ~~showing an affirmative determination of the variance review criteria contained in GHMC 17.66.030B.~~

The variance will not compromise the intent of the comprehensive plan nor be inconsistent with the goals, policies and objectives of the comprehensive plan;

1. The variance is an immediate remedy to a condition not readily apparent during the construction of a structure and which, if permitted, would not result in any significant adverse impacts to adjacent properties or structures;
2. A strict application of the standards would impose an unreasonable hardship upon the applicant or property owner;
3. The need for the variance is not the result of the deliberate actions of the applicant or property owner;
4. The variance does not create health and safety hazards.

~~C. Planning Director Action. Upon the filing of a properly completed application, the director shall, within fifteen working days, act to approve, modify or deny the application. If approved, the director shall send notice of the decision to the owners of all adjacent properties. The decision shall become final 145 working days after taking an action on the application unless an appeal is filed with the planning department prior to the fifteenth-fourteenth day. Any appeal of an administrative variance shall be considered by the hearing examiner.~~

Section 67. Section 17.68.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.68.010 Intent.

A. Within the zoning districts established by this title or any amendment that may later be adopted, there may exist lots, structures, uses of land and structures, and characteristics of use that were lawful before the effective date of the applicable regulations, but that would be prohibited, regulated, or restricted under the terms of ~~Chapter Title 17-01 of the~~ GHMC or a future amendment thereof. This chapter is intended to permit these nonconformities to continue until they are removed but not to encourage their perpetuation. It is further intended that nonconformities shall not be enlarged upon, expanded, extended or be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

* * *

Section 68. Section 17.68.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.68.040 Nonconforming structures. When a lawful structure existed at the effective date of the adoption or an amendment of the applicable regulations and could not be built under the terms of the current regulations set forth in GHMC Title 17, or amendments thereof, by reason of the restrictions on area, lot size or dimension, coverage, height, yards and the location on the lot or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful and shall be subject to the following provisions:

A. No such nonconforming structure may be altered in any way that increases its nonconformity respective to bulk or dimensional standards in effect or

enlarges any of its dimensions, but any structure or portion thereof may be altered to decrease its nonconformity;

* * *

Section 69. Section 17.68.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.68.050 Repairs and maintenance.

A. Repairs may be made to any nonconforming structure or any portion of a structure containing a nonconforming use; provided, they are restricted to the repairs or replacement of structural elements, fixtures, wiring and plumbing required so as to protect occupants and public safety. The need for such repairs or replacements shall be confirmed by the building official.

B. Nothing in this chapter shall be deemed to prevent the strengthening or restoration to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety and upon the order of such official.

Section 70. Section 17.72.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.72.020 Off-street parking design standards.

* * *

C. All off-street parking spaces shall be at least ~~nine~~ eight feet in width and at least ~~19~~ eighteen feet in length, both exclusive of access drives, yards, and ramps. Such spaces shall have a vertical clearance of at least seven feet. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, provided that the parking space so created contains within it the rectangular area required by this Chapter. Parking area aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking:

Aisle Width	Parking Angle				
	0°	30°	45°	60°	90°
One Way	12'	12'	15'	18'	20'
Two Way	19'	20'	21'	23'	24'

Driveways shall not be less than 12 feet in width for one way traffic and 20 feet in width for two-way traffic.

D. Off-street parking spaces may be located in any required yard unless otherwise indicated ~~in Chapter 17.72~~ in Title 17 of the GHMC.

* * *

Section 71. Section 17.72.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.72.030 Number of off-street parking spaces required.

* * *

T. For drive-through carwashes or quick service lubrication facilities, two parking spaces per service bay plus one space for every two employees. In addition, a stacking lane or lanes capable of accommodating a minimum of ten (10%) percent of the projected maximum hourly throughput of vehicles for the car wash shall be provided near the entrance to the car wash bay(s). One car length within the stacking lane shall be equal to the length of a standard parking stall.

Section 72. A new Section 17.72.060 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.72.060 Joint Use of Required Parking Spaces for the Downtown Business (DB) and the Waterfront Commercial (WC) Districts.

A. One parking area may contain required spaces for several different uses. Except as otherwise provided in this Chapter, the required space assigned to one use may not be credited to any other use which will require parking space simultaneously.

B. To the extent that developments that wish to make joint use of the same parking spaces operate at different times, the spaces may be credited to both uses.

C. Joint use of parking as specified under this Chapter shall be by written agreement between the developments using the parking facilities. The agreement shall be subject to the approval of the City. Said agreement shall be filed with the Pierce County Auditor as a covenant running with the land and is deemed binding between the assenting parties. The parking agreement shall have a minimum term of five years and shall specifically provide that the party whose parking will be eliminated or

reduced (the "affected party") by the agreement's termination shall notify the City at least six months prior to such termination. The affected party shall secure off-street parking sufficient to meet the code-required parking for the use.

Section 73. A new Section 17.72.070 is hereby added to the Gig Harbor Municipal Code, to read as follows:

17.72.070 Special Provisions for Lots With Existing Buildings in the Downtown Business District. Notwithstanding any other provisions of this chapter, whenever (i) there exists a lot with one or more structures on the effective date of this chapter, and (ii) a change in use does not involve any enlargement of a structure proposed for such lot, and (iii) the parking requirements of this Chapter as applicable under the proposed changes cannot be satisfied on such lot because there is insufficient area available on the lot that can practicably be used for parking, the parking standards for this Chapter may be reduced if parking is practicably available within two hundred feet of the site, either as public parking and/or joint-use parking on private property.

Section 74. 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 ~~nonresidential and nonagricultural~~ uses of land which are subject to site plan review, to the construction or location of any multifamily structure of three or more attached dwelling units and to any new subdivision plat.

Section 75. Section 17.78.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.78.050 Preservation of significant trees.

* * *

B. Significant Trees. Significant trees are those which possess one or more of the following characteristics:

1. Contribute to the character of the area and do not constitute a safety hazard; or
2. Form a continuous canopy or dense ~~buffer~~ vegetated screen;
3. If the grade level adjoining a tree to be retained is to be ~~raised~~ 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. Proof of professional design may be required;

4. The applicant may install impervious or compactible surface within the area defined by the drip line of any tree to be retained if it is demonstrated by a qualified arborist that such activities will not endanger the tree or trees.

C. Other Existing Vegetation. Retention of other existing vegetation for landscaping is strongly encouraged; however, it must be equal to or better than available nursery stock.

D. Areas of native vegetation which are designated as landscape or buffers areas shall be subject to a ten (10) foot wide no-construction zone and shall be protected by a temporary perimeter fence. 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 set-back will not harm nor existing vegetation within the designated landscape or buffer area.

Section 76. Section 17.78.070 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.78.070 Requirements for commercial uses.

A. Perimeter Areas.

1. Notwithstanding other regulations found in this chapter, perimeter areas not covered with buildings, driveways and parking and loading areas shall be landscaped. The required width of perimeter areas to be landscaped shall be the required yard or setback area or a 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.

* * *

Section 77. Section 17.78.080 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.78.080 Parking lot landscaping and screening.

* * *

C. Downtown Parking Lots. For parking lots located within the downtown area, the following standards apply:

1. Provision of a minimum of five-foot-wide landscaping strip intended to screen and soften the visual impacts of parking lots. Screening may be accomplished through any of the methods described under subdivision 2 of subChapter A of this Chapter. In addition to screening, street trees a minimum of two-inch caliper shall be provided at 20-foot intervals.

2. In those instances where parking areas are bordered by more than one street, the strip required in subdivision 1 of this subChapter shall only apply to the longest side. All other sides must be screened with a wall, fence, vegetative buffer or combination of these elements at a minimum height of three and one-half feet. The street tree requirements will pertain.

3. In order to protect vision clearances, areas around driveways and other access points are not required to comply with the full screening height standards. The specific horizontal distance exempt from this standard shall be ~~determined after consultation with the public works department~~ as established in the City of Gig Harbor Public Works Standards.

4. Trees Required. Trees are required at a ratio of at least one per 64 square feet of landscaped area or fraction thereof. They shall have a clear trunk to a height of at least five feet above the ground at maturity. Trees shall be planted no closer than four feet from pavement edges where vehicles overhang planted areas.

* * *

Section 78. 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, the Tacoma City Light Right-of -Way and SR-16 interchanges.

A. All development of properties adjacent to SR-16, the Tacoma City Light Right-of-Way 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 25 feet in depth. Along SR-16 and the Tacoma City Light Right-of-Way, outside of the defined interchange areas, this buffer shall be adequate to totally screen development from views from SR-16. If existing vegetation is not adequate to accomplish this, then additional evergreen vegetation with a minimum height of four to six feet shall be planted.

* * *

Section 79. Section 17.78.110 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.78.110 Performance assurance.

A. Landscaping required pursuant to an approved site plan shall be installed prior to the issuance of certificate of occupancy or final inspection, unless the property owner submits a performance assurance equal to not less than 110% of a contractor's bid ~~device~~ and which ~~commitments~~ to install the landscaping within one year.

* * *

Section 80. Section 17.84.030 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.84.030 General requirements. The general requirements are:

A. Home occupations shall ~~occupy not more than 30 percent of the total floor area of the residence~~ only be permitted within the principal residential dwelling.

B. The occupation shall be carried on ~~entirely within a residence~~ by the ~~occupant~~ residents thereof.

C. The occupation shall be conducted in such a manner as to give no outward appearance nor manifest any characteristics of a business, in the ordinary meaning of the term, that would infringe upon the right of the neighboring residents to enjoy a peaceful occupancy of their homes.

D. Point of purchase retail sales are ~~generally discouraged~~ not permitted. ~~Limited stock in trade may be sold or displayed within the structure on the premises, and no equipment or material shall be stored on any exterior portion of the premises.~~

E. Parking of customers' or clients' vehicles shall create no hazard or unusual congestion. The home occupation shall not generate traffic volumes greater than what would normally be expected in a residential neighborhood. Parking shall be provided in conformance with Chapter 17.72 GHMC.

F. ~~Any signs utilized in the home occupation shall be limited to one flush mounted sign on the main residential structure which shall not exceed two square feet in area. Such sign shall be unlit and shall use nonflashing, nonreflective materials, and the legend shall show only the name of the occupant and type of occupation. Colors shall be subdued and consistent with residential character.~~ Signs shall not be permitted.

* * *

Section 81. Section 17.89.020 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.89.020 Where permitted. Planned residential development may be permitted in the following zoning districts consistent with the development and design standards of this chapter:

- A. All residential districts (~~R-1, R-2, R-3~~);
- B. Waterfront Residential (WR) and Waterfront Millville (WM).

Section 82. Section 17.89.030 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.89.030 Types of uses permitted. The following uses are permitted in a PRD zone:

- A. ~~All~~ Single-family detached dwellings and up to four-unit attached structures as defined in Chapter 17.04 GHMC in R-1 districts;
- B. All single-family and multifamily dwellings as defined in Chapter 17.04 GHMC in R-2 and R-3 districts;
- C. Accessory uses;
- D. Uses that may be allowed by conditional use permits in the underlying zoning subject to the requirements of Chapter 17.64 GHMC.

Section 83. Section 17.89.070 of the Gig Harbor Municipal Code is

hereby amended to read as follows:

17.89.070 Procedure for approval of a planned residential development project.

A planned residential development is a Type III permit application for a preliminary plat approval and a Type IV permit application for a final plat approval. The following are the procedures for approval of a PRD project:

~~A. Approval of a PRD shall be considered an amendment to the official zoning map and except as provided by this chapter, shall be processed as any other amendment with respect to notice, hearing and appeals. Prior to making application, the proponent may meet with the city staff for an initial discussion of the proposal and applicable policies, ordinances and standards.~~

~~A.B.~~ The preliminary development plan shall be reviewed in accordance with the procedures of this chapter 17.89, Title 16 and Title 19 of the GHMC. ~~by the hearing examiner. The action of the examiner shall constitute a~~

~~recommendation to the city council. The city hearing examiner shall not recommend~~ approve of the PRD unless it is determined that the plan complies with the policies of the comprehensive plan, the requirements of this title and the intent and provisions of this chapter. ~~The city examiner may recommend~~ develop terms and conditions of approval. The approved preliminary plan or subsequent revision thereto shall be binding as to the general intent and layout of roads, buildings, use of land and open spaces.

~~B.C.~~ Within ~~three~~ five years of the date of the preliminary development plan approval, the applicant shall submit a final development plan for the proposed development for approval by the city council. After finding that the final development plan has been completed in accordance with the provisions of the approved preliminary development plan, and that all required improvements have been completed or that arrangements or contracts have been entered into to guarantee that such required improvements will be completed, and that the interests of the city are fully protected, the city council shall approve the final development plan, accepting the dedications and easements which are included thereon. The final development plan shall consist of a final plat, binding site plan or any combination thereof.

~~C.-D.~~ If a proposed PRD is to be developed in phases, the entire project shall be portrayed on the preliminary development plan, and each phase shall individually receive final development plan review.

Section 84. Section 17.89.120 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.89.120 Expiration and extensions.

A. If a final development plan is not approved within ~~three~~ five years of the date of preliminary development plan approval, and an extension of time has not been granted, the PRD approval shall expire.

B. Knowledge of the expiration date and initiation of a request for an extension of time is the responsibility of the applicant. Requests for an extension of time must be submitted to the planning department at least 30 days prior to the expiration of PRD approval. The planning department shall schedule the request for extension for public hearing before the hearing examiner. One extension is the maximum to be granted and it shall be for no more than two years and the PRD may be subject to any new or amended regulations, requirements, policies or standards which are adopted after the original date of approval, unless ~~there has been substantial~~ fifty (50) percent or more of on-site work has been completed.

Section 85. Section 17.89.130 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.89.130 Minor and major adjustments amendments of the final plan.

A. Minor ~~adjustments~~ amendments are a Type I permit application and may be made and approved when a building permit is issued. Any such alteration must be approved by the planning director. Minor adjustments are those which may affect the precise dimensions or siting of buildings (i.e., lot coverage, height, setbacks) but which do not affect the basic character or arrangement and number of buildings approved in the plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than ~~10~~ five (5) percent from the original.

B. Major amendments are a Type III permit application. A major amendment is that ~~those~~ which substantially change the character, basic site design, density, open space or other requirements and conditions of the final plan. When a change constitutes a major amendment, no building or other permit shall be issued ~~without prior review and recommendation by the hearing examiner and approval by the city council of such amendment until such review proceedings required under Title 19 of the GHMC are completed.~~

Section 86. Section 17.90.010 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.90.010 Intent. The intent of planned unit developments is to allow ~~and make possible greater flexibility in the design of a development, more variety~~ and diversification in the relationships between buildings, open spaces and uses, and to encourage the conservation and retention of historical and natural topographic features while meeting the ~~purposes~~ goals, policies and objectives of the comprehensive plan. To accomplish this purpose, the underlying district regulations such as, but not limited to, ~~setback lines~~ minimum yards, density, uses, and height and bulk of buildings may be varied; provided, however, such variances shall not ~~conflict~~ compromise the overall intent of ~~with the comprehensive plan and nor significantly impact~~ existing uses, ~~nor~~ create adverse environmental effects. A planned unit development may be allowed in any district.

Section 87. Section 17.90.020 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.90.020 Approval of planned development. ~~The city council, after receiving recommendations from the hearing examiner, shall approve, approve with conditions, or disapprove proposed planned unit developments subject to a public hearing and the provisions of this chapter. Changes in a proposed planned unit development including use, expansion or continuation of site area or alteration of structures shall not be allowed unless all regulations in this chapter are complied with including this approval procedure.~~

Section 88. Section 17.90.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.90.030 Parcel characteristics. Planned unit developments shall be limited to a minimum site area of two acres. No planned unit development application shall be made for an area of less than two acres unless the city makes the following findings:

- A. An unusual physical, natural resource or topographical feature of importance exists on the site or in the neighborhood which can be conserved and still leave the applicant equivalent use of the land by the use of a planned unit development; or,
- B. The property or its neighborhood has a historical character of importance to the community that will be protected by use of a planned unit development; or,
- C. The property is adjacent to or across the street from property which has been developed or redeveloped under a planned unit development, and a planned unit development will contribute to the maintenance of the amenities and values of the neighboring planned unit development.

Section 89. Section 17.90.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.90.040 Requirements. The use of a planned unit development shall be as follows:

- A. ~~All private roads and drives and/or vehicle maneuvering areas shall have an unobstructed width consistent with traffic loads and overall design of the planned unit development and shall be constructed so that the roadway pavement structure meets city standards. All roads shall be public roads and the configuration and design of such facilities shall be consistent with the approved by adopted policies and standards in of the City of Gig Harbor Public Works director Construction Standards. Private roads within the PUD may be approved by the city if the following criteria are met:~~

- ~~1. Physical limitations of the site preclude the possibility of future linkage with existing public roads or proposed public roads which are part of the City's adopted road or transportation plan.~~
- ~~2. The proposed street design, pedestrian access and layout represents a superior design which meets the objectives of the Public Works Standards.~~
- ~~3. A direct and tangible public benefit will accrue from the proposed street design.~~

B. All provisions for vehicle parking shall be in designated parking areas.

C. Uses at variance with the underlying district shall be compatible with, and no more detrimental than, those uses specifically listed for a district. ~~Mixed uses may be allowed.~~

D. No open area may be accepted as common open space within a planned unit development unless it meets the following requirements:

1. The location, ~~shape~~, size and character of the common open space is suitable for the planned unit development;

* * *

Section 90. Section 17.90.060 of the Gig Harbor Municipal

Code is hereby amended to read as follows:

17.90.060 Approval Procedures.

~~A. The following information shall be submitted for hearing examiner and city council review of the preliminary development plans:~~

- ~~1. A copy of the site plan drawn to scale, showing the proposed layout;~~
- ~~2. A landscape plan drawn to scale, showing the location of landscape areas;~~
- ~~3. A written statement by the landowner or his agent setting forth the reasons why this planned unit development would be consistent with the goals and policies of the comprehensive plan.~~

~~A.B.~~ The following information shall be submitted for hearing examiner and city council review as a Type III application and approval of the preliminary final development plan:

1. Environmental checklist or environmental impact statement, if required;
2. ~~Twelve~~ Seven copies of a site plan drawn to scale and dimensioned, showing the existing topography at five-foot contour intervals, the proposed layout of structures, off-street parking and loading areas, landscape areas, pedestrian walks, driveways, ornamental lighting, screening, fences and walls;
3. ~~Twelve~~ Seven copies of a landscape plan drawn to scale and dimensioned, showing the location of proposed landscape areas together with varieties and size of plant materials to be used, together with the method of

maintenance. Also, other landscape features such as screening, fences, lighting and signing shall be indicated;

4. Copies of architectural drawings or sketches drawn to scale, including floor plan and elevation indicating types of materials and colors to be used may be required;

5. A schedule showing the proposed time and sequence within which the applications for final approval of all Chapters of the planned unit development are intended to be filed.

~~B.C.~~ Within ~~three~~ five years following the approval of the development plan, the applicant shall file with the city ~~council~~ a final development plan containing in final form the information required in the preliminary plan. The city ~~council~~ may extend the period up to a maximum of one year. If the city ~~council~~ finds that the final development plan is consistent with the preliminary development plan approval, and that all conditions of the preliminary development plan approval have been satisfied, it may approve the final development plan in total or in phases.

~~C.D.~~ In conditioning the approval of ~~granting~~ any planned unit development, the city ~~council~~ may require adequate guarantees of compliance with the final development plan, all as approved as to form by the City Attorney. Such guarantee may be a performance bond or other form of security in an amount sufficient to assure compliance, and may provide that such security be reduced as stages of construction are completed. In addition to the above, the city may, in the event of the applicant's failure to perform under the guarantees or other security, take steps necessary to ensure compliance, including the City's performance of the construction and/or maintenance at the applicant's cost in any manner allowed by law. ~~Alternatively, or in addition or in addition to the security, conditions may be imposed requiring other adequate assurances that the structures and improvements will be completed, subject to review and approval as to form by the city attorney, or that the city may, in the event of the applicant's failure to comply, take the steps necessary to assure compliance, including performing the construction or maintenance itself, and levy a lien for all costs thereof against the property.~~

Section 91. Section 17.90.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.90.070—~~Application to be available for public inspection. Amendments to a Planned Unit Development. From the time of the filing of the application until the time of final action by the city council, the application together with all plans and data submitted shall be available for public inspection in the office of the planning director. Amendments to a planned~~

unit development may be authorized as follows:

A. Minor amendments are Type I permit applications and shall be processed as established under Title 19 of the GHMC and may be made and approved when a building permit is issued. Any such alteration must be approved by the planning director. Minor adjustments are those which may affect the precise dimensions or siting of buildings (i.e., lot coverage, height, setbacks) but which do not affect the basic character or arrangement and number of buildings approved in the plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than five (5) percent from the original.

B. Major amendments are Type III permit applications and shall be processed as established under Title 19 of the GHMC. Major amendments are those which substantially change the character, basic site design, density, open space or other requirements and conditions of the final plan. When a change constitutes a major amendment, no building or other permit shall be issued without prior review and approval by the city of such amendment.

Section 92. Section 17.90.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.90.080 Duration of approval. Construction on the project must commence within 12 months from the date of final council action approval; otherwise, the approval of the application becomes null and void.

Section 93. Section 17.96.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.96.030 Site plans and review. Any use that is subject to the requirements for a site plan review prior to issuance of building permits shall be processed in accordance with the following procedures established under Title 19 of the GHMC for Type III project permit applications.

* * *

~~B. Criteria for approval. Hearing Examiner Review. The planning director shall assign a date no earlier than two weeks after the date of filing of a complete application for a public hearing before the hearing examiner. The site plans will be forwarded to the city examiner who shall consider the approval of the site plans with specific attention to the following:~~

1. Compatibility with the city's comprehensive plan;
2. Compatibility with the surrounding buildings' occupancy and use factors; and

3. All relevant statutory codes, regulations, ordinances and compliance with the same.

The review and decision of the ~~city examiner~~ shall be in accordance with the provisions of Chapter 17.10 GHMC and Title 19 of the GHMC.

Section 94. Section 17.96.050 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:

* *

E. A topographic map based upon a site survey delineating contours, existing and proposed, at no less than five-foot intervals and which locates existing streams, marshes and other natural features;

F. Site plans drawn to a scale no smaller than one inch equals 30 ~~fifty~~ (50) feet showing location and size of uses, buffer areas, proposed areas of disturbance or construction outside of the building footprint, yards, open spaces and landscaped areas and any existing structures, easements and utilities;

G. A circulation plan drawn to a scale acceptable to the public works director illustrating all access points for the site, the size and location of all driveways, streets and roads with proposed width and outside turning radius, the location, size and design of parking and loading areas, and existing and proposed pedestrian circulation system;

H. A preliminary drainage and stormwater runoff plan;

Section 95. Section 17.96.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

* * *

B. Major amendments are Type III permit applications and are processed in accordance with Chapter 19. Major amendments are those which substantially change the character, basic design, density, open space or other requirements and conditions of the site plan. When a change constitutes a major amendment, no building or other permit shall be issued without prior review and ~~recommendation~~ approval by the and approval by the city council ~~of such amendment.~~

Section 96. Section 17.100.020 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

17.100.020 Manner of initiation. Changes in this title may be initiated in the following manner:

A. Source.

1. The city council upon its own motion may initiate changes in this title.
2. The planning commission upon its own motion may initiate changes in this title.
3. Any individual, corporation or agency other than those listed above may initiate changes in this title. Amendments are processed as a Type IV permit procedure subject to the following:
 - a. For a zoning map amendment, the initiating individual, corporation or agency must be the owners or owner of a majority of the land in the petition area; and,
 - b. For an amendment to the text of this title, the initiating individual, corporation or agency must be an owner of real property within the city.

B. Form. An application for a change in the boundary of a district or the text of this title shall be filed with the planning department and shall be accompanied by such data and information as are necessary to assure the fullest practicable presentation of the facts. It shall set forth reasons and justification for proposing a change.

C. Minimum Area. Except for the extension of existing district boundaries, no change in any use district, classification or official zoning map shall be considered if it contains fewer than two acres, ~~as measured without including~~ excluding public streets or alley rights-of-way.

D. Submittal Consideration. The city council shall not consider any proposed amendment to the zoning map that is substantially the same as any other proposed amendment submitted within the previous 12 months which was disapproved.

Section 97. A new Section 17.100.025 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.100.025 Citizen Suggestions for Zoning Code Update. Prior to June 1 of each year, the Planning Commission will review any interested citizen's, staff members or the Hearing Examiner's request of any text or zoning

district map adjustment received. The Planning Commission may, at its discretion, consider such request and, if deemed to be in furtherance of the goals and policies of the comprehensive plan and in the public's health, safety and general welfare, may conduct a public hearing on any text or map adjustments it deems appropriate. The Planning Commission's recommendation to the City Council will be considered in accordance with the procedures established in Section 17.100.050 of this Title.

Section 98. Section 17.100.030 of the Gig Harbor Municipal Code shall be amended to read as follows:

17.100.030 Public hearing and notification. Public hearings and notifications related thereto shall be accomplished in accordance with the procedures and requirements established pursuant to ~~GHMC 17.01.070,~~ except that for amendments to the text of the title, a public hearing shall be conducted by the planning commission. Chapter 19.05 GHMC. The planning commission's action shall be a recommendation to the city council.

Section 99. A new section 17.100.035 of the Gig Harbor Municipal Code is hereby added to the Gig Harbor Municipal Code to read as follows:

17.100.035 General Criteria for Zoning District Map Amendment.
Requests for amending the zoning district designation of an area or the zoning code text shall be based upon the following criteria:

- A. That the request for the zoning district reclassification or zoning code text change is consistent with and furthers the goals, policies and objectives of the comprehensive plan;
- B. That the requested zoning district classification or zoning code text change will further the public's health, safety and general welfare.
- C. That no substantial detrimental effect shall be caused by the granting of the requested reclassification or amendment.

Section 100. Section 17.100.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

~~17.100.040—Report to the city council.~~

~~—The city council shall consider the report and recommendation of the hearing examiner or planning commission on any proposed change or amendment~~

~~regardless of the manner in which such change is initiated. Such report shall base its conclusion on the following criteria:~~

~~A. That the request for reclassification furthers the goals, policies and objectives of the comprehensive plan;~~

~~B. That there has been a change in conditions, upon which the existing zoning classification is based, sufficient to demonstrate that the current classification does not meet the public's interest. A changed condition constitutes a substantial and material change which was not anticipated nor foreseen since the adoption of the comprehensive plan or the last area zoning.~~
General Criteria for Zoning Text Amendment.

Requests for amending the zoning text shall be based upon the criteria as stated in Section 17.100.035.

~~C. That the requested classification will further the public's health, safety and general welfare.~~

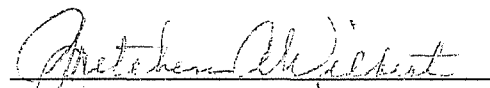
Section 101. Section 17.100.050 of the Gig Harbor Municipal Code is hereby repealed.

Section 103. Section 17.102.010 is hereby repealed.

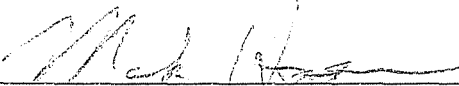
Section 104. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 105 This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:


MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:


CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK:	1/8/96
PASSED BY THE CITY COUNCIL:	1/22/96
PUBLISHED:	1/31/96
EFFECTIVE DATE:	2/5/96
ORDINANCE NO. <u>710</u>	

ORDINANCE NO. 1194

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, CORRECTING ERRORS AND OMISSIONS, AND CLARIFYING PROVISIONS TO AID IN INTERPRETATION AND IMPLEMENTATION OF TITLE 16 AND 17; REPEALING SECTIONS 17.01.100 AND 17.32.045; ADDING NEW SECTION 17.04.797; AND AMENDING SECTIONS 16.01.030, 16.04.005, 16.06.005, 17.01.090, 17.04.510, 17.12.010, 17.12.050, 17.14.020, 17.15.060, 17.16.070, 17.16.100, 17.17.040, 17.20.040, 17.20.060, 17.20.070, 17.21.040, 17.24.050, 17.24.060, 17.24.070, 17.28.050, 17.28.060, 17.30.030, 17.30.070, 17.31.060, 17.32.080, 17.36.060, 17.36.080, 17.40.100, 17.41.030, 17.45.040, 17.46.060, 17.46.090, 17.48.060, 17.48.090, 17.50.060, 17.50.090, 17.54.030, 17.56.030, 17.62.040, 17.68.020, 17.80.110, 17.91.040, 17.99.030, 17.99.160, 17.99.170, 17.99.240, 17.99.290, 17.99.300, 17.99.380, 17.99.420, 17.99.490, 17.99.510 AND 17.99.540 OF THE GIG HARBOR MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City has documented numerous land use code amendments necessary to correct errors and omissions and reduce the need for interpretations by the planning department; and

WHEREAS, the City desires to correct these errors and omissions and clarify the code to reduce interpretation and improve customer service; and

WHEREAS, the City desires to correct and update references and remove conflicting provisions in Titles 16 and 17; and

WHEREAS, the provisions for allowing temporary construction and office trailers are out-of-date and need to be updated to reflect current bonding process; and

WHEREAS, the City desires to relocate and reorganize the provisions for combining legally nonconforming lots, lot of record status, and horizontal building façade modulation to aid in implementation of the zoning code; and

WHEREAS, the City desires to clarify the definition of front lot line and add a definition of tenant-specific alteration to aid in implementation of the zoning code; and

WHEREAS, certain zoning districts adopted by the City are not listed as established zoning districts in Chapter 17.12 and the zoning district boundary interpretation provisions do not reflect modern GIS mapping capabilities; and

WHEREAS, the City desires to establish the omitted zoning districts in Chapter 17.12 and update interpretation language to reflect GIS mapping capabilities; and

WHEREAS, the City desires to include a reference to the Design Manual height standards in each zoning district and standardize reference language; and

WHEREAS, the City desires to codify the current policy to apply the single-family design standards to duplexes and update the design manual reference in each zoning district chapter accordingly; and

WHEREAS, the City desires to clarify that the dense vegetative buffer required in our mixed use zone between uses is only required when a nonresidential use abuts a residential use, not when a residential use abuts a residential use; and

WHEREAS, the City desires to remove multiple impervious surface limitations in the B-1 zoning district; and

WHEREAS, the Design Manual inadvertently requires zone transition across SR16, where Enhancement Corridor standards already require buffering and the City desires to clarify that that zone transition does not occur across SR16; and

WHEREAS, the City desires to clarify the use of ground-faced CMU block and better define the masonry façade option for nonresidential buildings; and

WHEREAS, the Design Manual has a minimum roof pitch allowance of 6/12 in the Historic District; however, shed dormers are allowed to have a less steep pitch. The manual does not limit the amount of a roof that can be a dormer. The City desires to limit dormers to 50% of the roof plane length; and

WHEREAS, the City's SEPA Responsible Official issued a threshold Determination of Nonsignificance (DNS) for this Ordinance on May 5, 2010; and

WHEREAS, a copy of this Ordinance was forwarded to the Washington State Department of Commerce on April 10, 2010, pursuant to RCW 36.70A.106; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on July 12, 2010; and

WHEREAS, on July 26, 2010, the City Council held a second reading during a regular City Council meeting; Now, therefore,

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

Section 1. Section 16.01.030 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

16.01.030 Final plat.

“Final plat” is the final drawing of the subdivision and dedication prepared for filing of record with the Pierce County auditor, and containing all elements and requirements set forth in Chapter ~~16.09~~ 16.06 GHMC.

Section 2. Section 16.04.005 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

16.04.005 Construction of improvements.

An approved short plat shall not be filed for record until the applicant has constructed or bonded for all improvements required by the director in the final decision on the short plat, pursuant to GHMC ~~16.04.001(F)~~ 16.08.001(F).

Section 3. Subsection 16.06.005(D) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

16.06.005 Criteria for approval.

A final plat application shall be approved if the subdivision proposed for approval:

* * *

D. Director’s Decision. If the application conforms to all of the above criteria, the director shall approve or conditionally approve the ~~short final~~ plat. Any subdivision submitted to the city for approval shall contain the following certificates. The property owner and the land surveyor shall execute their respective certificates prior to the director’s final decision. The certificates to be executed by city and county officials and employees shall be executed after final plat approval, if granted.

1. Mayor. A signature block and statement for the approval of the final plat;

2. City Clerk. A signature block and statement that the city clerk finds that there are no delinquent assessments outstanding on the property subject to this final plat approval;

3. City Engineer. A signature block and statement that the short plat complies with the applicable provisions of the city of Gig Harbor public works construction standards;

4. Planning Director. A signature block and statement that the subdivision complies with the city’s development regulations under GHMC Titles 16 and 17.

* * *

Section 4. Section 17.01.090 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.01.090 ~~Construction Temporary trailers—Temporary uses.~~

~~A. Applications for the temporary use of construction trailers are Type 1 project permit applications as defined under GHMC Title 19 and shall be processed accordingly. These permits are available for those who are in the process of constructing a building or buildings, which shall be subject to renewal, to locate a construction trailer or similar portable office on the building lot during the course of construction of the building or buildings. Such permit shall not be issued until after a building permit has been obtained.~~

~~B. Construction trailers or portable offices may be used as caretaker's quarters at various job sites which are controlled by other permits of limited time duration. All other types of caretaker quarters must meet the requirements for dwellings.~~

A. Temporary trailers are portable trailers used for a construction office, sales office, or caretaker's quarters during the course of construction of building(s) in a plat or site plan. Temporary trailers shall be located on a lot within the site plan or plat.

B. Prior to the use of a temporary trailer on any site, a temporary use permit shall be obtained. Temporary use permits are a Type I project permit application and shall be processed as set forth in GHMC Title 19.

~~C. Construction Temporary trailers or portable offices used for temporary uses must have an approval on approved sewage disposal system, water supply, and electrical connection.~~

~~D. A temporary use permit may be issued by the planning/building department for a period not to exceed one year; provided, the department, for good cause shown, may renew the permit for an additional six-month period, at which time the temporary use (construction trailer or portable office) trailer and all appurtenances thereto shall be removed from the property.~~

E. As a condition Performance Assurance. Prior to the issuance of a temporary use permit under the provisions of this section, the property owner shall deposit in trust with the city, in cash or its equivalent, an amount as established under the City's Fee Schedule Resolution, to be deposited in a special fund created by this chapter and identified as the "construction trailer or portable office deposit fund," and shall enter into an agreement with the city. submit a performance surety bond equal to not less than the 110 percent of the cost to remove the temporary trailer and all appurtenances thereto. The performance surety bond shall be executed by a surety company authorized to transact business in the state in a form approved by the city attorney. Such agreement shall provide, at a minimum, as follows:

1. The applicant agrees to pay to the city all fees, costs, and/or expenses, legal or otherwise, which the city may incur in causing the

~~removal of the construction trailer or portable office, and all its appurtenances left in place beyond the time period approved by the city or used or installed in violation of the ordinances of the city;~~

~~2. The applicant agrees that all such fees, costs and/or expenses incurred by the city shall be deducted from the deposit;~~

~~3. The applicant agrees to pay to the city such fees, costs, and/or expenses incurred by the city which are in excess of the deposit;~~

~~4. The city agrees to refund the deposit at the time of expiration of the permit, in total; provided the city does not incur such fees, costs, and/or expenses, or shall refund the remainder of the deposit after deduction of such fees, costs, and/or expenses; and~~

~~5. The city agrees to provide to the applicant a complete and accurate accounting of all such fees, costs, and/or expenses, if any, incurred by the city.~~

1. The property owner shall provide the city with a nonrevocable notarized agreement granting the city and its agents the right to enter the property and remove the temporary trailer and all appurtenances thereto.

2. If the property owner fails to remove the temporary trailer and appurtenances thereto and the city has incurred costs or expenses to remove such, the city shall call on the bond for reimbursement. If the amount of the bond is less than the cost and expense incurred by the city, the property owner shall be liable to the city for the difference. If the amount of the bond exceeds the cost and expense incurred by the city, the remainder shall be released.

~~F. A temporary use permit will be issued by the planning/building department. The fee imposed for the permit is in addition to all other required permits for electrical, plumbing and sewage disposal systems.~~

Section 5. Section 17.01.100 of the Gig Harbor Municipal Code is hereby repealed.

Section 6. Section 17.04.510 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.04.510 Lot line, front.

“Front lot line” of an interior lot means the lot line adjacent to a public street, ~~or~~ If the interior lot does not have a lot line adjacent to a public street, the front lot line shall be the total line first crossed when gaining access to the lot from a public private street or access easement. See GHMC 17.04.470 for the definition of the front lot line of a corner lot.

Section 7. A new section 17.04.797 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

17.04.797 Tenant-specific alteration.

"Tenant-specific alteration" means an exterior improvement made to the façade of a completed building by or for a single tenant which does not substantially modify the approved architecture.

Section 8. Section 17.12.010 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.12.010 Districts established.

The city is divided into the following use districts:

- A. Single-family residential (R-1);
- B. Medium density residential (R-2);
- C. Multiple-family residential (R-3);
- D. Residential business 1 (RB-1);
- E. Residential business 2 (RB-2);
- F. Downtown business (DB);
- G. Neighborhood commercial (B-1);
- H. General business (B-2);
- I. General commercial (C-1);
- J. Public-institutional (PI);
- K. Waterfront residential (WR);
- L. Waterfront Millville (WM);
- M. Waterfront commercial (WC);
- N. Employment district (ED)
- O. Planned community development low density residential (RLD)
- P. Planned community development medium density residential (RMD)
- Q. Planned community development commercial (PCD-C)
- R. Planned community development business park district(PCD-BP)
- S. Planned community development neighborhood business district (PCD-NB)
- T. Mixed use district overlay (MUD)

Section 9. Section 17.12.050 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.12.050 District boundary – Interpretation when uncertainty exists.

When uncertainty exists as to the boundaries of districts as shown on an official zoning map, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines;
- B. Boundaries indicated as following platted outlines shall be construed to follow the lot lines in effect at the time the applicable zoning district was approved;
- C. Boundaries indicated as following public land survey section or section subdivision lines shall be construed as following such section or section subdivision lines;
- D. Boundaries indicated as approximately following city limits shall be construed as following city limits;

E. Boundaries indicated as following shorelines shall be construed as following the mean high water line at the shore and, in the event of a change in the shoreline, shall be construed as moving with the mean high water line of the actual shoreline;

F. Boundaries indicated as following approximately the centerline of streams shall be construed as following such centerlines;

G. In unsubdivided property, the location of any district boundary, unless the same is indicated by dimensions shown on the official zoning map, shall be determined by the use of the scale appearing on the official zoning map;

H. Boundaries indicated as parallel to or extension of features indicated in subsections A through G above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the official zoning map.

I. Shorelands shall be considered to be within the same zone as the abutting upland.

J. Where boundaries do not show a zoning district extending into a public right-of-way, alley, private road, or other easement, the zone boundary and district immediately abutting shall extend to the center of the right-of-way, alley, road, or easement. It is the intent of this statement that all lands in the City are zoned and are subject to the provisions of this title.

Section 10. Section 17.14.020 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.14.020 Land use matrix

	PI	R-1	RLD	R-2	RMD	R-3	RB-1	RB-2	DB	B-1	B-2	C-1 ²⁰	PCD-C	ED ¹⁸	WR	WM	WC	PCD-BP	PCD-NB	MUD ²⁵
Uses																				
Dwelling, single-family	-	P	P	P	P	C	P	P	C	P ¹⁴	C	C	P ¹⁴	-	P	P	P	-	P ¹⁴	P
Dwelling, duplex	-	-	-	P	P	P	-	P	C	P ¹⁴	C	C	P ¹⁴	-	P	P	P	-	P ¹⁴	P
Dwelling, triplex	-	-	-	C	P	P	-	P	C	P ¹⁴	C	C	P ¹⁴	-	-	C ¹⁷	P	-	P ¹⁴	P
Dwelling, fourplex	-	-	-	C	P	P	-	P	C	P ¹⁴	C	C	P ¹⁴	-	-	C ¹⁷	P	-	P ¹⁴	P
Dwelling, multiple-family	-	-	-	-	P	P ⁶	-	P	C	P ¹⁴	C	C	P ¹⁴	-	-	-	-	-	P ¹⁴	P
Accessory apartment ¹	-	C	P	-	P	-	C	C	C	P ¹⁴	C	C	P ¹⁴	-	-	-	P	-	P ¹⁴	P
Family day care provider	-	P	P	P	P	P	P	P	C	P	P	P	P	-	P	P	P	-	P	P
Home occupation ²	-	P	P	P	P	P	P	P	C	P	-	C	-	-	P	P	P	-	-	-
Adult family home	-	P	P	P	P	P	P	P	C	P	P	P	P	-	P	P	P	-	P	P
Living facility, independent	-	-	-	C	-	P	C	C	C	P	C	C	P	C ²²	-	-	-	-	-	P

	PI	R-1	RLD	R-2	RMD	R-3	RB-1	RB-2	DB	B-1	B-2	C-1 ²⁰	PCD-C	ED ¹⁸	WR	WM	WC	PCD-BP	PCD-NB	MUD ²⁵
Uses																				
Living facility, assisted	-	-	-	C	-	P	C	C	C	P	-	C	P	C	-	-	-	-	-	P
Nursing facility, skilled	-	-	-	C	-	P	C	C	C	P	C	C	P	C	-	-	-	-	-	P
Hospital	-	-	-	-	-	-	-	-	C	-	C	C	-	C	-	-	-	C	-	-
School, primary	P	C	P	C	P	C	C	C	C	P	-	C	P	-	-	-	-	-	-	-
School, secondary	P	C	P	C	P	C	C	C	C	P	-	C	P	-	-	-	-	-	-	-
School, higher educational	P	C	-	C	-	C	C	C	C	P	-	C	P	-	-	-	-	P	-	-
School, vocational/trade	P	C	-	C	-	C	C	C	C	P	-	C	P	P	-	-	-	P	-	-
Government administrative office	P	C	P	C	P	C	C	P	P	P	P	P	P	P	C	P	P	P	P	P
Public/private services	P	C	-	C	-	C	C	C	C	P	C	C	P	C	C	C	C	P	P	P
Religious worship, house of	-	C	P ⁵	C	P ⁵	C	C	C	C	P	-	C	P	C	-	-	-	C	-	P/C ¹⁵
Museum	P	-	-	-	-	-	-	-	-	-	C	C	P	-	-	-	-	-	-	-
Community recreation hall	P	-	P	C	P	C	C	C	C	P	C	C	P	-	-	-	-	P	P	-
Clubs	-	-	C	C	C	C	C	C	P	P	P	P	P	C	-	C ²¹	P	P	C	-
Parks	P	P	P	P	P	P	P	P	P	P	C	C	P	-	P	P	P	P	P	P
Essential public facilities	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Utilities	P	C	P	C	P	C	C	C	C	P	C	C	P	C	C	C	C	P	P	P
Cemetery	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lodging, level 1	-	C	-	C	-	P	P	P	P	P	C	C	-	-	C	C	C	-	-	P
Lodging, level 2	-	-	-	-	-	-	-	C	P	-	P	P	P	-	-	-	C	-	-	P
Lodging, level 3	-	-	-	-	-	-	-	C	P	-	P	P	P	-	-	-	C	P	-	P
Personal services	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	P	P	P	P	P
Business services	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	P	P	P	P	P
Professional services	-	-	-	-	-	-	P	P	P	-	P	P	P	P	-	P	P	P	P	P
Ancillary services	P	-	-	-	-	-	P	P	P	P	P	P	P	P	-	P	P	P	P	P
Product services, level 1	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	P	P	P	P	P
Product services, level 2	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	P ¹⁶
Sales, level 1	-	-	-	-	-	-	C ^{7,8}	-	P	P	P	P	P	C ²³	-	-	P	C ²⁴	P ¹³	P
Sales, level 2	-	-	-	-	-	-	-	-	-	-	-	P	-	C ²³	-	-	-	-	-	-
Sales, level 3	-	-	-	-	-	-	-	-	-	-	-	P	-	C	-	-	-	-	-	-
Sales, ancillary	-	-	-	-	-	-	P	P	P	-	P	P	P	P	-	-	P	P	-	-

	PI	R-1	RLD	R-2	RMD	R-3	RB-1	RB-2	DB	B-1	B-2	C-1 ²⁰	PCD-C	ED ¹⁸	WR	WM	WC	PCD-BP	PCD-NB	MUD ²⁵
Uses																				
Commercial child care	-	-	C	-	C	-	C	C	C	-	-	P	-	C	-	-	-	C	-	-
Recreation, indoor commercial	-	-	-	-	-	-	C	C	P	-	P	P	P	C	-	-	-	C	-	P
Recreation, outdoor commercial	-	-	-	-	-	-	C	C	C	-	P ¹⁰	P	P	C	-	-	-	C	-	P
Entertainment, commercial	-	-	-	-	-	-	-	-	P	-	P	P	P	-	-	-	-	C	-	P
Automotive fuel-dispensing facility	-	-	-	-	-	-	-	-	P	-	P	P	P	C	-	-	-	C	P	-
Vehicle wash	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-
Parking lot, commercial	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	C ¹⁹	-	-	-
Animal clinic	-	-	-	-	-	-	-	-	P ⁹	-	P	P	-	P	-	-	-	P	-	P
Kennel	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-
Adult entertainment facility ³	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-
Restaurant 1	-	-	-	-	-	-	C ⁸	P	P	P	P	P	P	P	-	C ¹²	P	P	P	P
Restaurant 2	-	-	-	-	-	-	-	-	P	-	P	P	P	C ²³	-	-	P	C ²⁴	P	P
Restaurant 3	-	-	-	-	-	-	-	-	P	-	P	P	P	C ²³	-	-	P	C ²⁴	P	P
Tavern	-	-	-	-	-	-	-	-	C	-	P	P	P	-	-	-	P	-	-	-
Drive-through facility	-	-	-	-	-	-	-	-	C	-	C	C	P	-	-	-	-	-	-	-
Marina	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	-	-	-
Marine sales and service	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	-	-	-
Marine boat sales, level 1	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	P	P	-	-	-
Marine boat sales, level 2	-	-	-	-	-	-	-	-	-	-	-	P	-	C ²³	-	P	P	-	-	-
Ministorage	-	-	-	-	-	-	-	C	-	-	C	C	P	C	-	-	-	-	-	P
Industrial, level 1	-	-	-	-	-	-	-	C	C	-	C	P	-	P	-	-	-	C	-	P
Industrial, level 2	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	-
Marine industrial	-	-	-	-	-	-	-	-	-	-	-	P	-	C	-	P ¹¹	C	-	-	-
Wireless communication facility ⁴	C	C	C	C	C	C	P	P	C	P	C	P	P	P	C	C	C	P	P	-
Accessory uses and structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

¹ Accessory apartments requiring conditional use permits are subject to the criteria in GHMC Section 17.64.045.

² Home occupations are subject to Chapter 17.84 GHMC.

³ Adult entertainment facilities are subject to Chapter 17.58 GHMC.

⁴ Wireless communication facilities are subject to Chapter 17.61 GHMC.

- ⁵ Houses of religious worship shall be limited to parcels not greater than 5 acres.
- ⁶ Multiple-family dwellings shall be limited to no more than eight attached dwellings per structure in the R-3 district.
- ⁷ Sales, level 1 uses shall be limited to food stores in the RB-1 district.
- ⁸ See GHMC Section 17.28.090(G) for specific performance standards of restaurant 1 and food store uses in the RB-1 zone.
- ⁹ Animal clinics shall have all activities conducted indoors in the DB district.
- ¹⁰ Drive-in theaters are not permitted in the B-2 district.
- ¹¹ Marine industrial uses in the WM district shall be limited to commercial fishing operations and boat construction shall not exceed one boat per calendar year.
- ¹² Coffeehouse-type restaurant 1 uses shall not exceed 1,000 square feet in total size in the WM district.
- ¹³ Sales, level 1 uses shall be limited to less than 7,500 square feet per business in the PCD-NB district.
- ¹⁴ Residential uses shall be located above a permitted business or commercial use.
- ¹⁵ Houses of religious worship on parcels not greater than 10 acres are permitted uses in the MUD district; houses of religious worship on parcels greater than 10 acres are conditionally permitted uses in the MUD district.
- ¹⁶ Auto repair and boat repair uses shall be conducted within an enclosed building or shall be in a location not visible from public right-of-way and adjacent properties.
- ¹⁷ Only one triplex dwelling or one fourplex dwelling is conditionally permitted per lot in the WM district.
- ¹⁸ Planned unit developments (PUDs) are conditionally permitted in the ED district.
- ¹⁹ Commercial parking lots in the WC district shall be related to shoreline uses.
- ²⁰ Junkyards, auto wrecking yards and garbage dumps are not allowed in the C-1 district.
- ²¹ Clubs in the WM zone shall not serve alcoholic beverages and shall not operate a grill or deep-fat fryer.
- ²² Independent living facilities are conditionally allowed in the ED zone only when in combination with assisted living facilities, skilled nursing facilities or hospitals in the same site plan or binding site plan.
- ²³ See GHMC Section 17.45.040 for specific performance standards of sales and restaurant uses in the ED zone.
- ²⁴ See GHMC Section 17.54.030 for specific performance standards of sales and restaurant uses in the PCD-BP zone.
- ²⁵ Permitted and conditional uses in the MUD district overlay are subject to the minimum parcel size and location requirements contained in GHMC 17.91.040(A).

Section 11. Section 17.15.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.15.060 Maximum height of structures.

In a PI district, all buildings and structures shall not exceed a height of 35 feet as provided for in GHMC 17.99.370(D), except as provided for restricted under Chapter 17.62 GHMC, Height Restriction Area, and except as provided under GHMC 17.99.390(A)(3), 17.99.510(A)(2) and 17.99.510(B).

Section 12. Section 17.16.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.16.070 Maximum height of structures.

In an R-1 district, all buildings and structures shall not exceed a height of 35 feet as provided for in GHMC 17.99.370(D) except as ~~provided for~~ restricted under Chapter 17.62 GHMC, Height Restriction Area, and as provided under GHMC 17.99.390(A)(3), 17.99.510(A)(2) and 17.99.510(B).

Section 13. Section 17.16.100 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.16.100 Design of structures.

All ~~structures development~~ shall conform to the applicable design standards ~~for single-family dwellings as defined in GHMC 17.99.490 and 17.99.510, as well as all other provisions of contained in~~ Chapter 17.99 GHMC ~~applicable to single-family development.~~

Section 14. Subsection 17.17.040(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.17.040 Performance standards.

* * *

B. General.

1. Maximum density is four dwelling units per structure in attached single-family dwellings.

2. Each unit must have individual private yards or courts enclosed by a wall, berm or dense landscaping.

3. Private easements shall be required for all zero lot line developments to facilitate access from the adjoining lot for necessary maintenance and repair activities.

4. Minimum yards (from the property lines):

- a. Front yard setback House: 20'
 Porch: 12'
 Garage: 26'

b. Rear yard setback 30'

c. Side yard setback 8'

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

5. Minimum Lot Area. The minimum lot size is 10,000 square feet for divisions of land of four or less lots. A minimum parcel size is not specified for divisions of land of five or more lots.

6. Minimum Lot Width. Minimum lot width is 0.7 percent of the lot area, in lineal feet.

7. Maximum Height of Structures. ~~The maximum~~ All buildings and structures shall not exceed a height is of 35 feet as provided for in GHMC 17.99.370(D), except as increased under GHMC 17.99.390(A)(3).

8. Maximum lot area coverage: Forty-five percent, excluding residential driveways, private walkways and similar impervious surfaces.

9. Landscaping. Landscaping shall comply with the requirements of Chapters 17.78 and 17.99 GHMC.

10. Design. ~~All residential single-family structures, attached or detached, shall comply with the design standards defined in GHMC 17.99.490.~~ Development in the RLD district shall conform to the design and development standards contained in Chapter 17.99 GHMC.

11. Circulation/Roads/Streets. Residential development which provides pedestrian linkages to and within common open space trails systems may be waived from the provisions of public sidewalks, curbs and gutters within the residential development, in whole or in part, upon approval of the public works director.

12. Signage. Signage must comply with the requirements of Chapter 17.80 GHMC.

* * *

Section 15. 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:

	Single-Family and Duplex Dwellings	Other Residential and Nonresidential
A. Minimum lot area for short plats ¹	7,000 sq. ft./dwelling unit	
B. Minimum lot width ¹	50'	50'
C. Minimum front yard ^{2,3}	House: 20' Porch: 12' Garage: 26'	25'
D. Minimum side yard ^{2,3,4}	8'	7'
E. Minimum rear yard ^{2,3,4}	30'	25'
F. Maximum impervious lot coverage	60% of the total lot area	
G. Minimum density	4 dwelling units/acre	
H. Maximum density	6 dwelling units/acre	

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

~~²In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line; provided, such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties as determined by the planning and public works directors. The other property line abutting a street shall be deemed the side property line. An undersized lot or parcel shall qualify as a building site if such lot is a lot of record.~~

³Development in the historic district shall comply with the setbacks defined in GHMC 17.99.310 and 17.99.320.

⁴Garages accessory to single-family and duplex dwellings may be located in the defined side and rear yards, provided they conform to the criteria in GHMC 17.99.490(A)(1).

Section 16. Section 17.20.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.20.060 Maximum height of structures.

In an R-2 district, all buildings and structures shall not exceed a height of 35 feet as provided for in GHMC 17.99.370(D), except as ~~provided for restricted~~ under Chapter 17.62 GHMC, Height Restriction Area, and as provided for under GHMC 17.99.390(A)(3), 17.99.510(A)(2) and 17.99.510(B).

Section 17. Section 17.20.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.20.070 Design.

All development shall conform to the applicable design standards contained in Chapter 17.99 GHMC. ~~Duplex dwellings shall conform to the design standards for single-family dwellings as provided in GHMC 17.99.490 and 17.99.510.~~

Section 18. Subsection 17.21.040(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.21.040 Performance standards.

* * *

B. General.

1. Single-family attached dwelling units must have individual private yards or courts enclosed by a wall, berm or dense landscaping.

Easements shall be required for all zero lot line developments to facilitate access from the adjoining lot for necessary maintenance and repair activities.

2. Minimum yards (from the property line).

Multifamily or multiple units of single-family on one parcel:

a. Front, 10 feet.

b. Side, 30 feet.

c. Rear, 30 feet.

Single-family on individual parcels:

a. Front yard setback House: 15'

Porch: 12'

Garage: 15'

b. Rear yard setback 15', except that garages may be within three feet of an alley easement.

c. Side yard setback 5'

3. Maximum Height of Structures. ~~The maximum~~ All buildings and structures shall not exceed a height is of 45 feet as provided for in GHMC 17.99.370(D), except as provided under GHMC 17.99.390(A)(3).

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

5. Landscaping. Landscaping shall comply with the requirements of Chapters 17.78 and 17.99 GHMC, except that buffer dimensions shall be reduced to 10 feet when the proposed use is adjacent to a similar use or zone which includes a platted buffer of equal or greater width.

6. Circulation/Roads/Streets. Residential development which provides pedestrian linkages to and within common open space trails systems may be waived from the requirements in the city's public works standards for public sidewalks, curbs and gutters within the residential development, in whole or in part, upon approval of the public works director.

7. Design. All development shall comply with the standards of Chapter 17.99 GHMC.

8. Signage. Signage must comply with the requirements of Chapter 17.80 GHMC.

Section 19. 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:

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

G. Maximum density 8 dwelling units/acre

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

~~²In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line; provided, such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties as determined by the planning and public works directors.~~

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

Section 20. Section 17.24.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.24.060 Maximum height of structures.

In an R-3 district, all buildings and structures shall not exceed a height of 35 feet in height as provided for in GHMC 17.99.370(D), except as ~~provided for~~ restricted under Chapter 17.62 GHMC, Height Restriction Area, and as provided under GHMC 17.99.390(A)(3), GHMC 17.99.510(A)(2) and 17.99.510(B).

Section 21. Section 17.24.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.24.070 Design.

~~All single family and duplex structures shall conform to the design standards defined for single family development in Chapter 17.99 GHMC. All multifamily and nonresidential development shall conform to all the applicable design standards of Chapter 17.99 GHMC.~~

Section 22. Subsection 17.28.050(K) 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:

* * *

K. Any yard abutting a single-family residence shall be required to maintain a 30-foot-wide dense vegetated screen. This requirement does not apply to single-family dwellings in the RB-1 district.

Section 23. Section 17.28.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.28.060 Maximum height of structures.

In an RB-1 district, all buildings and structures shall not exceed a height of 35 feet in height as provided for in GHMC 17.99.370(D), except

as ~~provided for~~ restricted under Chapter 17.62 GHMC, Height Restriction Area, and as provided under GHMC 17.99.390(A)(3), 17.99.510(A)(2) and 17.99.510(B).

Section 24. Section 17.30.030 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.30.030 Conditional uses.

Refer to Chapter 17.14 GHMC for uses conditionally permitted in the RB-2 district.

Section 25. Section 17.30.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.30.070 Maximum building-height of structures.

In an RB-2 district, all buildings and structures shall not exceed a height of 35 feet as provided for in GHMC 17.99.370(D), ~~except as provided for~~ restricted under Chapter 17.62 GHMC, Height Restriction Area, and as provided under GHMC 17.99.390(A)(3), ~~and~~ 17.99.510(A)(2) and 17.99.510(B).

Section 26. Section 17.31.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.31.060 Minimum building setback requirements.

In a DB district, the setbacks defined in GHMC 17.99.310 and 17.99.320 apply; provided, however, that where a DB district abuts a residential district, ~~a~~ the nonresidential building setback shall be 20 feet minimum, and the space so created shall be landscaped to screen the ~~commercial~~ nonresidential uses from the abutting residential district.

Section 27. Section 17.32.045 of the Gig Harbor Municipal Code is hereby repealed.

Section 28. Section 17.32.080 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.32.080 Building Maximum height of structures.

In a B-1 district, all buildings and structures shall not exceed a height of 35 feet as provided for in GHMC 17.99.370(D), ~~except as provided for~~ restricted under Chapter 17.62 GHMC, Height Restriction Area, and as provided under GHMC 17.99.390(A)(3), ~~and~~ 17.99.510(A)(2) and 17.99.510(B).

Section 29. Subsection 17.36.060(E) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.36.060 Minimum building setback requirements.

* * *

E. Any yard abutting residential development, 30 feet with dense vegetative screening. This requirement does not apply to single-family and duplex dwellings in the B-2 district.

Section 30. Section 17.36.080 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.36.080 Maximum height of structures.

In a B-2 district, all buildings and structures shall not exceed a height of 35 feet as provided for in GHMC 17.99.370(D), except as ~~provided for~~ restricted under Chapter 17.62 GHMC, Height Restriction Area, and as provided under GHMC 17.99.390(A)(3), 17.99.510(A)(2) and 17.99.510(B).

Section 31. Section 17.40.100 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.40.100 Maximum height of structures.

In a C-1 district, all buildings and structures shall not exceed a height of 35 feet as provided for in GHMC 17.99.370(D), except as ~~provided for~~ restricted under Chapter 17.62 GHMC, Height Restriction Area, and as provided under GHMC 17.99.390(A)(3), ~~and~~ 17.99.510(A)(2) and 17.99.510(B).

Section 32. Subsections 17.41.030(D and K) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.41.030 Performance standards (PCD-C)

* * *

D. ~~Maximum H~~height of structures. Structures within 100 feet of a residential low density zone shall not exceed 35 feet in height, ~~except as provided under GHMC 17.99.390(A)(3)~~. Structures within 100 feet of a residential medium density zone shall not exceed 45 feet in height. ~~The building~~ Structure height shall be determined as ~~defined~~ provided for in GHMC ~~17.04.160~~ 17.99.370(D), except as provided under GHMC 17.99.390(A)(3). The maximum building height shall also be limited by the city building and fire codes. Definitions within the city building and fire codes shall be used to determine height for compliance with the applicable building and fire codes.

* * *

K. Design. ~~All residential structures of four or more attached dwelling units and all nonresidential structures shall comply with the standards of~~

~~the city of Gig Harbor design manual. All development in the PCD-C district shall conform to the design and development standards contained in Chapter 17.99 GHMC.~~

* * *

Section 33. Subsection 17.45.040(E) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.45.040 Performance standards.

* * *

E. ~~Maximum Height of structures. The maximum height of a~~ All buildings and structures shall not exceed a height of 35 feet as provided for in GHMC 17.99.370(D), except as restricted under Chapter 17.62 GHMC, Height Restriction Area, and as permitted provided under GHMC 17.99.390(A)(3).

* * *

Section 34. Section 17.46.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.46.060 Maximum height of structures.

In a WR district, all buildings and structures shall not exceed the height limits defined in GHMC 17.99.510(A)(2) and 17.99.510(B).

Section 35. Section 17.46.090 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.46.090 Design.

~~All development in the WR district shall conform to the design and development standards contained in Chapter 17.99 GHMC. Duplex dwellings shall conform to the design standards defined for single-family dwellings in Chapter 17.99 GHMC.~~

Section 36. Section 17.48.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.48.060 Maximum Height of structures.

In the WM district, all buildings and structures shall not exceed the height limits defined in GHMC 17.99.510(A)(2) and 17.99.510(B).

Section 37. Subsection 17.48.090(F) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.48.090 Performance standards.

* * *

F. Design. All development in the WM district shall conform to the design and development standards contained in Chapter 17.99 GHMC. ~~Two-family dwellings (duplexes) shall conform to the design standards defined for single-family development in Chapter 17.99 GHMC.~~

Section 38. Section 17.50.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.50.060 Maximum height of structures.

In a ~~waterfront commercial~~ WC district, ~~all the maximum buildings and structures~~ height shall not exceed the height limits defined in GHMC 17.99.510(A)(2) and 17.99.510(B).

Section 39. Subsection 17.50.090(E) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.50.090 Performance standards.

In a waterfront commercial district, performance standards are as follows:

* * *

E. Design. All development in the WC district shall conform to the design and development standards contained in Chapter 17.99 GHMC. ~~Two-family dwellings (duplexes) shall conform to the design standards defined for single-family dwellings in Chapter 17.99 GHMC.~~

Section 40. Subsection 17.54.030(F) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.54.030 Performance standards.

* * *

F. Maximum Height of structures. Structures within 100 feet of a residential low density zone shall not exceed 35 feet in height ~~except as provided under GHMC 17.99.390(A)(3)~~. Structures within 100 feet of a residential medium density zone shall not exceed 45 feet in height. ~~The building~~ Structure height shall be calculated as ~~defined~~ provided for in GHMC 17.04.160 17.99.370(D), except as provided under GHMC 17.99.390(A)(3). The maximum building height shall also be limited by the city building and fire codes. Definitions within the city building and fire codes shall be used to determine height for compliance with the applicable building and fire codes.

* * *

Section 41. Subsection 17.56.030(D) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.56.030 Performance standards.

* * *

D. Maximum H height of structures. All buildings and structures ~~Maximum height shall not exceed a height of 35 feet for all structures as provided for in GHMC 17.99.370(D),~~ except as provided under GHMC 17.99.390(A)(3).

* * *

Section 42. Section 17.62.040 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.62.040 Amendment to height restriction area map.

Amendments to the height restriction area map are a Type ~~IV~~ III permit procedure. The procedures established under Chapter 17.10 GHMC and GHMC Title 19 for the consideration of amendments to the zoning district map shall be followed for amendments to the height restriction area map. The criteria for approval shall be as follows:

A. That the request to amend the height restriction area map furthers the goals, policies and objectives of the comprehensive plan;

B. The property or area proposed for exclusion from the height restriction area map does not currently possess a view of Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows;

C. The gradient of the land within 100 feet of the property or area does not have a slope of five percent or greater toward Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows;

D. That views from adjacent properties will not be adversely affected.

Section 43. Section 17.68.020 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.68.020 Nonconforming lots of record.

A. Building on Nonconforming Lots of Record. In any district, notwithstanding limitations imposed by other provisions of Chapter 17.01 GHMC, permitted principal uses and structures and customary accessory buildings may be erected on any lot that is of record at the effective date of the adoption or of an amendment of the applicable regulations. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are applicable in the district. Such permitted principal uses and structures and accessory buildings shall be erected on such a nonconforming lot so that all dimensional requirements of the zoning title including minimum yard requirements, the maximum height of structures and the maximum coverage by all buildings are complied with.

B. Combination of Legally Nonconforming Lots. A property owner of two or more lots that are legally nonconforming as to lot area may request that the lots be combined into one larger lot, even if the resulting lot does not satisfy the existing lot area requirements in the underlying zone, as

long as the director determines that the property owner has submitted sufficient evidence to demonstrate that the original lots are legally nonconforming. In addition, the lot combination shall satisfy the requirements of and be processed according to the procedures in Chapter 16.03 GHMC, with the exception of GHMC 16.03.003(B). This section does not apply in any overlay district to allow the combination of any lots created through the mixed use overlay district (MUD), a planned unit development (PUD) or planned residential district (PRD).

C. Dedication of Property to the Public. That portion of a lot remaining after dedication or sale of a portion of the lot to the city or state for street or highway purposes shall be a separate building site, as long as the area of the remaining lot is at least 3,000 square feet.

Section 44. Subsection 17.80.110(E) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.80.110 Temporary signs.

* * *

E. Signs Advertising a Public Event. Maximum duration shall be from one month before the event to five days after the event. Because public events are allowed on a limited time basis and on sites not normally associated with the event, public event signs may be located off-premises within the city right-of-way, subject to the provisions of Chapter 12.02 GHMC, ~~Right-of-Way Use~~ Encroachment Permits, or within the windows of buildings, subject to the building owner's approval and all other window sign requirements. Signs shall be removed by the promoters of the event, or the city will remove such signs at the promoter's expense.

* * *

Section 45. Subsection 17.91.040(F) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.91.040 Site development and performance standards.

* * *

F. Performance Standards.

1. Minimum yards (from the property line):
 - a. Front, 15 feet.
 - b. Side, five feet. At least 20 feet is required on the opposite side of a lot having a zero lot line.
 - c. Rear, 15 feet.
2. ~~Maximum Height of structures. The maximum~~ All buildings and structures shall not exceed a height of a structure shall not exceed 35 feet as provided for in GHMC 17.99.370(D), except as provided under GHMC 17.99.390(A)(3).

3. Maximum lot area coverage: Forty-five percent, excluding driveways, private walkways and similar impervious surfaces.

4. Landscaping. Landscaping shall comply with the requirements of Chapter 17.78 GHMC.

5. Exterior Mechanical Devices. All HVAC equipment, pumps, heaters and other mechanical devices shall be screened from view from all public rights-of-way.

6. Outdoor Storage of Materials. Outdoor storage of materials and supplies, except for authorized sales displays, shall be completely screened from adjacent properties and public rights-of-way.

7. Outdoor Lighting. Outdoor lighting shall conform to the standards of GHMC 17.99.350 and 17.99.460. Such lighting shall be shielded so that direct illumination shall be confined to the property boundaries of the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.

8. Trash Receptacles. Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.

9. Design. ~~Development in the MUD district shall conform to the design and development standards contained in Chapter 17.99 GHMC. Duplex dwellings shall conform to the design standards defined for single-family dwellings in Chapter 17.99 GHMC.~~ Development in the MUD overlay shall conform to the design and development standards contained in Chapter 17.99 GHMC.

10. Signage. Signage must comply with the requirements of Chapter 17.80 GHMC.

Section 46. The following sections and subsections of the Gig Harbor Municipal Code are hereby amended as set forth in Exhibit A attached to this Ordinance:

Subsections 17.99.030(D and E); Subsections 17.99.160(A, B, and C); Section 17.99.170; Subsection 17.99.240(D)(3); Section 17.99.290; Subsection 17.99.300(B); Subsection 17.99.380(B); Subsections 17.99.420 (A and B); Section 17.99.490; Subsection 17.99.510(A)(3); Subsection 17.99.540(A)

Section 47. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 48. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 26th day of July, 2010.

CITY OF GIG HARBOR

Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:

Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Angela S. Belbeck

FILED WITH THE CITY CLERK: 07/07/10
PASSED BY THE CITY COUNCIL: 07/26/10
PUBLISHED: 08/04/10
EFFECTIVE DATE: 08/09/10
ORDINANCE NO: 1194

ORDINANCE 1516

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ADOPTING INTERIM ZONING CONTROLS PERTAINING TO SITE SPECIFIC REZONES AND HEIGHT RESTRICTION AREA VARIANCES, AMENDING CHAPTERS 17.62, 17.100, 19.01 OF THE GIG HARBOR MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, under the authority of RCW 35A.63.220 and RCW 36.70A.390, the City may impose interim regulations to be effective for a period of up to six months, and for six-month intervals thereafter; and

WHEREAS, Chapter 17.62 of the Gig Harbor Municipal Code (GHMC) describes the city's height restriction area (HRA), related standards, and sets forth the procedure for processing an application to amend the HRA; and

WHEREAS, upon careful review of Chapter 17.62 GHMC city staff has found an ambiguity in how the HRA map is adopted and how amendments to the map are processed; and

WHEREAS, current code adopts the HRA as an overlay on the city's HRA map and amendments thereto are processed as a Type III permit application, which provides the city's hearing examiner with the authority to make the final decision and, if approved, results in removal of the subject site from the HRA map; and

WHEREAS, upon review of the historical legislative record relative to Chapter 17.62 GHMC, city staff found that the HRA map was originally adopted as a zoning overlay on the city's zoning map; and

WHEREAS, a proposal to remove a site from an adopted zoning overlay should be considered a site-specific rezone, while a proposal to vary from the standards of the city's development regulations, unless otherwise specified, is typically processed as a variance in accordance with the provisions of Chapter 17.66 GHMC; and

WHEREAS, Chapter 19.01 GHMC sets forth the procedures for processing the city's defined permit application types; and

WHEREAS, site-specific rezones are currently categorized as a Type III permit application whereby the city's hearing examiner holds a public hearing and makes the final decision; and

WHEREAS, site-specific rezones are considered a quasi-judicial decision which is the purview of city council; and

WHEREAS, quasi-judicial decisions are considered a Type IV permit application whereby the city council conducts a public hearing and makes the final decision; and

WHEREAS, due the technical nature of a site-specific rezone, it would be proper for the city council to cede the hearing and receive a recommendation from the city's hearing examiner relative to a specific proposal; and

WHEREAS, the Gig Harbor City Council would like to make certain changes to the city's development regulations and administrative development regulations on an interim basis to provide city staff and the planning commission time to study these matters and make recommendations on permanent regulations relative to processing applications for site-specific rezones and height restriction area variances;

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

Section 1. The recitals set forth herein are hereby adopted as findings of fact.

Section 2. Section 17.62.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.020 Map-adoptedHeight restriction area map. The standards of this chapter shall be imposed as an overlay zone shown on the city's official height restriction area zoning map, which depicts the property subject to the height restrictions. The boundary for the height restriction area overlay shall be that which was published on the city's former height restriction area map last updated on October 4, 2016.¹ The process for amending the city's zoning map is set forth in Chapter 17.100 GHMC. The standards of this chapter are supplementary to the regulations contained in the underlying zones.

Section 3. Section 17.62.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.62.040 Amendment to height restriction area map Height restriction area variance. ~~Amendments to the height restriction area map are a Type III permit procedure. The procedures established under Chapter 17.100 GHMC and GHMC Title 19 for the consideration of amendments to the zoning district map shall be followed for amendments to the height restriction area map. The criteria for approval shall be as follows: Variances from the standards of this section shall be project specific and subject to the complete application requirements, permit application procedures, required findings and duration of approval requirements set forth in Chapter 17.66~~

¹ City Ordinance Number 1342

GHMC for general variances. In addition, the hearing examiner shall make findings of fact setting forth and demonstrating that the following circumstances exist:

- A. ~~That the~~The request to amend the height restriction area map furthers the goals, policies and objectives of the comprehensive plan;
- B. ~~The property or area proposed for exclusion from the height restriction area map site~~ does not currently possess a view of Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows;
- C. The gradient of the land within 100 feet of the property or area does not have a slope of five percent or greater toward Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows;
- D. ~~That views~~Views from adjacent properties will not be adversely affected.

Section 4. Section 17.100.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.100.010 Authority to amend. Whenever the public health, safety, general welfare, modifications to the comprehensive plan or good zoning practice requires, the city council may amend, supplement, modify, repeal or otherwise change these regulations and the boundaries of the districts in conformity with the comprehensive plan. ~~Site specific rezones are a Type III permit application and area wide rezones are a Type V permit application and shall be processed in accordance with Chapter 19.02 GHMC.~~

Section 5. Section 17.100.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.100.020 Manner of initiation. Changes in this title may be initiated in the following manner:

A. *Source.*

1. The city council upon its own motion may initiate changes in this title.
2. The planning commission upon its own motion may ~~initiate~~recommend to city council changes in this title.
3. Any individual, corporation or agency other than those listed above may initiate changes in this title. Amendments are processed as a ~~Type IV permit procedure~~ set forth in Chapter 19.01 GHMC and subject to the following:
 - a. ~~For an area-wide zoning map amendment~~, the initiating individual, corporation or agency must be the owners or owner of a majority of the land in the petition area; and
 - b. ~~For a site-specific zoning map amendment~~, the initiating individual, corporation or agency must be the property owner or authorized agent of the property owner; and
 - ~~b.c.~~ For an amendment to the text of this title, the initiating individual, corporation or agency must be an owner of real property within the city.

B. *Form.* An application for a change in the boundary of a district or the text of this title shall be filed with the planning department and shall be accompanied by such data and

information as are necessary to assure the fullest practicable presentation of the facts. It shall set forth reasons and justification for proposing a change.

C. Minimum Area. Except for the extension of existing district boundaries and amendments to zoning overlays, no change in any use district, classification or official zoning map shall be considered if it contains fewer than two acres, excluding public streets or alley rights-of-way.

D. Submittal Consideration. The city council shall not consider any proposed amendment to the zoning map that is substantially the same as any other proposed amendment submitted within the previous 12 months which was disapproved. (Ord. 710 § 97, 1996; Ord. 573 § 2, 1990).

E. Fees. Applications submitted by private individuals or groups, or private entities are subject to application and processing fees as set forth in the city's adopted fee schedule.

Section 6. Section 17.100.025 of the Gig Harbor Municipal Code is hereby repealed.

Section 7. Section 17.100.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.100.030 Public hearing and notification. Public hearings and notifications related thereto shall be accomplished in accordance with the procedures and requirements established pursuant to Chapter [19.05](#) GHMC. ~~The planning commission's action shall be a recommendation to the city council.~~

Section 8. Section 17.100.035 of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.100.035 General criteria for zoning ~~district~~ map amendment. Applications for amendments to the zoning ~~district~~ map (which include, but are not limited to, site specific rezones) may only be approved if all of the following criteria are satisfied:

A. The application for the zoning ~~district~~ map amendment must be consistent with and further the goals, policies and objectives of the comprehensive plan and Chapter [17.12.015](#) GHMC;

B. The application for the zoning ~~district~~ amendment must further or bear a substantial relationship to the public health, safety and general welfare;

C. No substantial detrimental effect will be caused by the granting of the application for the amendment; and

D. The proponents of the application have the burden of proof in demonstrating that conditions have changed since the original zoning or original designation for the property on the zoning ~~district~~ map.

Section 9. A new section is hereby added to Chapter 17.100 to read as follows:

17.100.040 General criteria for zoning text amendment. The city council's approval, modification, deferral, or denial of an amendment application must be based on the following criteria:

A. The proposed amendment is consistent with the goals, objectives, and policies for the comprehensive plan; and

B. The proposed amendment is consistent with the intent and purpose of the subject chapter or this title, generally.

Section 10. Section 19.01.003 of the Gig Harbor Municipal Code is hereby amended to read as follows:

19.01.003 Project permit application framework.

A. Action Type.

	PROCEDURE FOR PROJECT PERMIT APPLICATIONS (TYPE I – IV)					LEGISLATIVE
	TYPE I	TYPE II	TYPE III	TYPE III-A	TYPE IV	TYPE V
Recommendation made by:	N/A	N/A	N/A	N/A	N/A; <u>hearing examiner for site specific rezones</u>	Planning commission
Final decision made by:	Director	Director	Hearing examiner	Hearing examiner	City council	City council
Notice of application:	No	Yes	Yes	Yes	Yes	No
Open record public hearing or open record appeal of a final decision:	No	Only if appealed, open record hearing before hearing examiner	Yes, before hearing examiner to render final decision	Yes, before hearing examiner to render final decision	No	Yes, before planning commission which makes recommendation to council
Closed record appeal/final decision:	No	No	No, only if site-specific rezoned appealed,	No	Yes, before council to render	Yes, or council could hold its own hearing

			then before council		final decision	
Judicial appeal:	Yes	Yes	Yes	Yes	Yes	Yes

B. Decisions.

TYPE I	TYPE II	TYPE III	TYPE III-A	TYPE IV	TYPE V
Final short plat	Preliminary short plat	Plat vacations and alterations	Preliminary plats/major preliminary plat revisions	Final plats	Comprehensive plan amendments
Minor site plan review	Major site plan review	Conditional use permit	Preliminary PRD/PUD	Final PRD/PUD	Development regulation amendments
Minor amendments to PUD/PRD	Alternative design review ¹	General variances, sign permit variances, <u>height restriction area variance</u>	Major amendment to PRD	<u>Site-specific rezone</u> ²	Zoning text amendments; area-wide zoning map amendments
Special use permits	Binding site plan	Shoreline substantial development, shoreline variance, shoreline conditional use			Annexations
Temporary trailers	Revisions to shoreline management permits ²	Major amendments to PUD			
Sign permits	Administrative variances	Amendment to height restriction area map			
Administrative design review ¹	Administrative interpretations	Mobile/manufactured home park or subdivision			

² A site-specific rezone may have only one public hearing to be conducted by the city's hearing examiner.

Land clearing	Shoreline permit exemptions ²	Performance-based height exception			
Home occupation permit	Short-term rental permit	Changes from one nonconforming use to another			
Alternative landscape plan		Site-specific rezone			
Nonconforming review		Critical area variances			
Minor preliminary plat revisions		Critical area reasonable use exceptions			
Boundary line adjustment					

Section 11. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance shall be transmitted to the Washington State Department of Commerce, as required by law.

Section 12. Hearing. In accordance with the requirements of state law, a public hearing on these interim regulations will be held within 60-days of adoption of this ordinance.

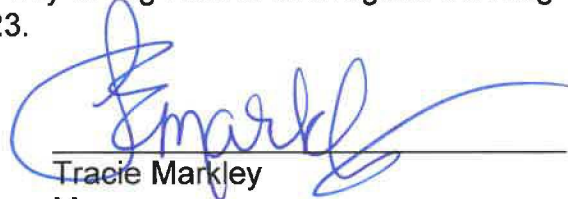
Section 13. Duration of Interim Zoning Control. The interim zoning control adopted herein shall be in effect for a period of 6-months, commencing on the effective date of this ordinance unless the city council shall adopt appropriate permanent development regulations which replace this interim ordinance, or unless the same is extended as provided in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the Gig Harbor City Council.

Section 14. Severability. If any section, sentence, clause, or phrase of this ordinance shall 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 15. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

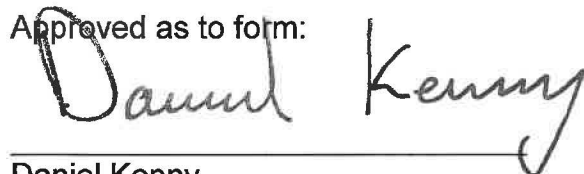
Section 16. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 7th day of September, 2023.



Tracie Markley
Mayor

Approved as to form:



Daniel Kenny
City Attorney

Attest:



Joshua Stecker, CMC
City Clerk

June 13, 2023

City of Gig Harbor
3510 Grandview St
Gig Harbor, WA 98335

EXHIBIT P

Attention: Planning Department

Amendment to Height Restriction Area Map

Zetterberg Custom Homes & Remodeling, LLC is purchasing the following parcels from Cottages at Rosedale Village, LLC.

0221068037 – 8116 Shirley Ave – Lot 1
0221068036 – 8111 Shirley Ave – Lot 2
0221064172 – 8020 Shirley Ave – Lot B
0221064173 – 8020 Shirley Ave – Lot C
0221064174 – 8020 Shirley Ave – Lot D
0221064177 – 8020 Shirley Ave – Revised Lot E
0221064178 – 8020 Shirley Ave – Revised Lot F

Exhibits

- Shirley Lots Exhibits 3.16.23
- ~~Lot Layout & Detailed Topography 3.16.23~~
- Exhibit "A" (north properties view to the east / southeast)
- Exhibit "B" (Detailed topography 100')
- Exhibit "C" (sunny day photos to east / southeast)

I am requesting the parcels be removed from the 16' uphill height restriction. The following described explanations meet the requirements for removal.

A. That the request to amend the height restriction area map furthers the goals, policies and objectives of the comprehensive plan.

Chapter 4, Community Design of the City of Gig Harbor Comprehensive Plan states the following goals and objectives to maintain Gig Harbor's small town quality.

Goal 4.6 – Articulate an architectural style which reflects Gig Harbor's built and natural environment and which appeals to the human spirit.

It is my belief that in some cases limiting the height of a structure can cause the aesthetic design of the home to become less interesting and move to a more "modern" architecture which is not in keeping with the small town feel and charm of the craftsman or bungalow style which is found in Gig Harbor. Because views are not affected by the properties the additional height would allow us to be more creative which varied roof lines and bring a small town bungalow feel to the homes which we will build along Shirley street.

Goal 4.7 – Encourage building designs which define and respect the human scale.

The additional height will still allow a roof line which cascades down to the human scale, it would be our design objective to design and build a home that is not a “box” but rather a home which provides a balance between home size and proper massing.

Goal 4.9 – Design standards should recognize existing neighborhood characteristics.

This design area is Rosedale/Hunt and the proposed height change would still be in keeping with the surrounding homes.

Goal 4.12 – Homes and residential developments should be designed to enhance existing characteristics of Gig Harbor.

The increase in height will allow us to design a home with less building coverage of the property, this will create more space between the homes and allow the homes along Shirley Street to have some “breathing room” and be in keeping with the residences across the street to the east.

Goal 6.2 – Encourage high density housing which maintains Gig Harbor’s historic visual characteristic as a single-family community.

Allowing the increase in height would allow us to increase roof pitches to provide the Gig Harbor historic visual characteristics along Shirley Street.

Goal 6.8 – Eliminate incentives to build larger homes than are needed for typical sized households in Gig Harbor.

Our target demographic will be to attract existing renters from the “Cottages at Rosedale” who would like to own their own home. This is primarily an age of 50 plus and will require “downsized” homes aimed at attracting that buyer profile.

I believe that the removal of the height restriction for the properties is not in conflict with the comprehensive plan.

- B. The property or area proposed for exclusion from the height restriction area map does not currently possess a view of Gig Harbor Bay, Mt. Rainier or the Puget Sound Narrows.**

All parcels listed above do not have a view of the landmarks, see document “Shirley Lots Exhibits 3.16.23” which shows photos from the properties looking all directions. Views are not present.

- C. The gradient of the land within 100 feet of the property or area does not have a slope of five percent or greater toward Gig Harbor Bay, Mt. Rainier, or the Puget Sound Narrows.**

The “Shirley Lots Exhibits 3.16.23” and “Lot Layout & Detail Topography 3.16.23”, documents show the topography of the properties. As illustrated the “yellow” highlighted grades show grades falling down directly to the north which per the diagram and photos is not directly toward any of the landmarks. The photos show that the views in the north direction do not have a view of Gig Harbor. The diagram also shows a “blue” 100-foot line in each direction from the properties, the “green” highlighted grades clearly show grades which are higher than the “red” highlighted grades of the subject properties.

D. That views from adjacent properties will not be adversely affected.

- 1) Per the photographs provided, the properties to the East have a view of Gig Harbor in the easterly direction, the subject properties are to the west and are below in grade. The properties to the west also do not have views to the east due to the higher grades of the same properties to the east of the subject properties. The views of the properties to the north and south are also not affected by the subject properties. Exhibit “A” shows that the properties to the north are 10’ to 20’ lower in elevation than the subject properties and the properties across the street of the subject property to the east are another 10’ to 15’ higher than the subject properties. This prohibits a view for the subject property and the properties to the north.

In conclusion, my goal and vision for the homes which will be built along Shirley Street will be a timeless home. It is often easy to look at a home and place its construction period to a certain decade or design phase which was taking place during a certain time. The removal of the height restriction will permit for varied designs which will be in keeping with the craftsman / bungalow style of Gig Harbor, allow more space between the residences and create a street scape with roofs that are not all at the 16’ max height which can become a monolithic and generic aesthetic. The varied roof heights which “cascade” down to human scale will ensure a visually interesting street scape and maintain the goals of the comprehensive plan of maintaining the Gig Harbor “small town” feel.

Thank you for your consideration and time.

Respectfully,

Gregory Zetterberg
Zetterberg Custom Homes and Remodeling LLC
Designer / Developer / Builder

Exhibit "A"



EXHIBIT Q

Legal Description

REVISED LOT B:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6;
THENCE SOUTH 88°46'29" WEST, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 690.43 FEET;
THENCE NORTH 02°29'29" EAST, A DISTANCE OF 380.06 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 02°29'29" EAST, ALONG THE WEST MARGIN OF SHIRLEY AVENUE, A DISTANCE OF 70.00 FEET;
THENCE NORTH 87°30'31" WEST, A DISTANCE OF 199.05 FEET TO THE EAST LINE OF THE WEST 440.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6;
THENCE SOUTH 01°44'50" WEST, ALONG SAID EAST LINE, A DISTANCE OF 70.01 FEET TO A POINT WHICH BEARS NORTH 87°30'31" WEST FROM THE POINT OF BEGINNING;
THENCE SOUTH 87°30'31" EAST, A DISTANCE OF 198.14 FEET TO THE POINT OF BEGINNING.

ALL SITUATE IN SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON.

REVISED LOT C:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6;
THENCE SOUTH 88°46'29" WEST, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 690.43 FEET;
THENCE NORTH 02°29'29" EAST, A DISTANCE OF 310.06 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 02°29'29" EAST, ALONG THE WEST MARGIN OF SHIRLEY AVENUE, A DISTANCE OF 70.00 FEET;
THENCE NORTH 87°30'31" WEST, A DISTANCE OF 198.14 FEET TO THE EAST LINE OF THE WEST 440.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6;
THENCE SOUTH 01°44'50" WEST, ALONG SAID EAST LINE, A DISTANCE OF 70.01 FEET TO A POINT WHICH BEARS NORTH 87°30'31" WEST FROM THE POINT OF BEGINNING;
THENCE SOUTH 87°30'31" EAST, A DISTANCE OF 197.23 FEET TO THE POINT OF BEGINNING.

ALL SITUATE IN SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON.

REVISED LOT D:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6;
THENCE SOUTH 88°46'29" WEST, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 690.43 FEET;
THENCE NORTH 02°29'29" EAST, A DISTANCE OF 240.06 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 02°29'29" EAST, ALONG THE WEST MARGIN OF SHIRLEY AVENUE, A DISTANCE OF 70.00 FEET;
THENCE NORTH 87°30'31" WEST, A DISTANCE OF 197.23 FEET TO THE EAST LINE OF THE WEST 440.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6;
THENCE SOUTH 01°44'50" WEST, ALONG SAID EAST LINE, A DISTANCE OF 70.01 FEET TO A POINT WHICH BEARS NORTH 87°30'31" WEST FROM THE POINT OF BEGINNING;
THENCE SOUTH 87°30'31" EAST, A DISTANCE OF 196.32 FEET TO THE POINT OF BEGINNING.

ALL SITUATE IN SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON.



02/15/23

REVISED LOT E:



THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6;
 THENCE SOUTH 88°46'29" WEST, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 690.43 FEET;
 THENCE NORTH 02°29'29" EAST, A DISTANCE OF 170.06 FEET TO THE TRUE POINT OF BEGINNING;
 THENCE CONTINUING NORTH 02°29'29" EAST, ALONG THE WEST MARGIN OF SHIRLEY AVENUE, A DISTANCE OF 70.00 FEET;
 THENCE NORTH 87°30'31" WEST, A DISTANCE OF 196.32 FEET TO THE EAST LINE OF THE WEST 440.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6;
 THENCE SOUTH 01°44'50" WEST, ALONG SAID EAST LINE, A DISTANCE OF 70.01 FEET TO A POINT WHICH BEARS NORTH 87°30'31" WEST FROM THE POINT OF BEGINNING;
 THENCE SOUTH 87°30'31" EAST, A DISTANCE OF 195.41 FEET TO THE POINT OF BEGINNING.

ALL SITUATE IN SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON.

REVISED LOT F:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6;
 THENCE SOUTH 88°46'29" WEST, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 690.43 FEET;
 THENCE NORTH 02°29'29" EAST, A DISTANCE OF 30.06 FEET TO THE TRUE POINT OF BEGINNING;
 THENCE CONTINUING NORTH 02°29'29" EAST, ALONG THE WEST MARGIN OF SHIRLEY AVENUE, A DISTANCE OF 140.00 FEET;
 THENCE NORTH 87°30'31" WEST, A DISTANCE OF 195.41 FEET TO THE EAST LINE OF THE WEST 440.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6;
 THENCE SOUTH 01°44'50" WEST, ALONG SAID EAST LINE, A DISTANCE OF 152.58 FEET TO THE NORTH LINE OF THE SOUTH 30.00 FEET OF SAID SECTION 6;
 THENCE NORTH 88°46'29" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 193.84 FEET TO THE TRUE POINT OF BEGINNING.

ALL SITUATE IN SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON.

PARCEL Nos: 0221064172, 0221064173, 0221064174, 0221064175, 0221064176

ADDRESS: 8020 SHIRLEY AVE

GIG HARBOR, WA 98335



Exhibit "A"

Legal Description

02/15/23

Authentisign
JZ

LOT 1:

THE SOUTH 70 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE TRUE POINT OF BEGINNING OF LOT A OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER RECORDING NUMBER 201906285009 AS AMENDED BY AFFIDAVIT OF MINOR CORRECTION FILED UNDER RECORDING NO. 201912065005, RECORDS OF PIERCE COUNTY, WASHINGTON;
THENCE NORTH 02°29'29" EAST, ALONG THE EAST LINE OF SAID LOT A, A DISTANCE OF 140.00 FEET;
THENCE NORTH 87°30'31" WEST, A DISTANCE OF 200.87 FEET;
THENCE SOUTH 01°44'50" WEST, A DISTANCE OF 140.01 FEET;
THENCE SOUTH 87°30'31" EAST, A DISTANCE OF 199.05 FEET TO THE POINT OF BEGINNING.

ALL SITUATE IN SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON.

PARCEL: 0221068036

ADDRESS: 8111 SHIRLEY AVE
GIG HARBOR, WA 98335

Authentisign
JZ

02/15/23



Exhibit "A"

Legal Description

LOT 2:

BEGINNING AT THE TRUE POINT OF BEGINNING OF LOT A OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER RECORDING NUMBER 201906285009 AS AMENDED BY AFFIDAVIT OF MINOR CORRECTION FILED UNDER RECORDING NO. 201912065005, RECORDS OF PIERCE COUNTY, WASHINGTON.
THENCE NORTH 02°29'29" EAST, ALONG THE EAST LINE OF SAID LOT A, A DISTANCE OF 140.00 FEET;
THENCE NORTH 87°30'31" WEST, A DISTANCE OF 200.87 FEET;
THENCE SOUTH 01°44'50" WEST, A DISTANCE OF 140.01 FEET;
THENCE SOUTH 87°30'31" EAST, A DISTANCE OF 199.05 FEET TO THE POINT OF BEGINNING.

EXCEPT THE SOUTH 70 FEET THEREOF.

ALL SITUATE IN SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON.

PARCEL: 0221068037

ADDRESS: 8116 SHIRLEY AVE

GIG HARBOR, WA 98335



RECEIVED

By C. ANDREWS at 3:06 pm, Apr 06, 2023

EXHIBIT R

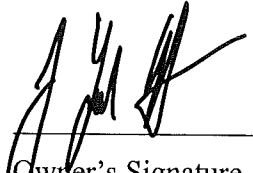
**AFFIDAVIT
AGENT AUTHORITY**

STATE OF WASHINGTON }
COUNTY OF PIERCE }SS
CITY OF GIG HARBOR }

I/we, Cottages at Rosedale Village, LLC being duly sworn, depose
and say that I am/we are the owners of the property legally described below, and that

Greg Zetterberg has my/our permission
to act as my/our agent in my/our behalf for this application for a
Height Restriction Map Amendment for the subject party with the City of Gig
Harbor.

Legal Description:


Owner's Signature
MANAGER

3-27-23

Date

Owner's Signature

Date

Mailing Address:

Rosedale Village

PO Box 2132

TACOMA WA 98401

Phone:

253-759-2287

Email:

TODD@NORPOINT.COM



**Nisqually Indian Tribe
Tribal Historic Preservation Office
4820 She-Nah-Num Dr. S.E.
Olympia, WA 98513
(360) 456-5221**

EXHIBIT S.

May 2, 2023

To: Roxanne Robles, Senior Planner
City of Gig Harbor
Planning Division
3510 Grandview St.
Gig Harbor, WA 98335

Re: PL-ZONE-23-0001

The Nisqually Indian Tribe's THPO has reviewed the notice of application that you provided for the above-named project and has no specific comments or concerns at this time. Please keep us informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.

Although the Nisqually Indian Tribe has no specific concerns at this time, we respect the traditional cultural knowledge of affected tribes and support their opinions on this matter as well.

Sincerely,

Brad Beach, THPO
Nisqually Indian Tribe
360-528-1084
360-456-5221 ext. 1277
beach.brad@nisqually-nsn.gov

cc: Annette Bullchild, Director, Nisqually Indian Tribe

From: [Ralph Vendeland](#)
To: [Cindy Andrews](#)
Subject: Application Shirley Height Restriction Amendment for Gig Harbor, WA
Date: Wednesday, April 26, 2023 10:52:27 AM

Thank you for your time on the phone and I appreciate your offer to forward my comments to Roxanne Robles. I would appreciate her confirmation that my comments have been recorded.

I live at 8207 Bayridge Avenue. I became involved in the height variance granted for the property being remodeled directly below me at 8204 Stinson. I was impressed by the extent of the documentation required and the thoroughness of the City process for a 3 inch variation from the requirements.

The request for a blanket release from height restriction on multiple parcels caught my attention. The Written Height Amendment Statement is short of specifics and full of opinion. Granting approval would give the builder license to do whatever they want.

The Approval Steps on the Permit Portal suggest that the City is waiting for revisions. I would hope the City has requested detailed submittals for each parcel before granting any variation from height restrictions.

Even though the parcels were sold by Cottages at Rosedale Village to Zetterberg Custom Homes one could argue that the new builder at a minimum must adhere to the requirements in place when the original project was approved.

I have many friends who reside on Shirley and share in their feeling of loss for the wooded area that was eliminated by construction. Failure to comprehensively evaluate the variance request would add insult to injury for those living on Shirley and reinforce perceptions that builders may receive special treatment.

Thank you for the opportunity to comment.

Ralph Vendeland
rpvendeland@gmail.com

Begin forwarded message:

From: City of Gig Harbor Planning Public Notices <listserv@civicplus.com>
Date: April 21, 2023 at 00:07:04 PDT
To: rpvendeland@gmail.com
Subject: New News Flash Notice of Application Shirley Height Restriction Amendment for Gig Harbor, WA

[View this in your browser](#)

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interested in its content. If you do not wish to continue receiving these messages, please accept our apologies, and unsubscribe by following the instructions at the bottom of this message.

* * * * *

April 21, 2023

Notice of Application Shirley Height Restriction Amendment

The applicant has applied for a Height Restriction Amendment to amend the height restriction area map to remove parcel #s 0221068037, 0221064172, 0221064173,..... [Read on](#)

* * * * *

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[Unsubscribe](#)

From: [Mark Hoppen](#)
To: [Roxanne Robles](#)
Subject: Re: Removal of Seven Lots from Height Restriction Area
Date: Friday, April 21, 2023 4:13:20 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image007.png](#)

Roxanne,

I just met Jeff Zetterberg. His building preferences suit the tone of our street: quality homes, differentiated, and thoughtfully sited. I sure hope this gets approved before he has to build a squat little house on an expensive lot. Also, the sooner he builds, the sooner my house is no longer exposed to all the traffic on Rosedale headed east.

Thanks, Mark

On Fri, Apr 21, 2023 at 1:54 PM Roxanne Robles <rrobles@gigharborwa.gov> wrote:

Thank you, Mark. I have added your comment to the project file. Best,

Roxanne (Roxy) Robles | Senior Planner



[Grandview St • Gig Harbor, WA](#) 98335

[3510](#)

☎ 253-525-0319 (direct)



www.cityofgigharbor.net



From: Mark Hoppen <hoppenm@gmail.com>
Sent: Friday, April 21, 2023 10:42 AM
To: Roxanne Robles <rrobles@gigharborwa.gov>
Subject: Removal of Seven Lots from Height Restriction Area

Roxanne,

I'm all for removing these seven lots from the height restriction area! The reason for a height restriction zone is to not block basin views. The lots in question have no views and are slightly downhill on the west side of Shirley, across the street, and a bit south from me. Higher homes with more graceful roof pitches are desirable in this location. Lifting the height restriction - within reason, in order to allow graceful 6:12 pitches on these lots - should have been implemented a long time ago.

In fact, even the lots on my side of the street would tend to be better developed with higher roof pitches and slightly more elevation - all without blocking any views, but that's not in question here. (Otherwise, some fool on my side of the street will eventually build a daylight basement house, which would be a visual nightmare. Right now, as you can plainly see looking up at my house, everything around me is turning out okay anyway.)

Hopefully, staff will encourage **unique designs and not a cookie cutter repetition** in house design on the seven lots. Diversity of housing type is one of the attractive features of currently built lots on Shirley Avenue, and is a fundamental aspect of property value to lots on the east side of the street, the view properties.

Mark Hoppen, ICMA-CM (Life Member)

ICMA Sustainable Communities Advisory Committee '21-'23

[8133 Shirley Avenue](#)

[Gig Harbor, WA 98332](#)

(253) 279-2415

--

Mark Hoppen

Michelle Thomas

From: Thomas Wick <thmpx25@gmail.com>
Sent: Monday, November 6, 2023 2:14 PM
To: Cindy Andrews
Cc: Carl de Simas; Michelle Thomas; Robin Bolster-Grant; Daniel P. Kenny; Sara Springer; Katrina Knutson; Ryan Mello; Dave Morell; Marty Campbell; Jani Hitchen; Amy Cruver; Paul Herrera; Robyn Denson; Bruce Dammeier; mary.robnett@piercecountywa.gov; michelle.caldier@leg.wa.gov; emily.randall@leg.wa.gov; spencer.hutchins@leg.wa.gov; Tracie Markley; Mayor & Council; Luerkens, Chris (ECY); Allen, Douglas R. (ECY); Roxanne Robles; Jeff Langhelm; Aaron Hulst
Subject: FOR PUBLIC COMMENT, HEARING EXAMINER HEARING FOR PL-ZONE-23-0001

FOR PUBLIC COMMENT, HEARING EXAMINER HEARING NOVEMBER 7, 2023 for PL-ZONE-23-0001

Ms. Andrews, please confirm receipt upon receipt and please copy all those copied when you do so. Also, I am providing the same public comment for both PL-ZONE-23-0001 AND PL-REZ-23-0001 therefore, given I am filing my public comment for each application individually, my public comment must be read into the record twice, once for each application.

Good afternoon Mr. Scheibmeir, Ms. Andrews,

The Hearing Examiner Hearing for PL-ZONE-23-0001 must be postponed pending the creation/adoption of an ordinance that grants the Hearing Examiner the authority to consider this matter.

My concern and my public comment is associated with Ordinance 1516, an ordinance that grants both the Hearing Examiner and the Gig Harbor City Council the ability, the authority, to approve site specific rezones and building height variances, absent a City Council **(open record)** public hearing.

Within the ordinance its written, *the Gig Harbor City Council would like to make certain changes to the City's development regulations and administrative development regulations on an interim basis to provide city staff and the Planning Commission time to study these matters and make recommendations on permanent regulations relative to processing applications for site-specific rezones and height restriction variances.* **If the reason Gig Harbor's City Council adopted Ordinance 1516 was the above, they would not have created/adopted this ordinance in Executive Session, in secrecy, absent the required public notice and without first holding an open record public hearing.**

1. Ordinance 1516 was created and adopted in violation of state law, specifically, the Open Public Meetings Act, OPMA, given the documented reason (s) for the ordinance (found within the ordinance).
2. Actions taken, recommendations made, referencing Ordinance 1516, given it was approved in violation of the OPMA, would be considered null and void by a competent court having jurisdiction therefore, the Hearing Examiner must *take official notice of this matter of law* before taking any action (s) and before advancing any recommendation (s).
3. The City published a public notice on September 12, 2023 informing the public that on September 7, 2023, the City Council adopted Ordinance 1516, leaving involved/identified parties denied an opportunity to provide public testimony, which, in turn, left them denied their due process rights.
4. Per MRSC, quasi-judicial public hearings require due process for ALL identified/involved parties, site-specific rezones are considered quasi-judicial decisions which are at the discretion of the City Council therefore, by default, any law, any regulation or any ordinance that modifies/creates/omits an existing process regarding site-specific rezones would also require due process for all involved/identified parties.

5. On October 23, 2023, during a City Council meeting, weeks AFTER Ordinance 1516 was adopted, the City Council did invite and allow public testimony; however, there was no council deliberation before or after the public testimony, (testimony that addressed the lawfulness/legitimacy of the ordinance), nor was any action taken, given action was already taken weeks earlier.

6. Given the reasons for Ordinance 1516 (documented within the ordinance itself) and given it was created/adopted in Executive Session, in secrecy, absent public notice, before an open record public hearing was held, by default, this ordinance contains multiple misrepresentations of fact, which, in itself, renders it unlawful, null and void.

Please review the published minutes for the September 7, 2023 special Gig Harbor City Council meeting....why did the City fail to document when the Executive Session ended....a requirement.....we know Executive Session commenced when the meeting commenced, but what we don't know is when it ended, a concern, given the potential legal implications with respect to what actions were taken in Executive Session vs what actions were taken outside of Executive Session.

Why would the City misrepresent the real reason they required Ordinance 1516, the real reason it was created/adopted in Executive Session, in secrecy, absent public notice and without first conducting an open record public hearing, because, in my opinion, they were likely threatened with a class action lawsuit secondary to discriminatory permitting and code enforcement practices.

Please consider the following:

Let's assume countless applicants are aware of a development located within Gig Harbor's city limits that grossly exceeds the number of homes allowed within the zone and they know it contains homes that exceed building height restrictions for the zone and they know the City has not and will not take any action (s) to address this (known) non-compliance out of fear that doing so would guarantee a lawsuit.

Let's assume countless applicants, knowing the City has turned a blind eye regarding this development's non-compliance with respect to housing density, zoning and building height restrictions, makes applications to do the same, to deviate from current zoning regulations and building height restrictions....AND....the City denied those applications, citing zoning restrictions and building height restrictions....they all but guaranteed a class action lawsuit secondary to discriminatory permitting practices.....if its good for one than it must be good for all.

In my opinion, based on my observations, the City was likely faced with two options, either they pass an ordinance that would allow site specific rezones and building height restriction variances for ALL applicants, or initiate code enforcement actions against others, the latter being far more costly, **given the City is responsible for code compliance and code enforcement before, during and after a project is complete.....they and they alone would be liable for any and all losses that would result from any 'after the fact' efforts/actions to mandate code compliance.**

This scenario would put the Hearing Examiner in an untenable situation, given this would mean the City created a law, Ordinance 1516, in violation of state law, in order to address their failure to enforce their own laws, rules, regulations, ordinances and code....kind of like the ordinance they passed that, as a matter of law, allowed them to delay and to ultimately forgo completing a request for public records dated September 25, 2020....

Closing questions for the Hearing Examiner's consideration:

a. Can the Hearing Examiner ignore the auspices under which an ordinance was adopted, the very ordinance that grants them their authority to act, to make recommendations to the City Council, given a Hearing Examiner must *take official notice of matters of law*?

- b. Can a Hearing Examiner assist the City in their efforts to avoid accountability/liability for their failure to mandate (city wide) compliance with Gig Harbor's laws, rules, regulations and code?
- c. Given a Hearing Examiner must "*take official notice of matters of law or material facts*," how possibly could they take any action (s) or make any recommendation (s), without first confirming the lawfulness of the very ordinance that granted them the powers to do so, especially now, given this public comment renders the Hearing Examiner informed?
- d. If a Hearing Examiner, after conducting the required/expected due diligence, after *taking official notice of matters of law*, confirmed the City did, in fact, pass Ordinance 1516 in an effort to avoid a lawsuit secondary to discriminatory permitting and code enforcement practices and moreover, their failure to enforce compliance with (city-wide) laws, rules, regulations and code, would it be ethical and lawful for a Hearing Examiner to assist them in their efforts to avoid liability, in some cases, (possibly) at the detriment of others?

Stated again for emphasis, the Hearing Examiner Hearing scheduled for tomorrow, November 7, 2023 for PL-ZONE-0001, should be postponed pending the Hearing Examiner's thorough and competent review of the auspices under which Ordinance 1516 was created/adopted, *taking notice of official matters of law and material fact (s)*.

*****REGARDING STORMWATER REGULATIONS*****

Per MRSC, **stormwater regulations DO NOT vest**, an *official matter of law and a material fact*, therefore, for past, present and future development applications, to include site specific rezones, the Hearing Examiner must make conformance to CURRENT stormwater regulations a CONDITION OF ANY APPROVAL. Discretionary authority to waive conformance to current stormwater regulations DOES NOT EXIST, even if conformance precludes development. Please obtain a copy of the (4) page INTEROFFICE MEMORANDUM dated July 13, 2016 from Ms. Cindy Andrews.

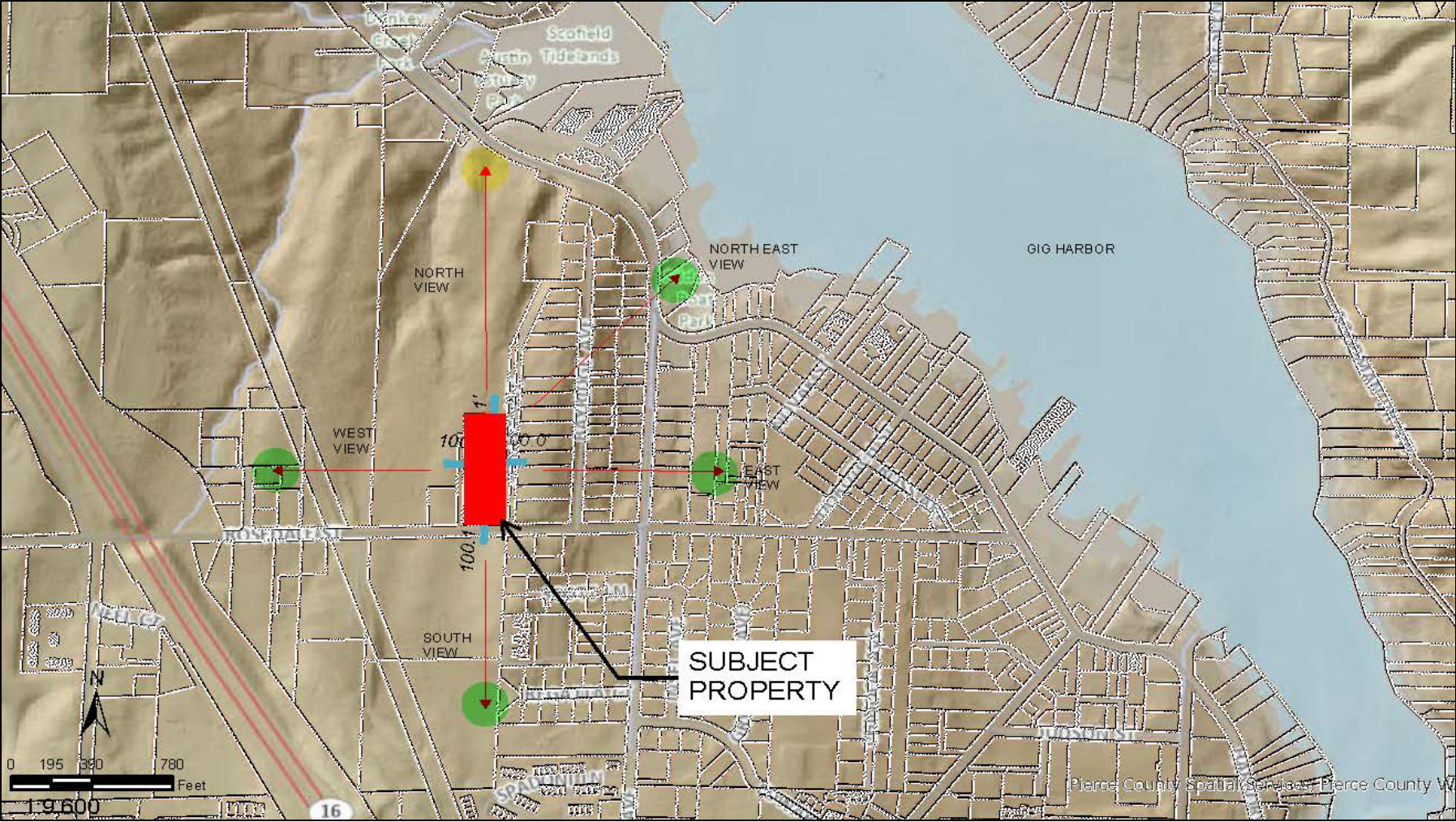
Respectfully,

Thomas P. Wick, Downhill Pierce County Resident



PL-ZONE-23-0001
Shirley Avenue Height Restriction Area
November 7, 2023

Applicant's Request



Site Description

Parcel #s:

0221068037 – 8116 Shirley Ave
0221068036 – 8111 Shirley Ave
0221064172 – 8020 Shirley Ave
0221064173 – 8020 Shirley Ave
0221064174 – 8020 Shirley Ave
0221064177 – 8020 Shirley Ave
0221064178 – 8020 Shirley Ave

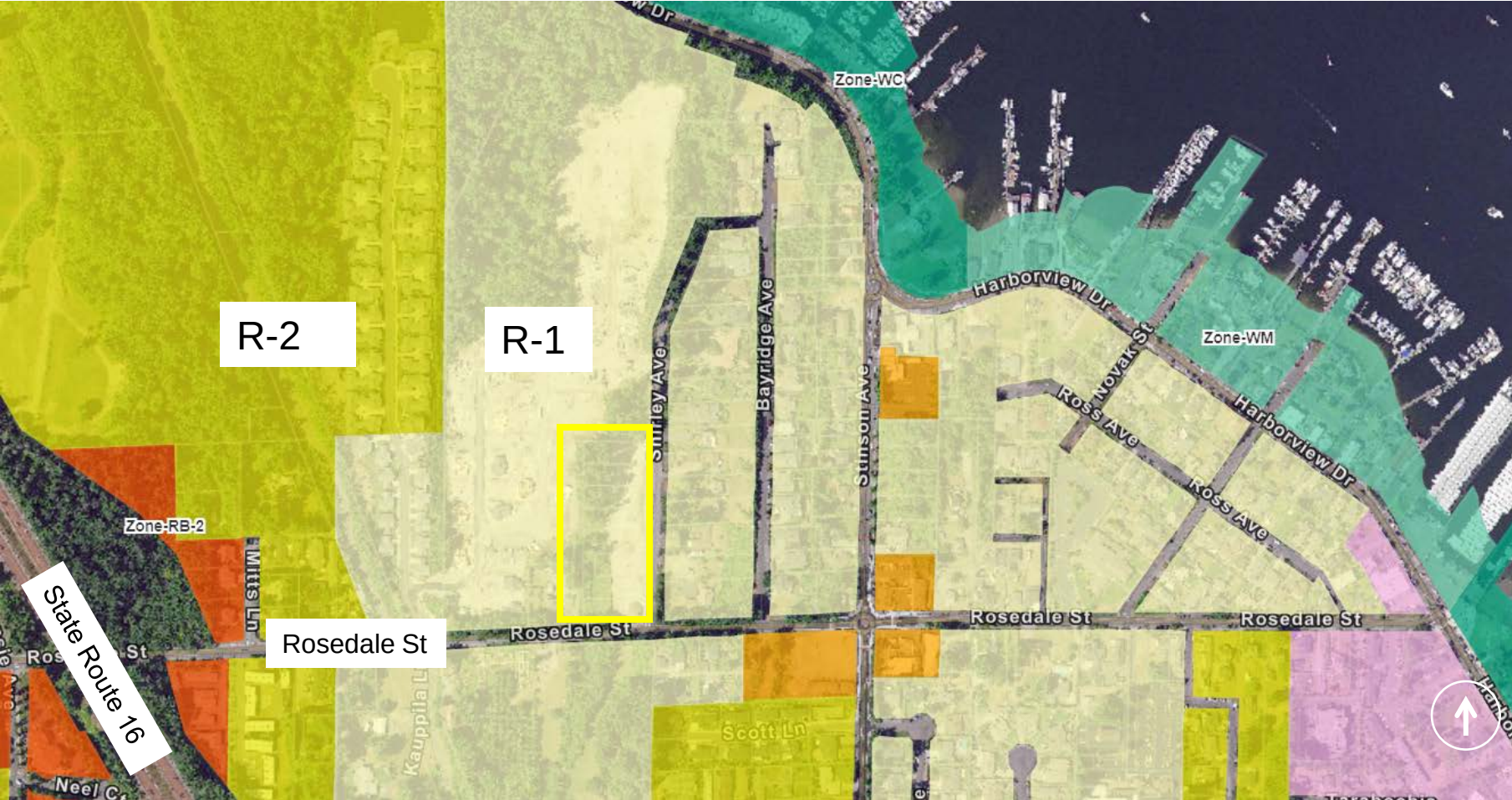
Site Area: 2.56 acres

Zoning: Single Family (R-1)

Access: Shirley Ave



Zoning



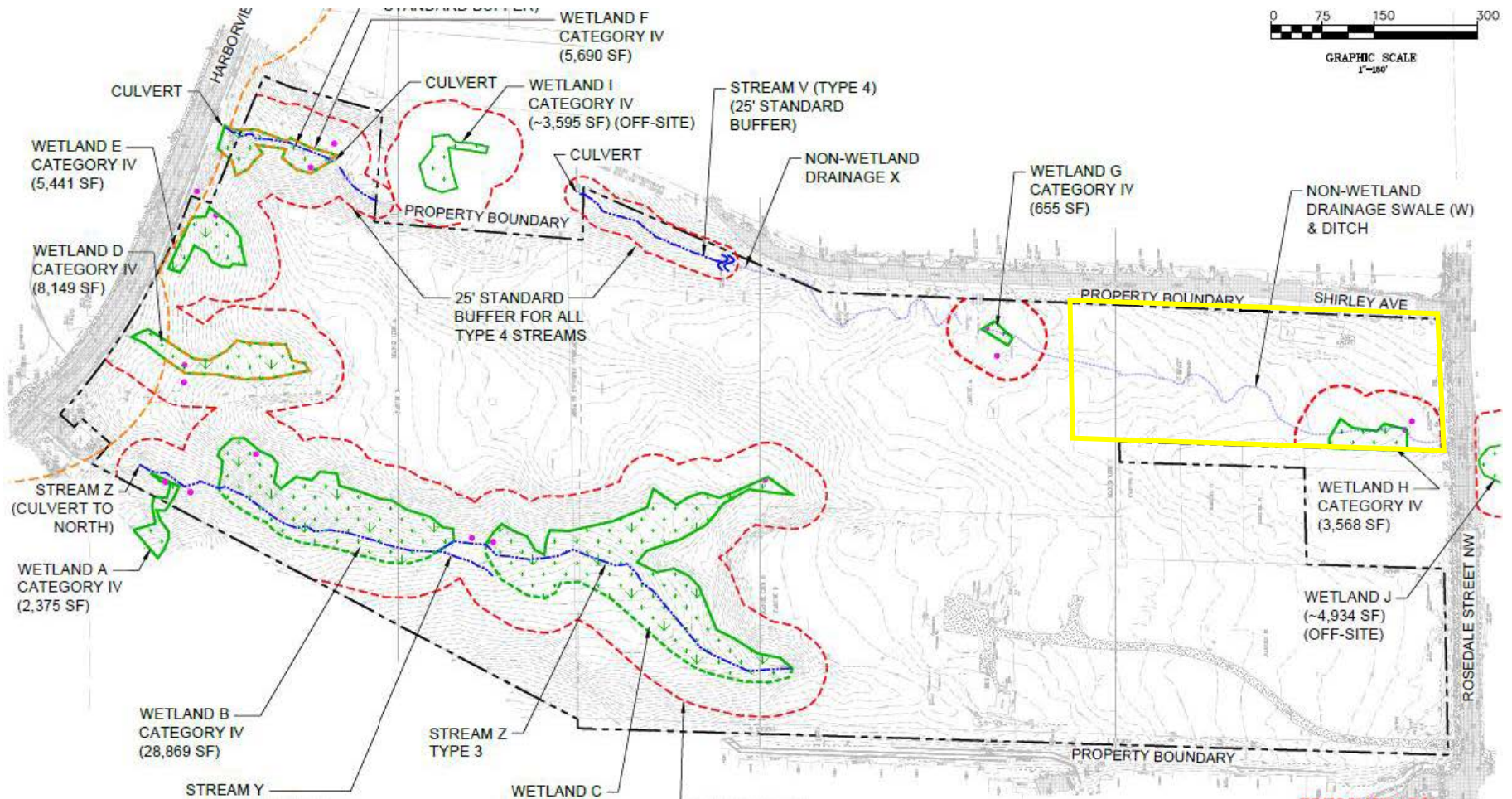
Environmental Review



Shirley Avenue Height Restriction Area Hearing
November 7, 2023

— Site boundary

Environmental Review



Public Notice & Comment

Notice of Application, April 21, 2023

- 3 comments
- 2 general inquiry, 1 in support

Notice of Public Hearing, October 24, 2023

- No comments received.

Proposed HRA Amendment



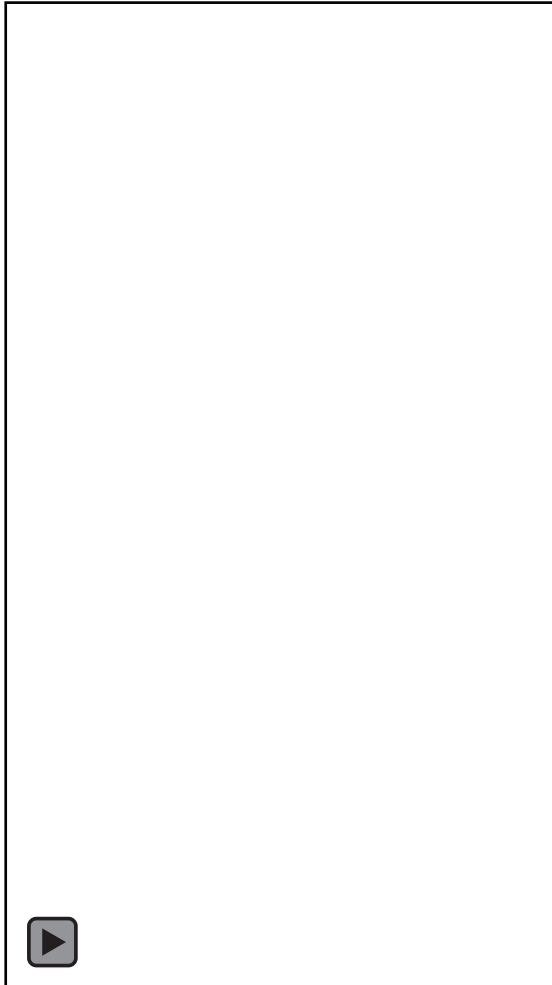
Shirley Avenue Height Restriction Area Hearing
November 7, 2023



Site boundary

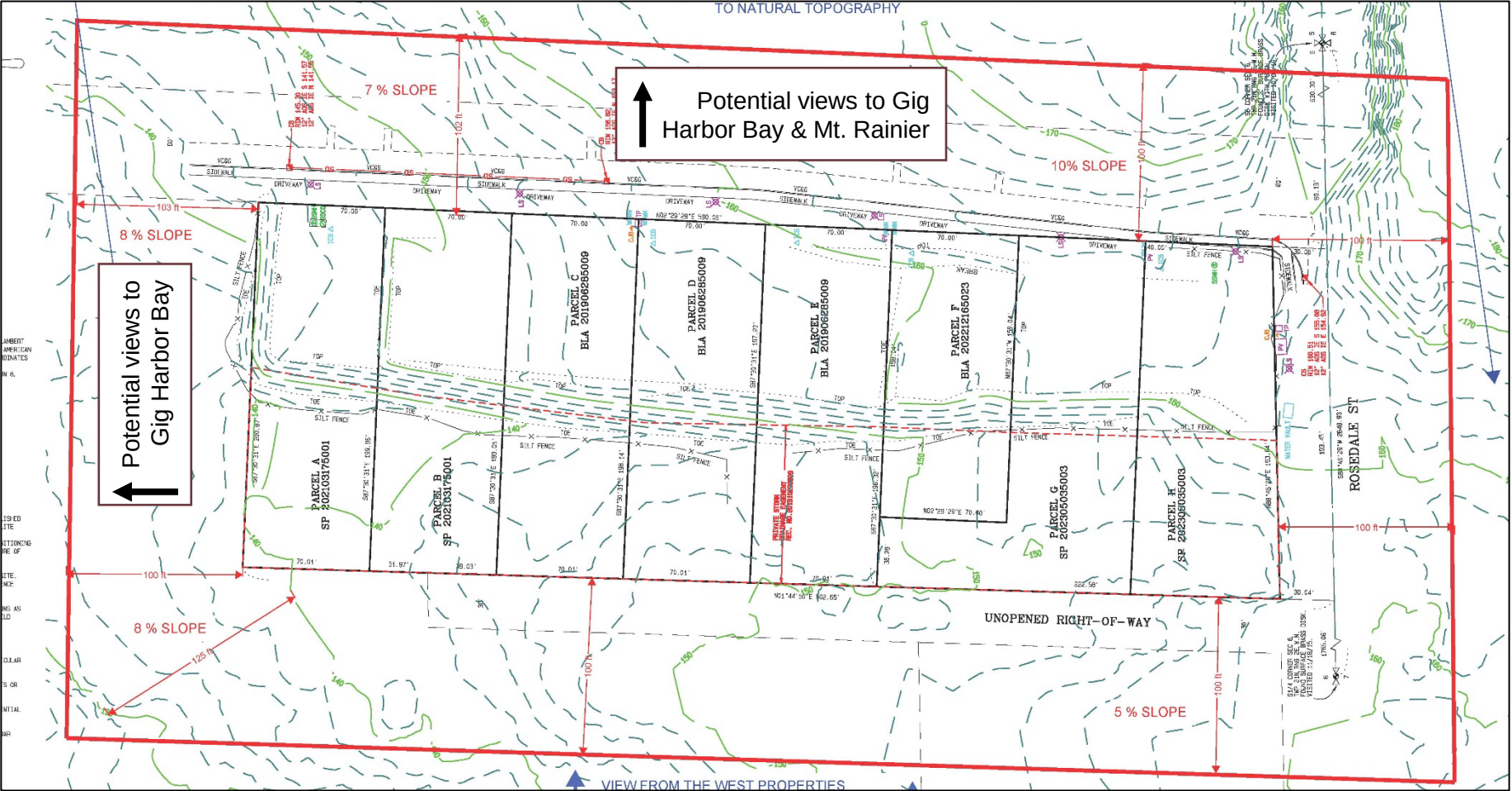
HRA boundary

Video from Project Site



Video starts looking south and moves to the east, north, then west.

Topographic Analysis



Shirley Avenue Height Restriction Area Hearing
November 7, 2023

100' boundary

HRA Policy Background

1965 – Ordinance 82

- Annexed the subject parcels/site
- Development regulations, including maximum height is unclear

1988 – Ordinance 537

- Created the HRA GHMC & Chapter 17.62 *Height Overlay District*
- Maximum height for residential structures with fewer than 3 units was 25 feet

1990 – Ordinance 573

- Created the R-1 district and restricted all structures within the R-1 district to a maximum height of 16 feet

HRA Policy Background

1996 – Ordinance 710

- Amended the maximum height of all structures within the HRA to a maximum height of 16 feet, unless within a PUD or PRD
- Created a Type IV permit procedure for HRA amendments

2010 – Ordinance 1194

- Amended HRA amendment procedure to Type III

2023 – Ordinance 1516

- Revised HRA amendment procedure to Type IV using the site-specific rezone process in GHMC Chapter 17.100

Staff Findings

Site-Specific Rezone, PL-ZONE-23-0001

The project proposal is consistent with the applicable requirements of GHMC Chapter 17.100.035.

- A. The project is consistent with and furthers the goals, policies, and objectives of the comprehensive plan and GHMC chapter 17.12.015.
- B. The application for the zoning amendment bears a substantial relationship to the public health, safety, and general welfare.
- C. No substantial detrimental effect will be caused by the granting of the application for the amendment.
- D. The proponents of the application have demonstrated that conditions have changed since the original zoning or original designation for the property on the zoning map.

Staff Recommendation

APPROVAL



11/7/2023

Since planning staff is recommending approval of the HRA Map Amendment and has provided reasons for approval, I will not go back over how this application meets the general criteria for the zoning map amendment.

However, I will take a few minutes and give a few reasons from the objectives of the comprehensive plan why this approval will enhance the community and provide the public with a community of homes which will be in keeping with Gig Harbor's aesthetic and feel.

Because our properties are fairly flat and the highest point within the building envelope from which the 16' max height must be measured only changes by 24", we would be limited to design & build homes with flat or nearly flat roof structures. When a property is on a slope (as many of the lots within the Height Restriction Area are) the slope becomes a benefit and when the 16' is taken from the highest point, often you can achieve a varied roof line with steeper roof pitches.

Chapter 4, Community Design of the City of Gig Harbor Comprehensive Plan states the following goals and objectives to maintain Gig Harbor's small-town quality.

This following slide is an example of a street scape with a 16' height restriction and an increased 23' height restriction. The additional 7' in height provides the ability to achieve visually interesting and varied roof lines which fit the goals of the community plan. R1 allows up to 35', which will provide the flexibility we need.

SHOW SHIRLEY STREET SCAPE

Goal 4.6 – Articulate an architectural style which reflects Gig Harbor's built and natural environment and which appeals to the human spirit.

In certain circumstances.... limiting the height of a structure can cause the aesthetic design of the home to become less interesting and move to a more "modern" architecture which is not in keeping with the small town feel and charm of the craftsman or bungalow style which is found in Gig Harbor. Because views are not affected by the properties the additional height would allow us to be more creative, providing varied roof lines and bring a small town bungalow feel to the homes which we will build along Shirley Ave.

Goal 4.7 – Encourage building designs which define and respect the human scale.

The additional height will still allow a roof line which cascades down to the human scale, it would be our design objective to design and build a home that is not a "box" but rather a home which provides a balance between home size and proper massing.

Goal 4.12 – Homes and residential developments should be designed to enhance existing characteristics of Gig Harbor.

Goal 6.2 – Encourage high density housing which maintains Gig Harbor’s historic visual characteristic as a single-family community.

Our target demographic will be to attract existing renters from the “Cottages at Rosedale” who would like to own their own home. This is primarily an age of 50 plus and will require “downsized” homes aimed at attracting that buyer profile. Our streetscape is proposing 1 ½ story homes which the upper floor is built within the roof system providing the historic visual characteristics that is seen in Gig Harbor in many locations.

Goal 6.8 – Eliminate incentives to build larger homes than are needed for typical sized households in Gig Harbor.

The increase in height will allow us to design a home with less building coverage of the property, this will create more space between the homes and allow the homes along Shirley Ave to have some “breathing room”.

In conclusion, our goal and vision for the homes which will be built along Shirley Ave will be a timeless design. It is often easy to look at a home and place its construction period to a certain decade or design phase which was taking place during a particular time. The removal of the height restriction will permit for varied designs which will be in keeping with the craftsman / bungalow style of Gig Harbor, allow more space between the residences, and create a street scape with roofs that are not all at the 16’ max height which can become a monolithic and generic aesthetic. The varied roof heights which “cascade” down to human scale will ensure a visually interesting street scape and maintain the goals of the comprehensive plan of maintaining the Gig Harbor “small town” feel.

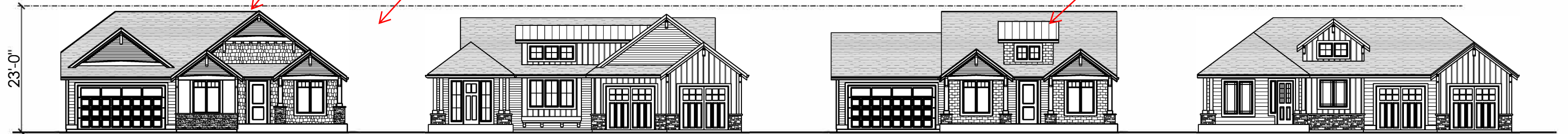
Gregory Zetterberg
Owner / Partner

Zetterberg Custom Homes & Remodeling LLC

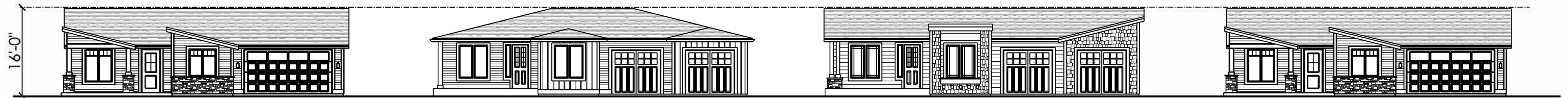
VARIED GABLED ROOF LINES IN
KEEPING WITH THE GIG HARBOR FEEL

CREATES A VISUAL FEEL OF MORE
OPEN SPACE BETWEEN THE HOMES

THE UPPER FLOOR AREA IS
BUILT INTO THE ROOF
SYSTEM USING DORMERS



SHIRLEY STREET SCAPE | REMOVED FROM CURRENT HEIGHT RESTRICTION



SHIRLEY STREET SCAPE | 16' HEIGHT RESTRICTION UNDER CURRENT ZONING

UPCOMING GIG HARBOR CITY MEETINGS

ALL AGENDA ITEMS TENTATIVE – SUBJECT TO CHANGE

Please see the meeting agenda for specific details on how to attend: <https://www.gigharborwa.gov/811/Agendas-Minutes>

Day	Date	Time	Group	Agenda Items
M	Feb. 12	5:30pm	City Council	<i>See Agenda</i>
W	Feb. 14	10:00am	Arts Commission	• Storm Drain Art – Michael Abboud
TH	Feb. 15	3:00pm	City Council Study Session	• Potential ILA with PenMet Parks for Recreational Programming • Ancich Park Fishermen Pavers • Capital Improvement Projects StoryMap Review • Site Specific Rezone and Height Restriction Variance Procedures Ordinance
TH	Feb. 15	5:30pm	Planning Commission	• Survey Results • Public Hearing for amendments to GHMC 17.96
TU	Feb. 20	1:30 pm	Hearing Examiner	• Pitt Dock Marina Replacement: PL-SDP-23-0001
TH	Feb. 22	5:30pm	Design Review Board	
M	Feb. 26	5:30pm	City Council	Presentation: Pierce County Opioid Task Force – Opioid Task Force Coordinator Chelsea L. Amato Consent Agenda: • Public Works Construction Contract Award for Prentice Ave./Fennimore St. Half-Width Frontage Improvements • Professional Services Contract Amendment #3 for 38th Avenue Improvement Project Phase 2 Consent Agenda: • Professional Services Contract for Olympic Drive/Pt. Fosdick Right Turn Lane Extension • DNR Lease Renewal for Tidelands at Maritime Pier • Amendments to the Harbor Hill Storm and Sewer Maintenance Agreements Business Items: • Resolution XXXX Expressing Support for Levy Lid Lift Ballot Measure and Adopting Fact Sheet • Second Reading and Adoption of Ordinance 1519 Amending GHMC Title 15 Buildings and Construction • First Reading and Adoption of Ordinance 1522 Relating to Site Specific Rezone and Height Restriction Variance Procedures • Code Update GHMC 2.06
TH	Feb. 29	3:00pm	City Council Study Session	• Well #9 Location Options • Complete Streets Program • EV Charging Ordinance and Resolution • UGA Retraction Discussion
M	Mar. 11	5:30pm	City Council	Consent Agenda:

UPCOMING GIG HARBOR CITY MEETINGS

ALL AGENDA ITEMS TENTATIVE – SUBJECT TO CHANGE

Please see the meeting agenda for specific details on how to attend: <https://www.gigharborwa.gov/811/Agendas-Minutes>

Day	Date	Time	Group	Agenda Items
				- Public Works Construction Contract Award for Skansie Netshed Improvements Business Items: - Resolution XXXX Adopting the Sports Complex Phase 2/3 Feasibility Study
TH	Mar. 14	3:00pm	City Council Study Session	- GHCKRT Use of Skansie Park - Lift Station 5 Feasibility Study - Park District Discussion - Council Guidelines & Procedures Updates
W	Mar. 20	10:00am	Arts Commission Special Meeting	2024 Creative Endeavor Grant Application Review and Funding Recommendation
M	Mar. 25	5:30pm	City Council	Presentation: Downtown Waterfront Alliance Annual Report Business Items: - First Reading of Ordinance XXXX Adopting Complete Streets Program - First Reading of Ordinance XXXX Adopting Public EV Charging Station Rules - Public Works Construction Contract Award for Sports Complex Phase 1B
TH	Mar. 28	3:00pm	City Council Study Session	
M	Apr. 8	5:30pm	City Council	Business Items: - Second Reading and Adoption of Ordinance XXXX Adopting Complete Streets Program - Resolution XXXX EV Charging Station Setting Public Fee Rates - Second Reading of Ordinance XXXX Adopting Public EV Charging Station Rules
TH	Apr. 11	3:00pm	City Council Study Session	Public Dock Code Revision Ordinance and Resolution
M	Apr. 22	5:30pm	City Council	Business Items: - First Reading of Ordinance XXXX Adopting Public Dock Code Revision Establishing Utility Fees - Resolution XXXX Public Dock Code Revision Setting Fee Rates
TH	Apr. 25	3:00pm	City Council Study Session	Aquifer Level Review at City Wells
M	May 13	5:30pm	City Council	Business Items: Second Reading of Ordinance XXXX Adopting Public Dock Code Revision Establishing Utility Fees
TU	May 28	5:30pm	City Council	
M	June 10	5:30pm	City Council	Presentation: Pierce County Library Update

City of Gig Harbor Two-Year Strategic Plan 2023-2024

Adopted by Resolution 1280 on June 12, 2023

Vision Statement: *The City of Gig Harbor leads the way in livability, environmental stewardship, economic vitality, and municipal services.*

Priorities	Goals	Actions – Routine/Annual	Actions - Project
Foster a healthy city organization	- Be an exceptional employer - Retain existing workforce - Attract qualified applicants - Ensure safe work environment - Encourage staff training - Encourage and obtain employee feedback - Fill all vacancies in a timely manner	- Re-qualify for AWC Well City designation - Conduct annual employee satisfaction survey	- Develop a staff retention and attraction program - Review and update the city's DEI program - Update personnel policies manual - Update safety manual and accident prevention program - Revise employee evaluation process - Develop management training for all new supervisors - Update job descriptions and conduct salary & benefits study
Ensure sustainable future for public services and facilities	- Provide more effective municipal services - Increase city communication effectiveness - Listen to community needs and expectations - Source funding for parks, streets/transportation, and utilities - Ensure infrastructure to support community needs	- Update utility rates as needed - Continually improve permit and land use approval processes - Increase resources for capital projects - Review/amend TIP to improve motorized and non-motorized transportation	- Create a city-wide communications plan - Update public works standards - Conduct HOA fair - Implement hybrid court system/electronic case management - Parks division organizational assessment - Complete construction of Public Works Operations Center - Place parks bond on ballot
Maintain small town character and historic preservation while growing responsibly	- Promote responsible growth in keeping with small town character - Address infrastructure to relieve traffic issues - Ensure adequate affordable housing - Focus on character retention and historic preservation - Decrease distance to get to a park or open space - Enhance walkability and pedestrian/cyclist safety	- Annually docket specific priorities in the comprehensive plan - Fund Harbor History Museum operations - Monitor state legislative activity - Support the arts commission - Develop sister city program - Fund creative endeavor grants - Monitor short-term rentals	- Prepare 2044 Comprehensive Plan periodic update - Complete annexation study - Develop housing needs and action plan - Create historic preservation commission - Review businesses and off-street parking requirements - Develop 4th of July event - Establish process and procedure for code compliance program - Establish park standards
Promote environmental sustainability and preserve Gig Harbor's natural beauty	- Address climate change - Preserve tree canopy - Preserve and enhance natural character - Add undeveloped land to parks inventory	- Annually review climate & sustainability action plan (once developed) - Consider possible conservation properties and/or mitigation areas and activities	- Adopt climate & sustainability action plan - Form climate action committee - Adopt urban forest management plan/tree retention policies - Develop recycling program in city parks - Install Civic Center electric vehicle charging station - Annex parcels in city's parks system - Update stormwater manual - Assess gaps in public charging stations for electric vehicles
Promote and enhance a dynamic and robust economy	- Develop a plan to increase promotion of our local business community - Increase vitality of the city's small businesses - Attract larger business to industrial zone - Maintain and enhance commercial fishing	- Support Downtown Waterfront Alliance - Support Chamber of Commerce - Fund tourism with lodging tax grants - Promote downtown businesses/events - Collaborate with Pierce Transit for trolley	- Design and construct fishermen's home port - Create a business retention and attraction plan - Evaluate and amend development regulations and fees - Develop and implement a small business fair - Develop holiday display attractions
Provide a safe, healthy, and inclusive community	- Foster safe, livable and attractive community - Ensure city services are available to all residents - Implement DEI in city personnel practices	Provide funding for senior programming	- Develop housing, health, & human services coordinator position - Provide funding for senior center permanent home - Develop a plan to support youth and teen activities - Obtain police department accreditation - Update emergency management plan