

## ORDINANCE NO. 1280

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REZONING 22.75 ACRES FROM PCD-RLD ZONING DISTRICT TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), LOCATED SOUTH OF BORGEN BOULEVARD AND NORTH OF THE NORTHBORO BUSINESS PARK AND PRD; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER 0222311009, AND CITY OF GIG HARBOR FILE NO. PL-FPRD-13-0002, AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH

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WHEREAS, Harbor HILL LLC requested Final PRD Approval for Division S9 of the Harbor Hill Plat located south of Borgen Blvd. and north of the Northboror Business Park; a portion of Pierce County Assessor-Treasurer Parcel Number 0222311009; and

WHEREAS, the land use designation in the Comprehensive Plan for the subject site is PCD-Residential Low; and

WHEREAS, the existing zoning district on the Official Zoning Map of the City for the subject site is PCD-RLD (Planned Community District – Residential Low); and

WHEREAS, Olympic Property Group LLC requested Preliminary Planned Residential Development (PRD) approval for of 200 acres, comprised of three parcels, into 554 single family lots and two multiple family lots that would be developed with a total of 270 units on the subject site on December 2, 2008; and

WHEREAS, a SEPA threshold determination of Mitigated Determination of Nonsignificance was issued on November 17, 2010; and

WHEREAS, the SEPA threshold decision was not appealed; and

WHEREAS, the preliminary PRD is a Type III-A action as defined in GHMC 19.01.003(B); and

WHEREAS, A final decision for a Type III-A application shall be rendered by the Hearing Examiner as per GHMC 19.01.003(A); and

WHEREAS, a public hearing on the preliminary PRD was held before the Hearing Examiner on December 16, 2010, at which time the Hearing Examiner heard public testimony on the preliminary PRD; and

WHEREAS, the Hearing Examiner approved the Preliminary PRD in her decision dated December 30, 2010; and

WHEREAS, the appeal period expired on January 23, 2011; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Olympic Property Group LLC requested a Revision to the Approved Preliminary Planned Residential Development (PRD) for all portions of the Harbor Hill Residential Plat/PRD except Division 1A on March 13, 2013; and

WHEREAS, a SEPA addendum was issued on July 31, 2013; and

WHEREAS, the preliminary PRD is a Type III-A action as defined in GHMC 19.01.003(B); and

WHEREAS, Amendment 1 to the Harbor Hill Development Agreement recorded on December 4, 2012 authorizes the Planning Director to approve modifications to the Approved Preliminary PRD as a Type 2 Decision; and

WHEREAS, the Planning Director approved the Revised Preliminary PRD in her decision dated August 2, 2013; and

WHEREAS, the appeal period expired on August 19, 2013; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Olympic Property Group LLC Quit Claimed the subject property to Harbor Hill LLC on August 6, 2013 Auditor Recording Number 201308130540; and

WHEREAS, an application for final PRD approval was submitted to the City and deemed complete on October 23, 2013 for Division S9, a portion of the approved preliminary PRD; and

WHEREAS, the Final PRD is a Type IV action as defined in GHMC 19.01.003(B); and

WHEREAS, A closed record decision for a Type IV application shall be rendered by the City Council as per GHMC 19.01.003(A); and

WHEREAS, the City Council approved the final PRD application under Resolution #945 on November 25, 2013; and

WHEREAS, GHMC 17.89.130 requires that the property subject to the final PRD be designated on the official zoning map as PRD; and

WHEREAS, the change to the official zoning map must be adopted by ordinance as per GHMC 17.89.130; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading on November 25, 2013;

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

Section 1. The real property located south of Borgen Blvd. and north of the Northboror Business Park; a portion of Pierce County Assessor-Treasurer Parcel Number 0222311009 and legally described in Exhibit "A", is hereby rezoned from PCD-RLD (Planned Community District – Residential Low) to PRD (Planned Residential

Development).

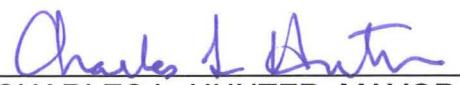
Section 2. The Planning Director is hereby instructed to effectuate the necessary changes to the Official Zoning Map of the City in accordance with the designation established by Section 1.

Section 3. 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 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this 25th day of November, 2013.

CITY OF GIG HARBOR

  
CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By:   
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

By: Angela Summerfield  
ANGELA S. SUMMERFIELD

FILED WITH THE CITY CLERK: 11/06/13  
PASSED BY THE CITY COUNCIL: 11/25/13  
PUBLISHED: 11/27/13  
EFFECTIVE DATE: 12/02/13  
ORDINANCE NO: 1280