

ORDINANCE NO. 1310

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, APPROVING A CITY-INITIATED REZONE OF 7 PARCELS CONSISTING OF APPROXIMATELY 25 ACRES FROM R-1 ZONING DISTRICTS TO PUBLIC/INSTITUTIONAL DISTRICT (PI); PIERCE COUNTY ASSESSOR PARCEL NUMBERS 0221083155, 0221083119, 0221083156, 0221083118, 0222323019, 0222323018, 0221063042; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GIG HARBOR; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the current Comprehensive Plan land use designation for 7 parcels within the City, located at the Civic Center, Crescent Creek Park, and Skansie water tower, is Public/Institutional (PI), and the current zoning district for these parcels is Single-Family Residential (R-1); and

WHEREAS, the existing PI comprehensive plan land use designation anticipates publicly owned and institutional uses; and

WHEREAS, the 25 acres subject to this rezone are currently being used for public parks, open space and services; uses which are consistent with Public Institutional District (PI) zoning; and

WHEREAS, the PI zoning district is the only zoning district which implements the PI land use designation; and

WHEREAS, the proposed rezone is a Type V action as defined in GHMC 19.01.003(B) for area-wide zoning map amendments; and

WHEREAS, a final decision for a Type V application shall be rendered by the City Council after a recommendation from the Planning Commission as per GHMC 19.01.003(A); and

WHEREAS, the Planning Commission held work study sessions on June 19, 2014 and July 17, 2014 and held a public hearing on the area-wide rezone on August 7, 2014, and recommended approval; and

WHEREAS, on January 15, 2015, the proposed area-wide rezone was sent to the Washington Department of Commerce pursuant to RCW 36.70A.106; and

WHEREAS, a SEPA threshold determination of non-significance (DNS) for the proposed rezone was issued on July 16, 2014 and was not appealed; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on January 26, 2015; and

WHEREAS, on February 9, 2015, 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. Criteria. Zoning map amendments are addressed in Chapter 17.100 of the Gig Harbor Municipal Code. Applications for amendments to the zoning district map 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;
- 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;
- 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. (GHMC 17.100.035)

Section 2. Findings. The City Council considered the recommendation of the Planning Commission, and makes the following findings in relation to the criteria of approval in section 1 above:

- A. The Comprehensive Plan has designated this area Public/Institutional (PI). The Public/Institutional District (PI) zoning more properly implements the PI comprehensive plan designation than the present R-1 zoning districts. The proposal to rezone the subject properties to PI is consistent with and furthers the goals and policies of the Comprehensive Plan.
- B. Correction of these zoning inaccuracies guarantees the continuation of the existing civic uses thus preserving the public investment in the properties. Any future expansion or development proposed for the city sites will require standards that address safety and public health.
- C. No substantial detrimental effect would be caused by the granting of this rezone request. The properties within the rezone area currently contain uses consistent with the intent of the PI zoning district: Publically owned properties.

D. The properties proposed for rezone have historically been inaccurately zoned low-density residential. Development of the sites has always been in line with the land use designation of Public Institutional, it is the intent of this rezone to establish accurate zoning districts that align with the existing uses.

Section 3. Rezone. As shown on Exhibit "A" attached hereto and incorporated by this reference, including tax parcel numbers: 0221083155, 0221083119, 0221083156, 0221083118, 0222323019, 0222323018, 0221063042, are hereby rezoned from R-1 to Public/Institutional District (PI).


Section 4. Zoning Map. The Planning 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 3.

Section 5. 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 6. Effective Date. This ordinance shall take effect (5) days after passage and publication of an approved summary thereof consisting of the title.


PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 9th day of February, 2015.

CITY OF GIG HARBOR



Mayor Jill Guernsey

ATTEST/AUTHENTICATED:



Molly M. Towslee, City Clerk

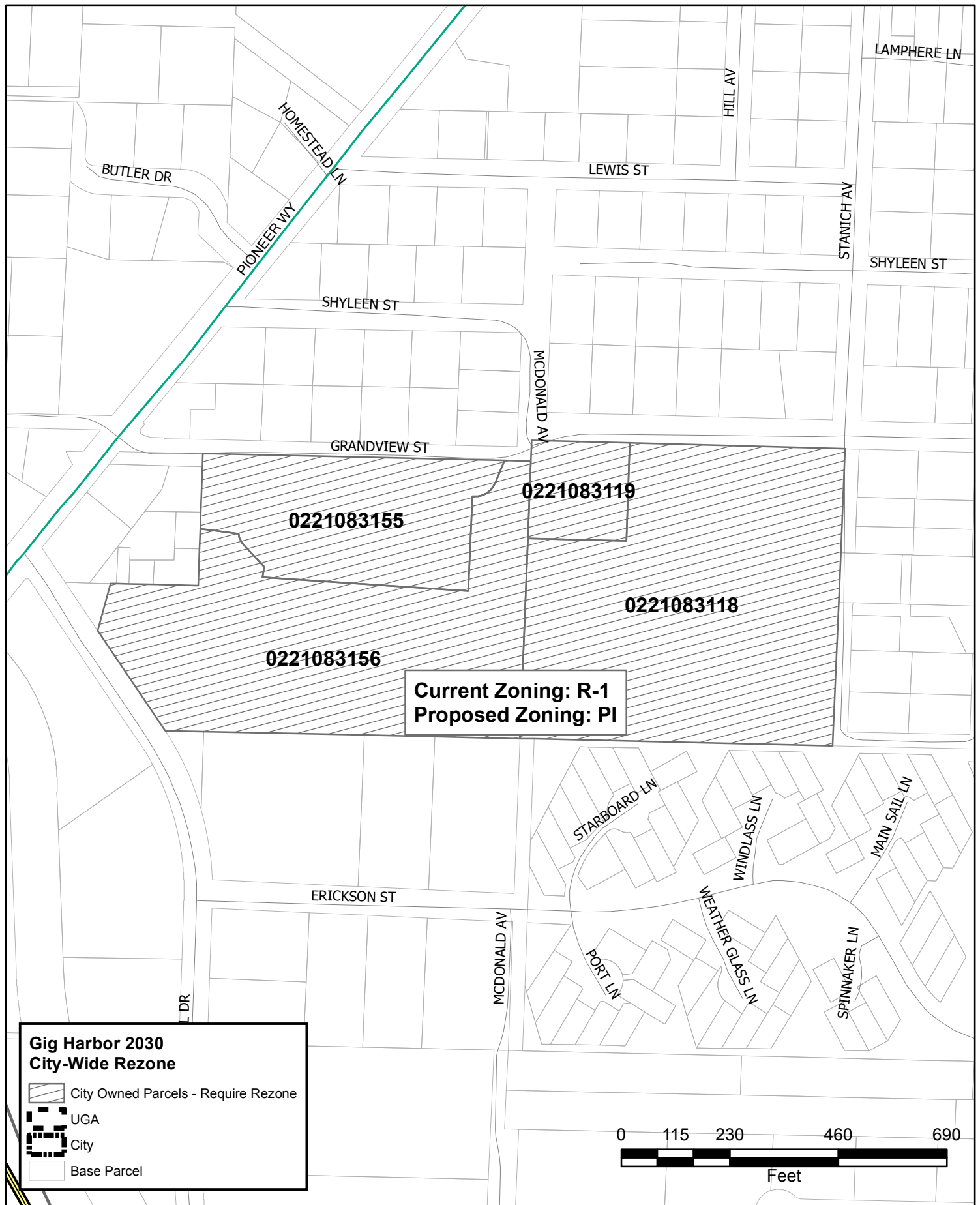
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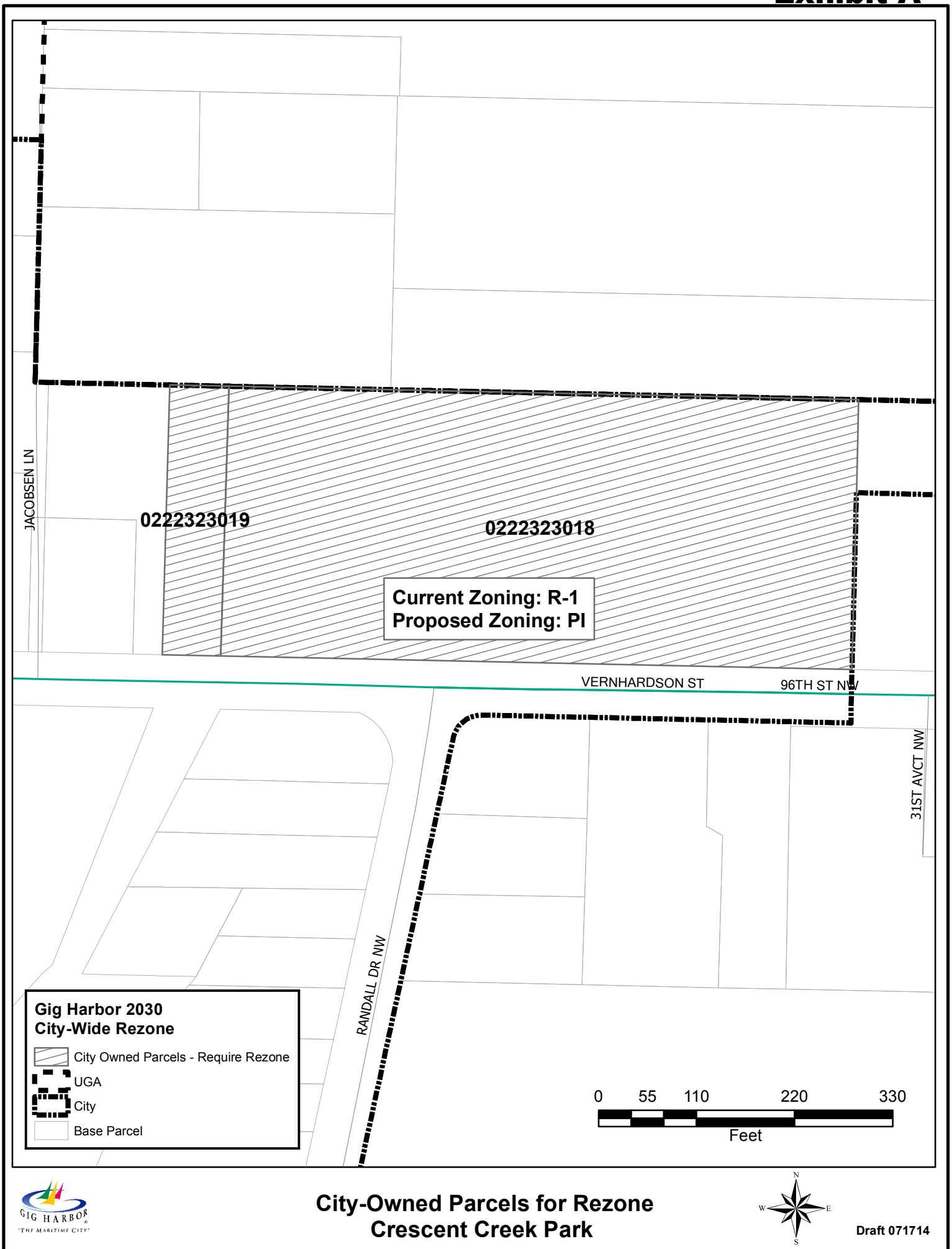
Office of the City Attorney

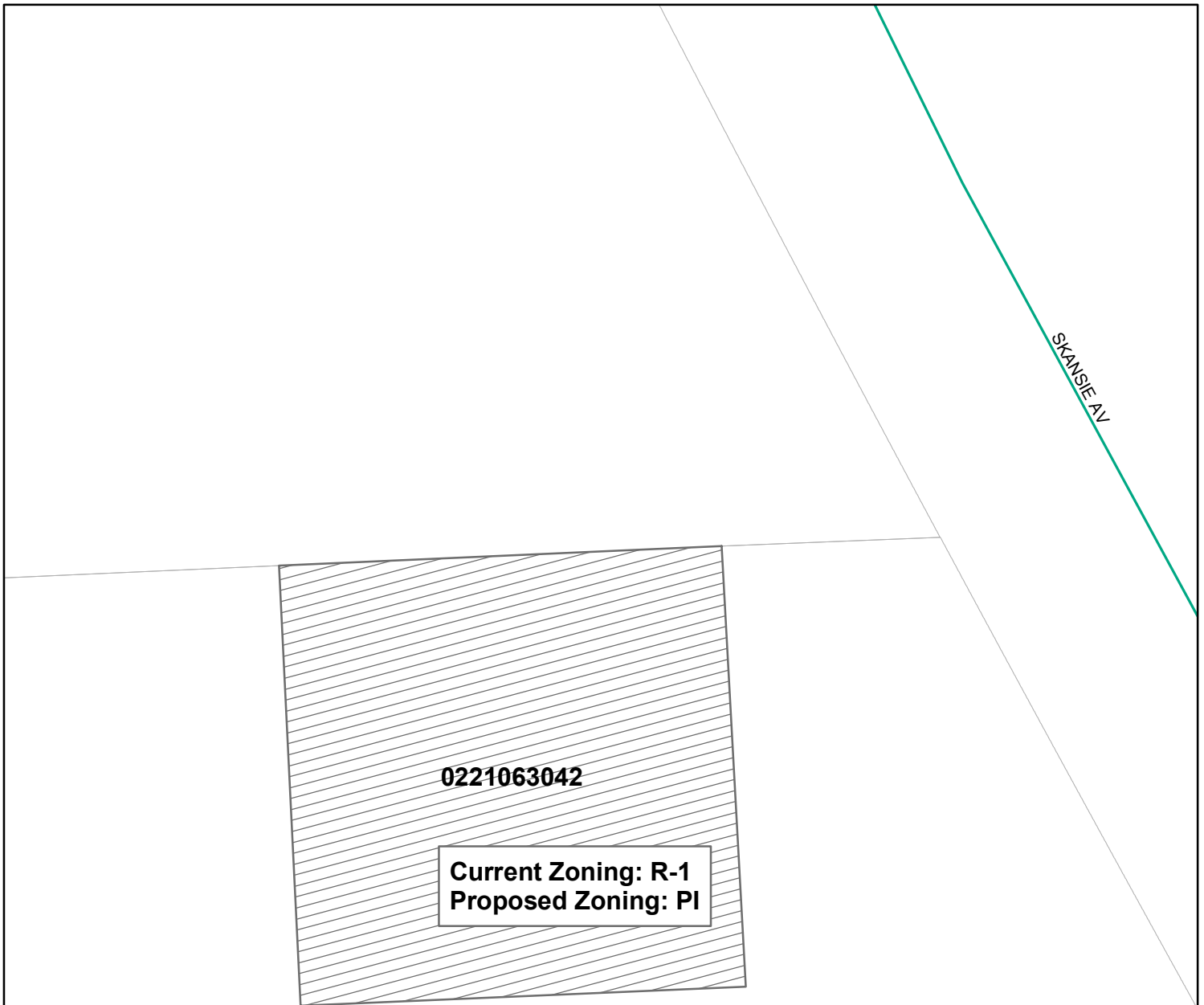


Angela Summerfield





FILED WITH THE CITY CLERK: 01/22/15
PASSED BY THE CITY COUNCIL: 02/09/15
PUBLISHED: 02/18/15
EFFECTIVE DATE: 02/23/15
ORDINANCE NO: 1310







**Gig Harbor 2030
City-Wide Rezone**

-  City Owned Parcels - Require Rezone
-  UGA
-  City
-  Base Parcel



**City-Owned Parcels for Rezone
Skansie Avenue Water Tower**

