RESOLUTION NO. 1026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO PROPOSED COMPREHENSIVE PLAN AMENDMENTS; ADOPTING FINDINGS AND CONCLUSIONS ON ONE COMPREHENSIVE PLAN AMENDMENT APPLICATION (PL-COMP-15-0002) THAT WILL NOT BE PROCESSED IN THE 2016 COMPREHENSIVE PLAN ANNUAL CYCLE.

WHEREAS, except under limited circumstances not applicable here, the Growth Management Act prevents the processing of comprehensive plan amendments more than once a year; and

WHEREAS, the City of Gig Harbor has adopted regulations for the processing of comprehensive plan amendments in chapter 19.09 GHMC; and

WHEREAS, under GHMC 19.09.050, all comprehensive plan amendments are considered legislative processes and are not subject to deadlines for issuance of a final decision; and

WHEREAS, under GHMC 19.09.130 the City Council evaluates the submitted comprehensive plan amendment applications and determines which applications will be processed further during the annual cycle; and

WHEREAS, should the City Council determine not to process an application further during the annual cycle, GHMC 19.09.140 requires the City Council to adopt findings and conclusions on the applications that will not be processed by way of resolution; and

WHEREAS, on January 25, 2016, the City Council held a public hearing on the 2016 comprehensive plan amendment docket; and

WHEREAS, on January 25, 2016, the City Council evaluated the comprehensive plan amendment applications submitted for the 2016 annual cycle; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The City Planning Department received a comprehensive plan amendment application (PL-COMP-15-0002) for XXX Canterwood Blvd with a total of 5 tax parcel on October 29, 2015. A statement of complete application was provided to the applicant on November 18, 2015. An associated Development Agreement Application was submitted to the City on December 14, 2015. The application requests that the land use designation for the subject property be changed from residential medium (RM) to a designation of Commercial/Business (CB) to allow the opportunity for a multi-family development project that would not exceed 220 total units on the 11.2 acres. A Notice of Public Hearing was mailed to neighboring property owners on January 12th, 2016 informing them of the City Council public hearing held on January 25th, 2016.

Section 2. City Council must consider the criteria in GHMC 19.09.130 in regards to proposed comprehensive plan amendments, as follows:

> *19.09.130 Considerations for decision to initiate processing.*
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> *Before rendering a decision whether the individual comprehensive plan amendment proposal may be processed during any year, the city council shall consider all relevant facts, including the application materials, as well as the following items:*
>
> *A. Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the comprehensive plan; and*
>
> *B. Whether the assumptions upon which the comprehensive plan is based are no longer valid, or whether new information is available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments; and*
>
> *C. For amendments that have been considered within the last three years, whether there has been a change in circumstances that makes reconsideration of the proposed amendment now appropriate. (Ord. 1177 § 1, 2009; Ord. 1075 § 1, 2007).*

In addition to the above criteria, GHMC 19.09.140 requires the City Council to pass a resolution adopting findings and conclusions on applications that will not be further processed in the annual review cycle.

Section 3. **Findings**. After consideration of the materials in the file associated with PL-COMP-15-0002, the City's Comprehensive Plan, historical

land use designations, criteria for approval found in Chapter 19.09 GHMC, applicable law, and public testimony, City Council hereby makes the following findings:

A. The properties in question are not located in an area that has substantially changed since their original designation of Residential Medium.

B. The properties were designated RM and the R-2 zoning under Ordinance No. 734 – the 1996 pre-annexation zoning designations.

C. Annexation of the area occurred under Ordinance No. 1059 on November 13, 2006.

D. The request for Commercial Business Land Use Designation is inconsistent with the intended use of the property of multi-family residential per the adopted Goals and Policies of the City's Comprehensive Plan.

E. No other evidence was presented to show a change in circumstances in the area.

F. No evidence was presented to show the assumptions upon which the comprehensive plan is based are no longer valid.

Section 4. Conclusions: The City Council hereby makes the following conclusions:

A. The legislative act of annexation of the property is not a substantial change to the area since adoption of the comprehensive plan that would cause the need for reconsideration of the land use designation.

B. Assumptions upon which the comprehensive plan is based are still valid. No new information is available for the proposed area.

C. Because the proposed amendment contained in application PL-COMP-15-0002 does not meet the criteria outlined in GHMC 19.09.130, PL-COMP-15-0002 shall be removed from the docket and will not be further processed in the 2016 Comprehensive Plan amendment cycle.

RESOLVED by the City Council this 8th day of February, 2016.

APPROVED:

Jill Guernsey, Mayor

ATTEST/AUTHENTICATED:

Molly M. Towslee, City Clerk

APPROVED AS TO FORM;
Office of the City Attorney:

BY: _____

FILED WITH THE CITY CLERK: 02/04/16
PASSED BY THE CITY COUNCIL: 02/08/16
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