

## ORDINANCE NO. 1051

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO GROWTH MANAGEMENT AND PLANNING, MAKING THE FOLLOWING AMENDMENTS TO THE CITY'S COMPREHENSIVE LAND USE PLAN: APPROVING WITH A DEVELOPMENT AGREEMENT (RESOLUTION #677) THE HUBER APPLICATION #04-01; APPROVING WITH A DEVELOPMENT AGREEMENT (RESOLUTION #678) THE FRANCISCAN HEALTH SYSTEM APPLICATION #05-01; APPROVING A CONSTRUCTION AGREEMENT BETWEEN THE CITY AND FRANCISCAN HEALTH-SYSTEM FOR CONSTRUCTION OF THE FHS TRANSPORTATION MITIGATION IMPROVEMENTS; APPROVING WITH A DEVELOPMENT AGREEMENT (RESOLUTION #680) THE HMT PARTNERSHIP APPLICATION #05-02; AND (4) ADOPTING A REVISED TRANSPORTATION ELEMENT, CHAPTER 11 OF THE ADOPTED DECEMBER 2004 COMPREHENSIVE PLAN.

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WHEREAS, the City of Gig Harbor plans under the Growth Management Act (chapter 36.70A RCW); and

WHEREAS, the Act requires the City to adopt a Comprehensive Plan; and

WHEREAS, the City adopted a revised GMA Comprehensive Plan as required by RCW 36.70A.130 (4) in December 2004; and

WHEREAS, the City is required to consider suggested changes to the Comprehensive Plan (RCW 36.70A.470); and

WHEREAS, the City may not amend the Comprehensive Plan more than once a year (RCW 36.70A.130); and

WHEREAS, the City is required to provide public notice and public hearing for any amendments to the Comprehensive Plan and the adoption of any elements thereto (RCW 36.70A.035, RCW 36.70A.130); and

WHEREAS, on April 11, 2005, the Gig Harbor City Council passed Resolution No. 646 which established the work program for the processing of individual Comprehensive Plan amendments for 2005; and

WHEREAS, the Washington State Office of Community Development was a party of record to the Supplemental Environmental Impact Statement (SEIS) process that was undertaken for the proposed amendments to the Comprehensive Plan; and

WHEREAS, the City Community Development Director notified the Washington State Office of Community Development of the City's intent to amend the Comprehensive Plan on May 1, 2006 pursuant to RCW 36.70A.106; and

WHEREAS, the City Community Development Director forwarded a copy of this Ordinance to the Washington State Office of Community Development on June 5, 2006 pursuant to RCW 36.70A.106; and

### **Land Use Element**

WHEREAS, the Act requires that the Comprehensive Plan include a land use element designating the proposed general distribution and general location and uses of land, where appropriate, for the different types of allowed uses in the City, as well as other information (RCW 36.70A.070(1)); and

WHEREAS, on July 14, 2005, the City SEPA Responsible Official issued a Determination of Significance (DS) with regards to the proposed Comprehensive Plan amendments (#04-01 Huber, #05-01 Franciscan Health System-West, and #05-03 HMT Partnership); and

WHEREAS, on January 3, 2006, the Draft Supplemental Environmental Impact Statement (DSEIS) was issued; and

WHEREAS, on January 19, 2006, the Planning Commission held a public hearing on the Draft Supplemental Environmental Impact Statement (DSEIS); and

WHEREAS, on April 5, 2006, the Final Supplemental Environmental Impact Statement (FSEIS) was issued; and

WHEREAS, on April 6, 2006, the Planning Commission held a work study session on the proposed Comprehensive Plan amendments; and

WHEREAS, on April 19, 2006, Gig Harbor North Associates, LLC filed a timely appeal on the adequacy of the April 5, 2006, the Final Supplemental Environmental Impact Statement (FSEIS); and

WHEREAS, on April 20, 2006, the Planning Commission held a public hearing on the proposed Comprehensive Plan amendments (#04-01 Huber, #05-01 Franciscan Health System-West, and #05-03 HMT Partnership) and the proposed revision to the Transportation Element of the Comprehensive Plan as identified in the April 5, 2006 Final Supplemental Environmental Impact Statement (FSEIS); and

WHEREAS, on April 20, 2006, the Planning Commission recommended approval of the Comprehensive Plan amendments #04-01 Huber, #05-01 Franciscan Health System-West, and #05-03 HMT Partnership based on the findings of fact and recommended conditions of approval as outlined in the April 13, 2006 staff reports prepared for each application; and

WHEREAS, on April 20, 2006, the Planning Commission recommended approval of the revisions to the Transportation Element (Chapter 11) of the adopted Comprehensive Plan as identified in Appendix B of the April 5, 2006 Final Supplemental Environmental Impact Statement (FSEIS); and

WHEREAS, on May 31, 2006, Gig Harbor North Associates, LLC withdrew their appeal of the adequacy of the April 5, 2006, the Final Supplemental Environmental Impact Statement (FSEIS) that was filed on April 19, 2006; and

WHEREAS, on June 12, 2006, the Gig Harbor City Council held a public hearing and first reading of an Ordinance implementing the Planning Commission's recommended approval of the Comprehensive Plan amendments #04-01 Huber, #05-01 Franciscan Health System-West, and #05-03 HMT Partnership; and the recommended revisions to the Transportation element of the Comprehensive Plan during a public meeting; and

WHEREAS, on July 10, 2006, during a regular City Council meeting, the Gig Harbor City Council held a second reading of an Ordinance implementing the Planning Commission's recommended approval of the Comprehensive Plan amendments and voted on the Comprehensive Plan amendments;

WHEREAS, on July 24, 2006, during a regular City Council meeting, the Gig Harbor City Council held the second reading of this; Now, Therefore:

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

Section 1. Comprehensive Land Use Map and Plan Text Amendments.

A. **Notice.** The City Clerk confirmed that public notice of the public hearings held by the City Council on the following applications was provided.

B. **Hearing Procedure.** The City Council's consideration of the comprehensive land use map and plan text amendments is a legislative act. The Appearance of Fairness doctrine does not apply.

**C. Testimony.** The following persons testified on the applications at the June 12, 2006 public hearing:

1. Public Hearing and First Reading of Ordinance - Comprehensive Plan Amendments and Development Agreements. John Vodopich explained that this is the ordinance adopting the 2005 Comprehensive Plan Amendments. He gave an overview of the four amendments, explaining that the Development Agreements would be available at the June 22nd meeting as they were still being revised.

Mayor Hunter opened the public hearing on the Huber/Bingham Property Amendment #04-01 at 7:28 p.m. No one came forward to speak and the public hearing closed.

He then opened the public hearing on the Franciscan Health Systems -West Amendment #05-01.

Laurie Nichols - 2703 No. Yakima Avenue, Tacoma. Ms. Nichols gave an overview of the history of the project to date. She stressed that if the amendment is not approved, the hospital project will not be feasible.

No one else came forward to speak and the public hearing closed at 7:31 p.m. Mayor Hunter then opened the public hearing on the HMT Partnership Amendment #05-03. No one signed up to speak and the public hearing closed.

Mayor Hunter then opened the last public hearing on the City of Gig Harbor - Transportation Element Revisions. No one signed up to speak and the public hearing closed at 7:32 p.m. Mayor Hunter asked if Councilmember had any questions or comments on the amendments.

Councilmember Young asked for clarification on the comment in the Planning Commission minutes regarding larger access points for the Huber/Bingham Property Amendment. Mr. Vodopich responded that this would be addressed during the actual project development level rather than with the Comp Plan amendment.

There were no more comments and the Mayor closed the Public Hearing.

**D. Applications.**

1. **#04-01, Don Huber Application.** The applicant, Don Huber proposed a map amendment to the Comprehensive Plan Land Use Planned Community Development (PCD) designation as identified on the Comprehensive Plan Land Use Map. The proposed map amendment is to change the designation of approximately 18.88 acres located North of Borgen Boulevard, Parcel # 0222303002, from Planned Community

Development Residential Low to Planned Community Development Residential Medium.

After consideration of the materials in the file, staff presentation, the Planning Commission recommendation, the City's Comprehensive Plan, applicable law, and the public testimony, the City Council conditionally adopted the Planning Commission recommendation and voted to approve this application conditioned upon the property owner's agreement to execute a development agreement with the City. The property owner did sign the City's standard form development agreement, and the Council authorized the Mayor to execute the development agreement with the applicant/property owner.

**2. #05-01, Franciscan Health System-West Application.** The applicant, Franciscan Health System-West proposed map amendment to the Comprehensive Plan Land Use Planned Community Development (PCD) designation. The proposed map amendment is to change the designation of approximately 19.3 acres located at 11567 Canterbury Boulevard NW, Parcel #0122254083, from Planned Community Development Residential Medium (PCD-RMD) to Planned Community Development Business Park (PCD-BP).

After consideration of the materials in the file, staff presentation, the Planning Commission recommendation, the City's Comprehensive Plan, applicable law, and the public testimony, the City Council conditionally adopted the Planning Commission recommendation and voted to approve this application conditioned upon the property owner's agreement to execute a development agreement with the City. The property owner did sign the City's standard form development agreement, and the Council

authorized the Mayor to execute the development agreement with the applicant/property owner. In addition, the Transportation Mitigation Improvements that FHS is required to complete as a condition of the Comprehensive Plan amendment is the subject of a separate Construction Agreement between FHS and the City. On July 10, the City Council acknowledged that the parties would continue to work on a final Construction Agreement to be presented to the City Council at a later date. This Construction Agreement was negotiated by the parties before July 10, 2006 and on July 24, 2006, FHS delivered a signed copy of the Construction Agreement to the City Council during the regular meeting.

**3. #05-02, HMT Partnership, Application.** The applicant, HMT Partnership proposed an amendment to the 2002 (as amended in 2003) City of Gig Harbor Wastewater Comprehensive Plan to reconfigure the design and location of future wastewater infrastructure improvements in the C-7 basin.

After consideration of the materials in the file, staff presentation, the Planning Commission recommendation, the City's Comprehensive Plan, applicable law, and the public testimony, the City Council conditionally adopted the Planning Commission recommendation and voted to approve this application conditioned upon the property owner's agreement to execute a development agreement with the City. The property owner did sign the City's standard form development agreement, and the Council authorized the Mayor to execute the development agreement with the applicant/property owner.

**4. Transportation Element Revisions.** The April 5, 2006 Final Supplemental Environmental Impact Statement (FSEIS) identified proposed revisions to the

Transportation Element, Chapter 11, of the December 2004 Comprehensive Plan (FSEIS Appendix B).

After consideration of the materials in the file, staff presentation, the Planning Commission recommendation, the City's Comprehensive Plan, applicable law, and the public testimony, the City Council adopted the Planning Commission recommendation and voted to approve these revisions as identified in Exhibit D, attached to this Ordinance.

Section 2. Transmittal to State. The City Community Development Director is directed to forward a copy of this Ordinance, together with all of the exhibits, to the Washington State Office of Community Development within ten days of adoption, pursuant to RCW 36.70A.106.

Section 3. Severability. If any portion of this Ordinance or its application to any person or circumstances is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remainder of the Ordinance or the application of the remainder to other persons or circumstances.

Section 4. 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 10<sup>th</sup> day of July, 2006.

CITY OF GIG HARBOR

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CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By:

MOLLY TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 06/21/06  
PASSED BY THE CITY COUNCIL: 07/10/06  
PUBLISHED: 07/26/06  
EFFECTIVE DATE: 07/31/06  
ORDINANCE NO. 1051

**Exhibit A**  
**Huber #04-01 Legal Description and Map**

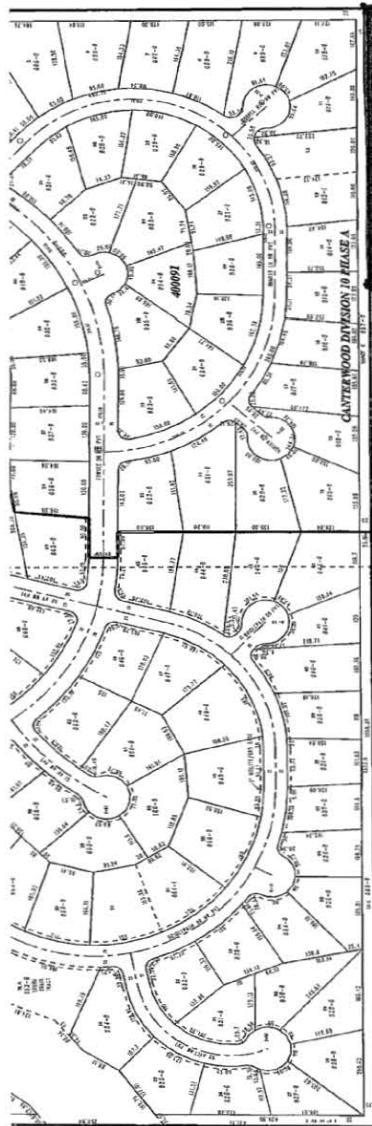
Section 30 Township 22 Range 02 Quarter 34: E 1/2 OF SE OF SW EXC BORG  
BLVD AFN 2000-07-13-0671 DC/BL06-19-02BL

40001-11-20	40001-12-11
40001-12-11	40001-12-12



DATE OF MAP PROJECT  
01-21-2004

Pierce  
Assessor  
Public Services Building  
2401 S. 28th Street  
Tacoma, Washington  
Foothills State Park, Park  
THIS IS NOT A  
DO NOT USE 2414-1448  
RE ASSESSOR'S LIBRARY  
ASSESSOR'S OFFICE  
FOR ASSESSOR'S LIBRARY  
FOR ASSESSOR'S LIBRARY

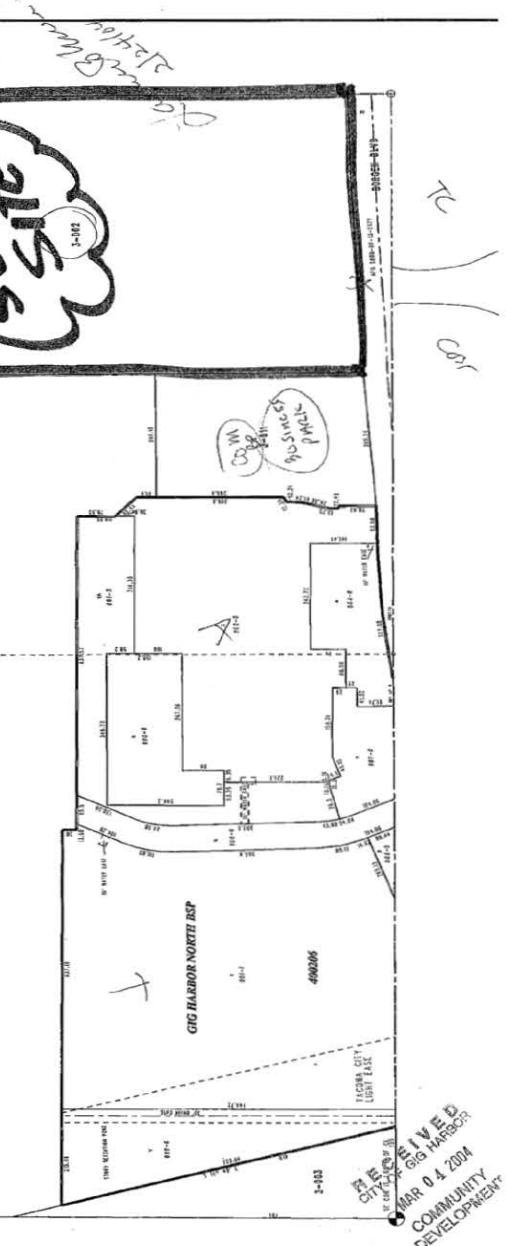


GIG HARBOR CITY LIMITS



GIG HARBOR CITY LIMITS

1-101



# RESOLUTION NO. 677

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH HARBOR ESTATES LLC.

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WHEREAS, the Washington State Legislature has authorized the execution of a development agreement between a local government and a person having ownership or control of real property within its jurisdiction (RCW 36.70B.170(1)); and

WHEREAS, a development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement (RCW 36.70B.170(1)); and

WHEREAS, for the purposes of this development agreement, “development standards” includes, but is not limited to, all of the standards listed in RCW 36.70B.170(3); and

WHEREAS, a development agreement must be consistent with the applicable development regulations adopted by a local government planning under chapter 36.70A RCW (RCW 36.70B.170(1)); and

WHEREAS, Harbor Estates applied to the City for a Comprehensive Plan Amendment and Comprehensive Plan Land Use Map Amendment (the “Comp Plan Amendment” or “CPA”), to change the Comprehensive Land Use designation on the Property from Planned Community Development Residential Low Density (PCD-RLD) to Planned Community Development Residential Medium Density (PCD-RMD); and

WHEREAS, on July 10, 2006, the City Council held a public hearing on the

Development Agreement during a regular public meeting and voted to approve the Development Agreement attached hereto as Exhibit A; Now, Therefore,

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

Section 1. The City Council hereby authorizes the Mayor to execute the Development Agreement attached hereto as Exhibit A, with the applicant Harbor Estates LLC.

Section 2. The City Council hereby directs the Community Development Director to record the Development Agreement against the Property legally described in Exhibit A to the Development Agreement, at the cost of the applicant, pursuant to RCW 36.70B.190.

PASSED by the City Council this 10<sup>th</sup> day of July 2006.

APPROVED:

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MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

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CITY CLERK, MOLLY M. TOWSLEE

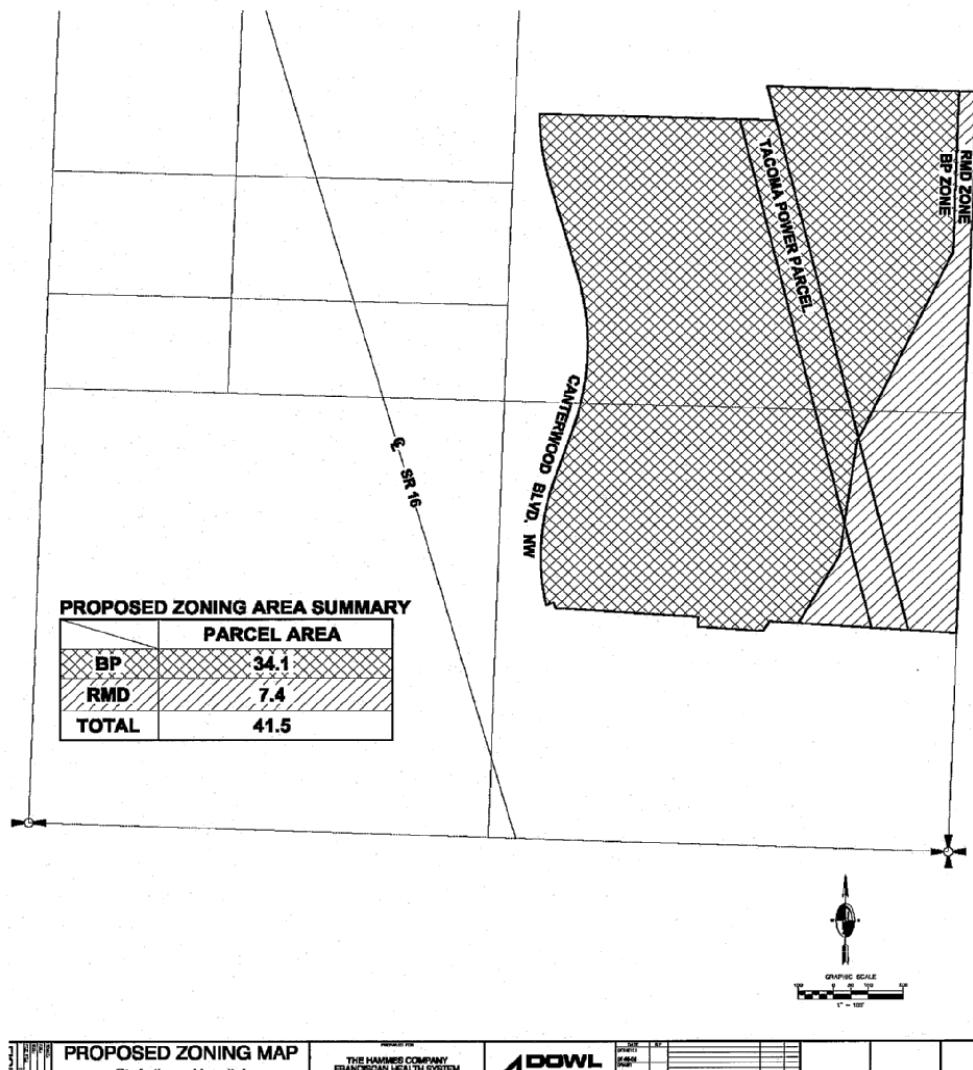
APPROVED AS TO FORM;  
OFFICE OF THE CITY ATTORNEY:

BY: \_\_\_\_\_  
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 07/10/06  
PASSED BY THE CITY COUNCIL: 07/10/06  
RESOLUTION NO. 677

**Exhibit B**  
**Franciscan Health System-West #05-01 Legal Description and Map**

**Exhibit "C"**  
**Map of PROPOSED Land Use**



2005 Comprehensive Plan Amendment - Land Use Map - Franciscan Health System - West App.

## BP ZONE LEGAL DESCRIPTION

THAT PORTION OF LOT 1 OF THE BOUNDARY LINE ADJUSTMENT AS  
RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NUMBER 200406290853  
LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE SOUTH EAST CORNER OF SAID LOT 1  
THENCE N86°06'11"W ALONG THE SOUTH BOUNDARY OF SAID LOT 1 TO THE  
BEGINNING OF THIS LINE DESCRIPTION;

THENCE N29°49'34"E 235.31 FEET

THENCE N08°11'16"E 345.74 FEET

THENCE N25°28'44" E 633.15 FEET

THENCE N01°54'57"E 485.49 FEET TO THE NORTH LINE OF SAID LOT 1 AND THE  
TERMINUS OF THIS LINE DESCRIPTION.

# RESOLUTION NO. 678

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH FRANCISCAN HEALTH SYSTEM.

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WHEREAS, the Washington State Legislature has authorized the execution of a development agreement between a local government and a person having ownership or control of real property within its jurisdiction (RCW 36.70B.170(1)); and

WHEREAS, a development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement (RCW 36.70B.170(1)); and

WHEREAS, for the purposes of this development agreement, “development standards” includes, but is not limited to, all of the standards listed in RCW 36.70B.170(3); and

WHEREAS, a development agreement must be consistent with the applicable development regulations adopted by a local government planning under chapter 36.70A RCW (RCW 36.70B.170(1)); and

WHEREAS, Franciscan Health System applied to the City for a Comprehensive Plan Amendment and Comprehensive Plan Land Use Map Amendment to rearrange within the Tract 26.7 acres of the Property designated as Planned Community Development - Residential Medium Density (PCD-RMD) and 14.8 acres of Planned

Community Development - Business Park, and to redesignate 19.3 acres of the PCD-RMD portion of the Tract as PCD-BP; and

WHEREAS, on July 10, 2006, the City Council held a public hearing on the Development Agreement during a regular public meeting and voted to approve the Development Agreement attached hereto as Exhibits A; Now, Therefore,

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

Section 1. The City Council hereby authorizes the Mayor to execute the Development Agreements attached hereto as Exhibit A, with the applicant Franciscan Health System.

Section 2. The City Council hereby directs the Community Development Director to record the Development Agreements against the Property legally described in Exhibit A to the Development Agreements, at the cost of the applicant, pursuant to RCW 36.70B.190.

PASSED by the City Council this 10<sup>th</sup> day of July 2006.

APPROVED:

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MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

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CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;  
OFFICE OF THE CITY ATTORNEY:

BY: \_\_\_\_\_  
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 07/10/06  
PASSED BY THE CITY COUNCIL: 07/10/06  
RESOLUTION NO. 678

**Exhibit C**  
**February 2002 Wastewater Comprehensive Plan**  
**2005 Annual Amendment - HMT Partnership #05-03**  
**COLLECTION SYSTEM EXPANSIONS AMENDMENT**  
**February 3, 2005 report prepared by Robin D. Nelson, P.E.**  
**of Hammond Collier Wade Livingstone**

**Exhibit A**

**February 2002 Wastewater Comprehensive Plan**  
**2004 Annual Amendments**

**COLLECTION SYSTEM EXPANSIONS AMENDMENT**

**SYSTEM EXPANSION C-7 (38<sup>TH</sup> Avenue NW)**

**SUMMARY**

This Annual Amendment was initiated by a developer to provide sanitary sewer service to a parcel located north of 56<sup>th</sup> Street NW and east of 38<sup>th</sup> Avenue NW. The parcel is underdeveloped and the current single family residence is served by on-site septic system. The developer desires to improve the parcel in accordance with the designated land use defined in the City of Gig Harbor's Comprehensive Plan, R – 1 (3du/ac). Figure 1 identifies the parcel proposed for development.

The proposed site is located in Basin C-7 identified in the City's Wastewater Comprehensive Plan. Basin C-7 is zoned primarily residential single family with low or moderate densities. The wastewater generated from this basin, particularly the proposed development identified in figure 1, would be domestic wastewater.

The proposed capital improvements to be completed within the 20 year planning horizon for drainage basin C-7 were amended in the 2003 Annual Amendments process. Figure 1 summarizes these amendments to the 2002 Wastewater Comprehensive Plan. Specifically, Olympic Drive (56<sup>th</sup> Street NW) would no longer be served by a gravity lateral sewer main extended from 38<sup>th</sup> Avenue NW. Approximately 384 LF of 8 inch gravity sewer would be installed flowing easterly to a new pump station along the south side of 56<sup>th</sup> Street NW. The 120 gpm lift station would pump the wastewater south easterly approximately 779 LF through a 4 inch force main to the existing gravity main along Olympic Drive.

These improvements would serve approximately six connections with an estimated sewage flow of 300 gallons per day per connection, which is consistent with the unit flows identified in the City's Wastewater Comprehensive Plan. 1800 gallons per day or 1.75 gallons per minute would discharge to the proposed lift station. The lift station capacity far exceeds the flows generated from the 6 connections identified in the 2003 Amendment and provides flexibility for the future amendments.

The 2004 Amendment is shown in Figure 2. The new capital improvements for this 2004 amendment will require implementation of proposed 2003 amended capital improvements, prior to or concurrently, to serve the northerly portion of drainage basin C-7. Due to the timing for the proposed arterial improvements to 56<sup>th</sup> Street NW and recent development pressure the demand for public sewers in this sub- region of basin C-7 north of 56<sup>th</sup> Street NW is increasing.

The 2004 proposed amendment would still consist of extending an 8-inch sewer main north along 38<sup>th</sup> Avenue NW to approximately 60<sup>th</sup> Street NW. However, the sewer main would connect to the proposed 8-inch gravity sewer flowing easterly along Olympic Drive (56<sup>th</sup> Street NW) per the 2003 annual amendment for the basin C-7. The wastewater flow would then enter the proposed Lift

Station and pumped through the 4 inch force main to the existing gravity sewer along Olympic Drive installed as part of ULID No. 2.

This 2004 amendment proposes to extend the 8 inch gravity sewer north along 38<sup>th</sup> Avenue toward the intersection with Olympic Drive. The gravity main would terminate prior to the intersection. This small extension would primarily provide gravity sewer service to the lots fronting 38<sup>th</sup> Avenue to the east and within the C-7 service area boundary. The proposed 8 -inch extension has more than adequate capacity to serve the current land use defined. At Department of Ecology minimum slope criteria for an 8 inch sewer main, the capacity of the proposed extension is 358 gallons per minute. To give this capacity perspective, the entire sub-basin which this extension is a small part has a peak domestic flow of 320 gallons per minute.

In order to maximize gravity sewer service within this sub-region, a small 8-inch main extension north along what would be the extension of 34<sup>th</sup> Avenue NW is proposed as well. This small extension of 100 LF would serve the remaining sub-regions easterly slopes of the localized depression and sensitive area immediately north of 56<sup>th</sup> Street.

The 2004 proposed capital improvements will not change the service area of drainage basin C-7 and maximizes gravity sewer service. The improvements will not require increasing the size of the pump station proposed for the 2003 amendment. The added flow will actual reduce retention times in the lift station and insure scouring velocities in the 4-inch force main of greater than 2.0 feet per second.

The 2003 improvements are anticipated to be constructed in the next 5 – 6 years. Construction of the gravity sewer and force main is anticipated to be part of the 56<sup>th</sup> Street Improvements project. The lift station would be constructed by private development. Should private development preclude the roadway project, then all improvements would be funded and constructed by private development.

The 2004 amended improvements are contingent upon implementation of the proposed 2003 amended capital improvements. All 2004 improvements would be entirely funded and constructed by private developers. The 8-inch gravity main should be installed with sufficient depth to maximize gravity service to the north along 38<sup>th</sup> Avenue NW and 34<sup>th</sup> Avenue NW.

## **IMPACTS**

### **Existing City Facilities**

The proposed capital improvements identified in this 2004 amendment will not generate or discharge additional wastewater flows other than what was identified in the original 2002 Wastewater Comprehensive Plan update. It will increase the flow tributary to the proposed modifications identified in the 2003 Annual Amendment for drainage basin C-7.

The proposed improvements identified in the 2003 amendment include an 8- inch gravity sewer main, 120 gpm lift station and 4-inch force main. The additional flow from the remaining service area north of 56<sup>th</sup> Street NW will generate approximately 109,234 gpd peak flow or 76 gpm. Couple this with the projected 1800 gpd flow for the 2003 Amendment and the total tributary flow to the lift station is still well below the proposed capacity of 120 gpm. More importantly, the added flow will improve the operation and reduce possible septic conditions occurring as a result of low flows.

The 2003 Amended capital improvements were identified to have no adverse impact to the existing conveyance system downstream. The capacity of the lift station will not change therefore, if the 2003 amended improvement have no adverse impact neither will the 2004 proposed capital improvements.

#### **Environmental**

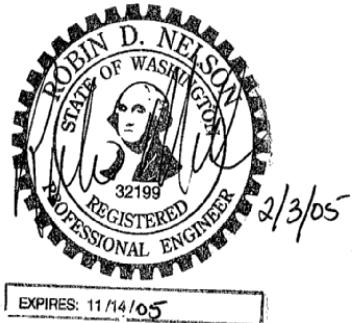
The proposed improvements will not have any adverse impacts to the environment. A SEPA checklist will be required for the improvements prior to construction. The private developer will be responsible to complete the checklist and for review and processing in accordance with the City's Community Development policies.

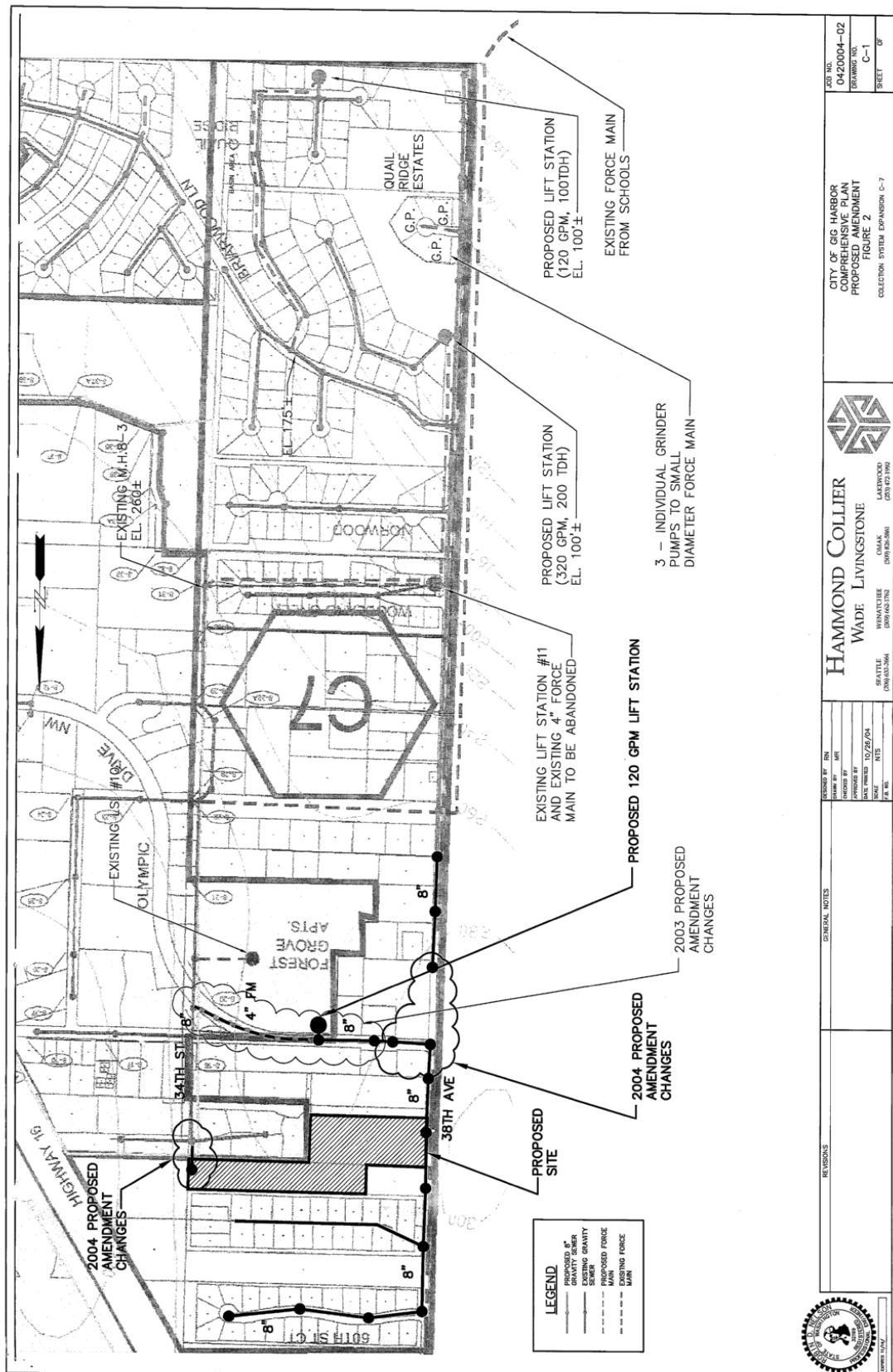
#### **Fiscal**

Funding for the 2004 amended capital improvements will be provided entirely by the developer. City funds will not be expended as part of the project.

Robin D. Nelson

Prepared By: Robin D. Nelson, PE





RESOLUTION NO. 680

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH HMT.**

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WHEREAS, the Washington State Legislature has authorized the execution of a development agreement between a local government and a person having ownership or control of real property within its jurisdiction (RCW 36.70B.170(1)); and

WHEREAS, a development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement (RCW 36.70B.170(1)); and

WHEREAS, for the purposes of this development agreement, "development standards" includes, but is not limited to, all of the standards listed in RCW 36.70B.170(3); and

WHEREAS, a development agreement must be consistent with the applicable development regulations adopted by a local government planning under chapter 36.70A RCW (RCW 36.70B.170(1)); and

WHEREAS, HMT applied to the City for a Comprehensive Plan Amendment to the City's Wastewater Comprehensive Plan to reconfigure the design and location of the required future sewer infrastructure to facilitate single family development of the Property; and

WHEREAS, on July 10, 2006, the City Council held a public hearing on the Development Agreement during a regular public meeting and voted to approve the Development Agreement attached hereto as Exhibit A; Now, Therefore,

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

Section 1. The City Council hereby authorizes the Mayor to execute the Development Agreement attached hereto as Exhibit A, with the applicant HMT.

Section 2. The City Council hereby directs the Community Development Director to record the Development Agreement against the Property legally described in Exhibit A to the Development Agreement, at the cost of the applicant, pursuant to RCW 36.70B.190.

PASSED by the City Council this 10<sup>th</sup> day of July 2006.

APPROVED:

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MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

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CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;  
OFFICE OF THE CITY ATTORNEY:

BY: \_\_\_\_\_  
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 07/10/06  
PASSED BY THE CITY COUNCIL: 07/10/06  
RESOLUTION NO. 680

**Exhibit D**  
**Comprehensive Plan Transportation Element Revisions, Chapter 11**

**CITY OF GIG HARBOR**  
**2005 COMPREHENSIVE PLAN AMENDMENTS**  
**FINAL SUPPLEMENTAL EIS**

**APPENDIX B:**  
**COMPREHENSIVE PLAN CHAPTER 11,**  
**TRANSPORTATION ELEMENT**  
**(PROPOSED REVISIONS)**

*Prepared by*  
David Evans and Associates, Inc.



415 – 118th Avenue SE  
Bellevue, WA 98005

*Prepared for*  
City of Gig Harbor



3510 Grandview Street  
Gig Harbor, WA 98335  
COGH0000-0025

*April 5, 2006*