

ORDINANCE NO. 948

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, REZONING 2.4 ACRES FROM B-1 (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT TO A RB-2 (RESIDENTIAL AND BUSINESS) ZONING DISTRICT, LOCATED AT 2727 HOLLYCROFT STREET, ASSESSOR'S PARCEL NUMBERS 7580000513 & 7580000514.

WHEREAS, Hollycroft LLC/North Pacific Design owns two contiguous parcels located at 2727 Hollycroft Street, ASSESSOR'S PARCEL NUMBERS 7580000513 & 7580000514; and

WHEREAS, The land use designation of the subject parcels, as defined in the City's comprehensive plan, is commercial/business; and

WHEREAS, RCW 36.70A.545 requires consistency between comprehensive plans and development regulations; and

WHEREAS, the commercial/business comprehensive plan land use designation anticipates professional offices or businesses; and

WHEREAS, Hollycroft LLC/North Pacific Design submitted an application for a rezone of both properties from B-1 (neighborhood commercial) to RB-2 (residential business), which allows professional offices as a permitted use; and

WHEREAS, a SEPA threshold mitigated determination of non-significance (MDNS) for the proposed rezone was issued on January 24, 2001; and

WHEREAS, the SEPA threshold decision was not appealed; and

WHEREAS, the proposed rezone is a Type III action as defined in GHMC 19.01.003(B) for site-specific rezones; and

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

WHEREAS, a public hearing on the proposed rezone was held before the Hearing Examiner on March 21, 2001; and

WHEREAS, the Hearing Examiner approved the proposed rezone in his decision dated March 29, 2001; and

WHEREAS, rezones must be adopted by ordinance as per GHMC 17.100.070 under the provisions of Chapter 1.08 GHMC; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of December 8, 2003;

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

Section 1. The real property located at 2727 Hollycroft Street, ASSESSOR'S PARCEL NUMBERS 7580000513 & 7580000514, legally described as Lot 1 and Lot 2 of Short Plat 80-297 in the SW ¼, of the NE ¼ of Section 17, Township 21 North, Range 2 East, W.M., situated in Pierce County, Washington, as shown on Exhibit "A", is hereby rezoned from B-1 (neighborhood commercial) to RB-2 (residential business).

Section 2. 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 this section.

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 8th day of December, 2003.

CITY OF GIG HARBOR

GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By: _____
MOLLY TOWSLEE, City Clerk

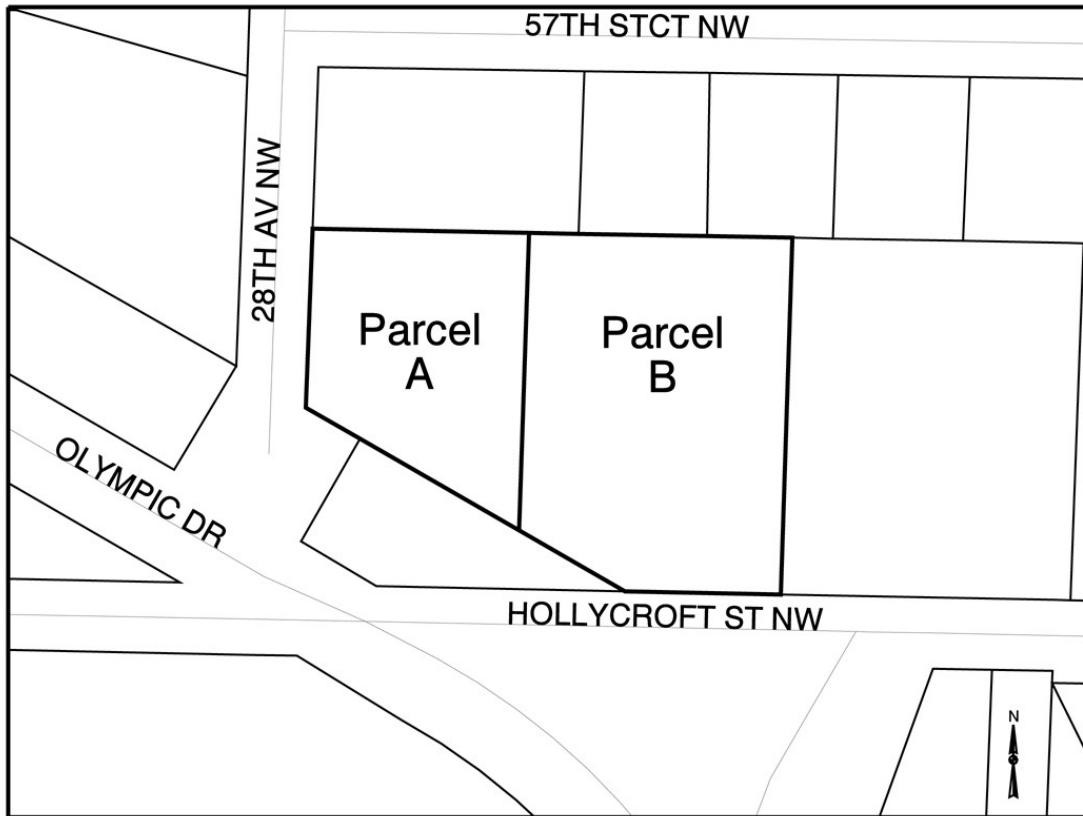
APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 11/21/03
PASSED BY THE CITY COUNCIL: 12/8/03
PUBLISHED: 12/17/03
EFFECTIVE DATE: 12/22/03
ORDINANCE NO: 948

Exhibit "A"

Ordinance _____



Parcel A:
ATR Parcel #7580000513

Parcel B:
ATR Parcel #7580000514

Parcel A and B Address:
2727 Hollycroft Street

Parcel A and B Legal Description:
Lot 1 and Lot 2 of Short Plat 80-297 in the SW $\frac{1}{4}$, of the NE $\frac{1}{4}$ of Section 17,
Township 21 North, Range 2 East, W.M., situated in Pierce County, Washington.