

ORDINANCE NO. 1353

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REMOVING A 3.9-ACRE PARCEL OF LAND ZONED B-2 GENERAL BUSINESS DISTRICT (ASSESSOR'S PARCEL NUMBERS (0122258007, 0122254024, 0122254025, 0122254028, 0122254088 & 022254089) FROM THE CITY'S OFFICIAL ZONING MAP AND ADDING C-1 COMMERCIAL DISTRICT ZONING TO THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH

WHEREAS, Purdy Investments, LLC requested a reclassification from B-2 General Business District zoning to C-1 Commercial District Zoning for property located on the easterly side of Burnham Drive, at Woodhill Drive N.W. extended to the east in Gig Harbor, Washington, Assessor's parcel numbers 0122258007, 0122254024, 0122254025, 0122254028, 0122254088 & 022254089; and

WHEREAS, the subject site is presently zoned B-2 General Business District as shown on attached Exhibit "A", the City's Official Zoning Map; and

WHEREAS, a SEPA threshold Determination of Non-significance was issued on September 15, 2016; and

WHEREAS, the SEPA threshold decision was not appealed; and

WHEREAS, the proposed amendment is a Type III action as defined in GHMC 19.01.003(B) for amendments to the official zoning map; 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 reclassification was held before the Hearing Examiner on November 3, 2016, at which time the Hearing Examiner heard public testimony on the proposed reclassification; and

WHEREAS, the Hearing Examiner approved the proposed reclassification in his decision dated November 28, 2016; and

WHEREAS, the appeal period expired on December 7, 2016; and

WHEREAS, amendments to the Official Zoning Map must be adopted by ordinance as per GHMC 17.100.070 under the provisions of Chapter 1.08 GHMC; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading on December 12, 2016;

WHEREAS, the Gig Harbor City Council voted to adopt this Ordinance during the first reading on December 12, 2016; and

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

Section 1. The real property located on the easterly side of Burnham Drive, at Woodhill Drive N.W. extended to the east in Gig Harbor, Washington, Assessor's parcel numbers 0122258007, 0122254024, 0122254025, 0122254028, 0122254088 & 022254089; legally described in Exhibit "B", and zoned C-1 Commercial District is hereby added to the Official Zoning Map.


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 shall take effect five (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 9th day of January, 2017.

CITY OF GIG HARBOR



Mayor Jill Guernsey

ATTEST/AUTHENTICATED:

By: 

MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 

Angela G. Summerfield

FILED WITH THE CITY CLERK: 12/07/16
PASSED BY THE CITY COUNCIL: 01/09/17
PUBLISHED: 01/19/17
EFFECTIVE DATE: 01/24/17
ORDINANCE NO: 1353

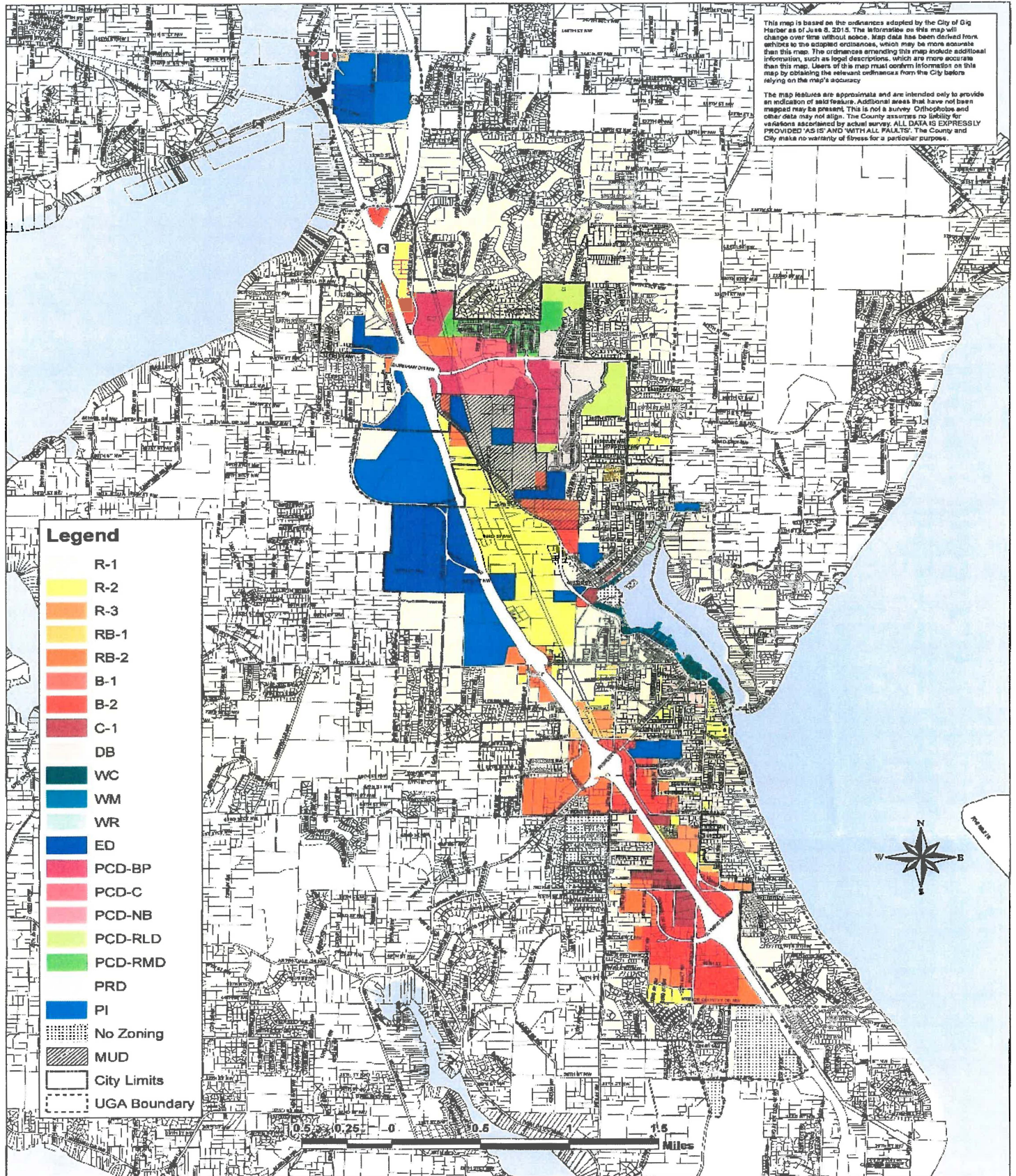


Exhibit "B"

Legal Description

Purdy Investments Rezone

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CITY OF GIG HARBOR

Commencing at the southwest corner of the southeast quarter of section 25, township 22 north, range 1 east of the Willamette Meridian, in Pierce County, Washington; then south $89^{\circ}34'17''$ east 1,316.25 feet along the south line of said quarter section to the westerly right-of-way line of State Route 16; then north $17^{\circ}38'$ west 1,489.35 feet along said right-of-way line to the true point of beginning for this legal description;

Thence south $15^{\circ}32'32''$ east along the above said right-of-way line 260.16 feet;

Thence continuing south $2^{\circ}51'43''$ east 95 feet;

Thence south $68^{\circ}04'05''$ west 114.7 feet to the easterly right-of-way line of Burnham Drive Northwest;

Thence northerly along the easterly right-of-way line of Burnham Drive Northwest to the intersection with the westerly right of way line of State Route 16;

Thence southerly along the westerly right-of-way line of State Route 16 to the true point of beginning of this legal description.