

## ORDINANCE NO.756

AN ORDINANCE OF THE GIG HARBOR CITY COUNCIL ADOPTING AMENDMENTS TO THE CITY OF GIG HARBOR COMPREHENSIVE PLAN URBAN GROWTH AREA TO INCLUDE FAIRWAY ESTATES SUBDIVISION AND ESTABLISHING A CITY OF GIG HARBOR LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL.

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WHEREAS, the City of Gig Harbor completed an update of the Comprehensive Plan in November of 1994 in compliance with the Growth Management Act of 1990; and,

WHEREAS, the City of Gig Harbor Comprehensive Plan Land Use Map establishes an Urban Growth Area (UGA) as defined by RCW 36.70A; and,

WHEREAS, the original UGA was adopted by Pierce County in 1994 and included Pierce County Land Use designations; and,

WHEREAS, in 1996 a request was submitted to Pierce County from owners of land outside of the incorporated limits of the City to amend the Comprehensive Plan land use map to include the Fairway Estates Subdivision into the City of Gig Harbor UGA; and,

WHEREAS, Pierce County referred the requests to the City for review and recommendation prior to the County's consideration of the requests; and,

WHEREAS, the Planning Commission conducted a public hearing on February 27, 1997, to accept public comment and testimony on the amendments to the Land Use Map to modify the UGA and include Fairway Estates Subdivision; and,

WHEREAS, in a staff report dated February 20, 1997, the Planning and Building Services Department recommended that the UGA boundary not be amended at this time pending the completion of an updated capacity analysis; and,

WHEREAS, several residents testified in favor of amending the UGA to include Fairway Estates Subdivision; and,

WHEREAS, the Planning Commission does find that certain adjustments to the Land Use Map are reasonable and appropriate based upon the public testimony received at the public hearing; and,

WHEREAS, the Planning Commission finds that the proposed adjustment to the UGA further the goals and policies of the City of Gig Harbor Comprehensive Plan respective to policy 4, Land Use, Urban Growth Areas, in that the proposed adjustment would include a development of 41 single family lots in a subdivision which is essentially "built-out" and urban in character; and,

WHEREAS, the inclusion into the UGA would not impose an immediate need for city services such as sewer and water and that the development is currently served by a private water system and has functioning on-site septic systems; and,

WHEREAS, the Planning Commission finds that capacity is sufficient in that the original capacity analysis for the UGA included an area larger than the current UGA and that the inclusion of an existing development on 17.79 acres has a negligible affect on the city's urban service capacity;

WHEREAS, the City of Gig Harbor Comprehensive Plan may only be amended one time per year and that the adoption of the amended UGA is only effective upon final action by Pierce County,

NOW, THEREFORE;

THE CITY COUNCIL OF THE CITY OF GIG HARBOR DO ORDAIN AS FOLLOWS:

Section 1) The City of Gig Harbor Comprehensive Plan Land Use Map hereby amended to include the following area into the City of Gig Harbor Urban Growth Area:

The NW 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 21 NORTH, RANGE 2 E.WM, WITH A COMPREHENSIVE PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL.

Section 2) The City of Gig Harbor Comprehensive Plan Map Urban Growth Area Boundary is hereby amended as per the attached Exhibit "A".

Section 3). 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) This ordinance shall be in full force and effect 5 days after its passage and publication as required by law.

APPROVED:

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MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

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CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

BY \_\_\_\_\_

FILED WITH THE CITY CLERK: 4/10/97

PASSED BY THE CITY COUNCIL: 4//28/97

PUBLISHED: 5/7/97

EFFECTIVE DATE: 5/12/97

ORDINANCE NO. 756