

ORDINANCE NO. 530

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GIG HARBOR TO CHANGE THE ZONING DESIGNATION ON CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE SCOTT HOUSE REZONE, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO RB-1 (RESIDENTIAL/BUSINESS); AUTHORIZING EXECUTION OF A CONCOMITANT ZONING AGREEMENT AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Hearing Examiner at a public hearing held January 20, 1988, considered the following amendment to the Official Zoning Map of the City and made his findings and recommendations which were forwarded to the City Council, and

WHEREAS, the City Council at a public meeting on March 28, 1988, reviewed the recommendations of the Hearing Examiner and at the conclusion of said public meeting determined that the proposed rezone should be approved, and

WHEREAS, the City Council has reviewed the findings of fact and conclusions of the Hearing Examiner, together with the recommended conditions for approval of the proposed rezone and adopts said findings, conclusions and conditions, and

WHEREAS, the City Council specifically finds that a concomitant zoning agreement is necessary in connection with the rezone of the property described in this ordinance to protect the public health, safety and general community welfare,

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, DO ORDAIN as follows:

Section 1. The Official Zoning Map of the City of Gig Harbor, as adopted by Section 17.12.020 of the Gig Harbor Municipal Code, is hereby amended by changing the zoning classification of certain property located at 9017 Peacock Hill Avenue, Gig Harbor, from R-1 (single family residential) to RB-1 (residential/business) subject to a concomitant zoning agreement with the following conditions:

A. The use of the structure shall be limited to:

1. All permitted uses of the R-1 zoning district.
2. A bed and breakfast establishment subject to approval of a Conditional Use Permit.

3. Professional, business and personal services. Personal services are construed in this instance to be beauty parlors, barber shops, and other uses which offer merchandise for sale only on a very limited basis and only as incidental activity to complement the primary business purpose, which is to provide personal services.

B. The use of the property shall be limited to:

1. All activities be conducted within the existing building.
2. The existing house be repaired to meet existing city codes. Repairs shall occur prior to the commencement of any commercial activity.
3. Signs for any business shall be constructed of materials which compliment the historic values of the site. Painted or engraved wood are highly desirable.
4. Business activities are restricted between the hours of 8:00 a.m. and 8:00 p.m.
5. Any future use of the rest of the property is restricted to residential in strict conformance with development standards and regulations existing at the time of development.

The legal description of the property rezoned is as follows:

Lots 9 to 15 inclusive in Block 16 of PLAT OF THE TOWN OF ARTENA, PIERCE COUNTY, WASHINGTON, as per map thereof recorded in Book 5 of Plats at Page 68, records of Pierce County Auditor.

TOGETHER with the Westerly 6 feet of Front Street attached thereto and abutting thereon as vacated December 12, 1912 by order of the Pierce County Commissioners.

EXCEPT that portion of Lot 15 and that portion of vacated Front Street abutting thereon, conveyed to the Town of Gig Harbor for street by deed recorded under Auditor's Fee No. 1554653.

Situated in the City of Gig Harbor, County of Pierce, State of Washington.

Section 2. The written findings of the Hearing Examiner on this subject dated February 3, 1988 and March 16,

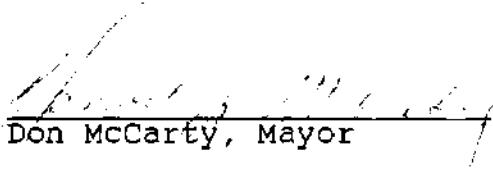
1988, with attachments, are hereby adopted by the City Council as the basis for the zoning map change effectuated by this ordinance.

Section 3. The Planning Director is hereby instructed to effectuate the necessary amendments to the Official Zoning Map of the City of Gig Harbor pursuant to this ordinance.

Section 4. The Mayor is hereby authorized to execute and the City Clerk to attest to that certain document entitled "Concomitant Zoning Agreement for Scott House Rezone". The City Clerk is further directed to record said concomitant zoning agreement with the Pierce County Auditor as a covenant running with the land. The cost of said recordation shall be paid by the Owner in accord with the terms of the Concomitant Zoning Agreement.

Section 5. This ordinance shall be in full force and effect five (5) days after passage and publication by posting as provided by law.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this 11th day of April, 1988.


Don McCarty, Mayor

ATTEST:



Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 3/18/88
Passed by city council: 4/11/88
Date published: 4/20/88
Date effective: 4/25/88