

## RESOLUTION NO. 1068

### **A RESOLUTION OF THE CITY OF GIG HARBOR, WASHINGTON, TO CEASE FURTHER PROCESSING OF A PROPOSED TEXT AMENDMENT (PL-ZONE-16-0002) TO REVISE THE DEVELOPMENT AGREEMENT PROVISIONS IN THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, on November 1, 2016, Jeffrey Katke submitted a municipal code text amendment application to modify regulations relating to development agreements set forth in chapter 19.08 of the GHMC; and

WHEREAS, on January 3, 2017, the Planning and Building Committee considered the proposed text amendment and requested additional information for review by the City Council; and

WHEREAS, on February 13, 2017, the City Council took public comment on the proposed text amendment, and after consideration of the application, oral and written public comment, staff presentation and other materials presented the City Council directed staff to prepare a resolution to cease further processing of the text amendment; Now, Therefore,

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

Section 1. The City Council hereby resolves to cease processing of the text amendment proposed by Jeffrey Katke, file PL-ZONE-16-0002.

Section 2. The City Council finds that the text amendment should not be considered by the planning commission or the City Council for the following reasons:

- A. The regulations for development agreements authorizing deviation from development standards in the Planned Community Development land use designation should not be removed because such deviations, as similarly allowed in at least 25 other jurisdictions, allow flexibility as a tool to achieve public benefits, to respond to changing community needs, to encourage modifications which provide the functional equivalent or adequately achieve the purposes of otherwise applicable city standards.
- B. The parcels in the Downtown area are unique in many ways and a one-size fits all approach might not always be the best approach for these unique parcels. The regulations for development agreements authorizing deviation from development standards in the Downtown

area should not be removed because such deviations, as similarly allowed in at least 25 other jurisdictions, allow flexibility as a tool to assure a project is consistent with the adopted vision for the Harbor, to preserve significant historic structures or demonstrate preservation and enhancement of the existing downtown character, to provide public amenities such as parks, shoreline access, plazas and pedestrian connections, and which result in a superior design solution.

- C. The text amendment proposes public notice requirements that are not required by law, but the City Council desires to improve public notice requirements and public outreach, and such will be discussed at the Planning and Building Committee meeting in March, 2017.
- D. The proposed requirements for a complete application of a development agreement are not required by law.
- E. The City's current regulations relating to development agreements in chapter 19.08 of the Gig Harbor Municipal Code are consistent with existing law.

PASSED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, at a regular meeting thereof this 27th day of February, 2017.



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MAYOR JILL GUERNSEY

ATTEST:



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Molly Towslee, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney



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Angela G. Summerfield

Filed with the City Clerk: 02/21/17  
Adopted: 02/27/17  
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