

ORDINANCE NO. 1343

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REZONING 4.01 ACRES FROM R-1 ZONING DISTRICT TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), LOCATED WEST OF WOODWORTH AVENUE AND SOUTH OF SUTHERLAND COURT; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER(S) 0221061089 , AND CITY OF GIG HARBOR FILE NO. PL-FPRD-15-0006, AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH

WHEREAS, Apogee Capital LLC requested Final PRD Approval for Ancich Court located west of Woodworth Avenue and south of Sutherland Court; Pierce County Assessor-Treasurer Parcel Number 0221061089; and

WHEREAS, the land use designation in the Comprehensive Plan for the subject site is Residential Low; and

WHEREAS, the existing zoning district on the Official Zoning Map of the City for the subject site is R-1 (Single-Family Residential); and

WHEREAS, on December 29, 2005 Georg R. O. Haub, Trustee requested Preliminary Planned Residential Development (PRD) approval of 4.01 acres, into 12 single family lots on the subject site; and

WHEREAS, a SEPA threshold determination of Determination of Nonsignificance was issued on September 9, 2005; and

WHEREAS, the SEPA threshold decision was not appealed; and

WHEREAS, the preliminary PRD is a Type III-A action as defined in GHMC 19.01.003(B); and

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

WHEREAS, a public hearing on the preliminary PRD was held before the Hearing Examiner on December 14, 2005, at which time the Hearing Examiner heard public testimony on the preliminary PRD; and

WHEREAS, the Hearing Examiner approved the Preliminary PRD in his decision dated December 29, 2005; and

WHEREAS, the appeal period expired on January 19, 2006; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Georg R. O. Haub, Trustee quitclaimed the subject property to J. Scott Construction Inc. on December 29, 2006, at Auditor Recording Number 200612290842; and

WHEREAS, J. Scott Construction, Inc. quitclaimed the subject property to Apogee Capital LLC on December 18, 2014, at Auditor Recording Number 201412181165; and

WHEREAS, an application for final PRD approval was submitted to the City and deemed complete on December 8, 2015; and

WHEREAS, the Final PRD is a Type IV action as defined in GHMC 19.01.003(B); and

WHEREAS, a closed record decision for a Type IV application shall be rendered by the City Council as per GHMC 19.01.003(A); and

WHEREAS, the City Council approved the final plat application under Resolution No. 1045 on September 26, 2016; and

WHEREAS, GHMC 17.89.130 requires that the property subject to the final PRD be designated on the official zoning map as PRD; and

WHEREAS, the change to the official zoning map must be adopted by ordinance as per GHMC 17.89.130; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading on September 26, 2016;

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

Section 1. The real property located west of Woodworth Avenue and south of Sutherland Court, Pierce County Assessor-Treasurer Parcel Number 0221061089 and

legally described in Exhibit "A", is hereby rezoned from R-1 (Single-Family Residential) to PRD (Planned Residential Development).

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 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 26rd day of September, 2016.

CITY OF GIG HARBOR




JILL GUERNSEY, MAYOR

ATTEST/AUTHENTICATED:

By: 
SHAWNA WISE, ASST. CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 
ANGELA G. SUMMERFIELD

FILED WITH THE CITY CLERK: 09/21/16
PASSED BY THE CITY COUNCIL: 09/26/16
PUBLISHED: 09/29/16
EFFECTIVE DATE: 10/04/16
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