

**ORDINANCE NO. 1351**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REZONING 31.74 ACRES FROM PCD-RLD ZONING DISTRICT TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), LOCATED SOUTH OF BORGEN BOULEVARD, ADJACENT TO AND WEST OF PEACOCK HILL AVENUE NW; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER(S) 4003210290, AND CITY OF GIG HARBOR FILE NO. PL-FPRD-16-0002, AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH.**

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WHEREAS, Harbor Hill LLC requested Final PRD Approval for Division S2-S6 of the Harbor Hill Plat located south of Borgen Blvd., adjacent to and west of the plat of Peacock Hill Ave. NW; Pierce County Assessor-Treasurer Parcel Number 4003210290; and

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

WHEREAS, the existing zoning district on the Official Zoning Map of the City for the subject site is PCD-RLD (Planned Community District – Residential Low); and

WHEREAS, on December 2, 2008 Olympic Property Group LLC requested Preliminary Planned Residential Development (PRD) approval of 200 acres, comprised of three parcels, into 554 single family lots and two multiple family lots that would be developed with a total of 270 units on the subject site; and

WHEREAS, a SEPA threshold determination of Mitigated Determination of Nonsignificance was issued on November 17, 2010; 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 16, 2010, at which time the Hearing Examiner heard public testimony on the preliminary PRD; and

WHEREAS, the Hearing Examiner approved the Preliminary PRD in her decision dated December 30, 2010; and

WHEREAS, the appeal period expired on January 23, 2011; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Olympic Property Group LLC requested a Revision to the Approved Preliminary Planned Residential Development (PRD) for all portions of the Harbor Hill Residential Plat/PRD except Division 1A on March 13, 2013; and

WHEREAS, a SEPA addendum was issued on July 31, 2013; and

WHEREAS, Amendment 1 to the Harbor Hill Development Agreement recorded on December 4, 2012 authorizes the Planning Director to approve modifications to the Approved Preliminary PRD as a Type 2 Decision; and

WHEREAS, the Planning Director approved the Revised Preliminary PRD in her decision dated August 2, 2013; and

WHEREAS, the appeal period expired on August 19, 2013; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Olympic Property Group LLC quitclaimed the subject property to Harbor Hill LLC on August 6, 2013, as Auditor Filing Number 201308130540; and

WHEREAS, on July 14, 2014 the Planning Director approved the North Revision modifications to the Harbor Hill Preliminary Plat and PRD to modify setbacks, impervious surface calculations and grading; and

WHEREAS, on July 29, 2014 the Planning Director approved the South Revision modifications to the Harbor Hill Preliminary Plat and PRD to increase the size of the M2 lot, remove excess lots and allow minor modifications to open space tracts, grading and phase lines; and

WHEREAS, an application for final PRD approval was submitted to the City and deemed complete on September 20, 2016 for Division S2-S6, a portion of the approved preliminary PRD; 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 PRD application under Resolution No. 1055 on November 28, 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 November 28, 2016;

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

Section 1. The real property located south of Borgen Blvd., adjacent to and west of Peacock Hill Ave NW, Pierce County Assessor-Treasurer Parcel Number 4003210290 and legally described in Exhibit "A", is hereby rezoned from PCD-RLD (Planned Community District – Residential Low) 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 28<sup>th</sup> day of November, 2016.

CITY OF GIG HARBOR

  
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JILL GUERNSEY, MAYOR

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: 11/21/16  
PASSED BY THE CITY COUNCIL: 11/28/16  
PUBLISHED: 12/01/16  
EFFECTIVE DATE: 12/06/16  
ORDINANCE NO: 1351

EXHIBIT A  
HARBOR HILL  
LEGAL DESCRIPTION: DIVISION S2-S6

TRIAD JOB # 08-058  
AUGUST 31, 2016

Tract X, Boundary Line Adjustment No. 201604145002, according to the map recorded April 14, 2016, records of Pierce County Auditor.

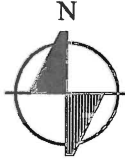
Situate in the City of Gig Harbor, County of Pierce, State of Washington.

Written by: ARJ  
Checked by: MHM

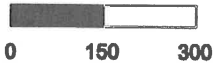


EXHIBIT B  
HARBOR HILL  
LEGAL EXHIBIT: DIVISION S2-S6

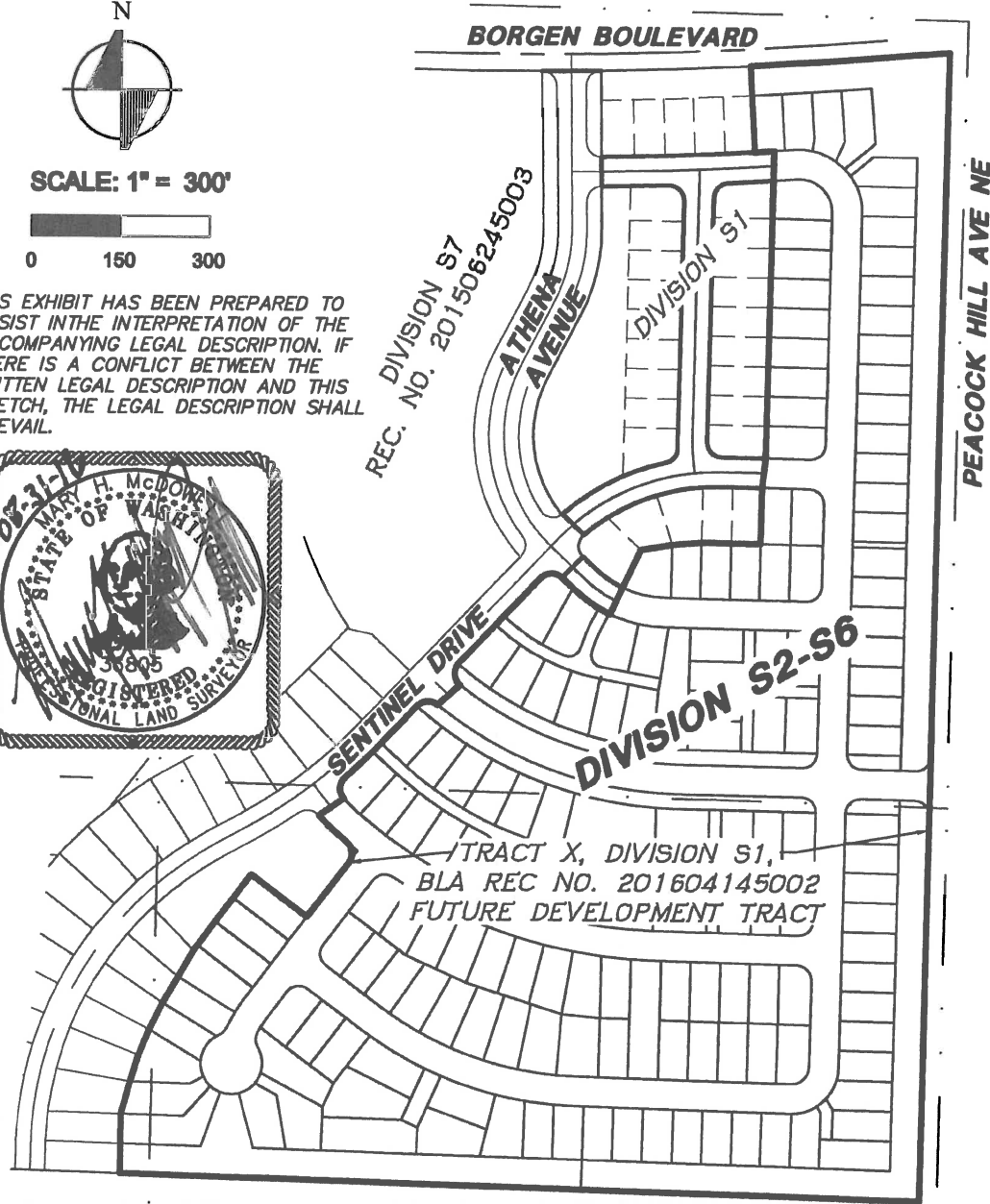
TRIAD JOB # 08-058  
AUGUST 31, 2016



SCALE: 1" = 300'



THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.



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