

ORDINANCE NO. 882

**AN ORDINANCE OF THE CITY OF GIG HARBOR,
WASHINGTON, REZONING CERTAIN REAL PROPERTY
LOCATED BETWEEN MCDONALD AVENUE AND
SOUNDVIEW DRIVE SOUTH OF SOUNDVIEW COURT
FROM THE PRESENT SINGLE-FAMILY RESIDENTIAL (R-
1) ZONING DESIGNATION TO A MEDIUM-DENSITY
RESIDENTIAL (R-2) ZONING DESIGNATION.**

WHEREAS, the Fredrick M. Paulson submitted a site specific rezone request for approximately 3.9 acres located between McDonald Avenue and Soundview Drive south of Soundview Court from Single-Family Residential (R-1) to Medium-Density Residential (R-2) (REZ 00-02); and

WHEREAS; Title 19 of the Gig Harbor Municipal Code indicates that site specific rezones requests are to be processed as Type III permit applications; and

WHEREAS, the City Hearing Examiner held a public hearing on this site specific rezone request on February 21, 2001; and

WHEREAS, the City Hearing Examiner issued a written decision approving the requested site specific rezone of this property from Single-Family Residential (R-1) to Medium-Density Residential (R-2) on March 7, 2001; and

WHEREAS, The March 7, 2001 Hearing Examiner decision was not appealed to the City Council and is therefore considered to be final pursuant to Title 19 of the Gig Harbor Municipal Code; and

WHEREAS, the City's SEPA Responsible Official issued a determination of non-significance with regards to this rezone application on February 12, 2001; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of April 9th and April 23rd, 2001; Now, Therefore,

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

Section 1. The real property located between McDonald Avenue and Soundview Drive south of Soundview Court, consisting of one (1) tax parcel zoned Single Family Residential (R1) (Tax Parcel ID number 0221083094) owned by Mr. Fredrick M. and Jane G. Paulson, and legally described in Exhibit A, attached hereto and fully incorporated herein by this reference, shall be rezoned to the zoning classification of Medium-Density Residential (R-2). The Director of Planning and Building Services is hereby instructed to effectuate the necessary changes to the Official Zoning Map of the City in accordance with the zoning established by this section.

Section 2. 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 3. Effective Date. This ordinance was adopted pursuant to GHMC Section 1.08.020 (B), and was passed by City Council on the day of its adoption upon the affirmative vote of a majority plus one of the whole membership of the Council. This ordinance shall be effective five (5) days after publication of a approve summary, which shall consist of its title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor

this 9th day of April, 2001.

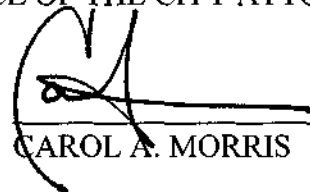
CITY OF GIG HARBOR


GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By: 
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 4/2/01
PASSED BY THE CITY COUNCIL: 4/9/01
PUBLISHED: 4/18/01
EFFECTIVE DATE: 4/25/01
ORDINANCE NO. 882

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY REFERENCED IN SECTION 1 CONSISTING
OF ONE (1) PARCEL OWNED BY FREDRICK M. & JANE G. PAULSON.

1. Tax Parcel ID number 0221083094

The east 300 feet of the south half of the south half of Lot 5A, Gig Harbor Abandoned Military Reservation, in SECTION 8, TOWNSHIP 21, NORTH, RANGE 2 EAST of the W.M., said Lot 5A being the south half of the south half of the northeast quarter of the southeast quarter of the southwest quarter of Section 8, Township 21 North, Range 2 East of the W.M. EXCEPT Wickersham County Road.