

## RESOLUTION NO. 1075

### A RESOLUTION OF THE CITY OF GIG HARBOR, WASHINGTON, ESTABLISHING POLICIES FOR ADDITIONAL PUBLIC NOTICE AND PUBLIC OUTREACH FOR DEVELOPMENT AGREEMENTS.

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WHEREAS, on February 27, 2017, the City Council passed Resolution No. 1068 which, in part, directed the Planning and Building Committee of the Council to discuss and consider improvements to public notice requirements and outreach for development agreements; and

WHEREAS, on March 6, 2017, at the Planning and Building Committee's regular meeting, the Committee developed draft policies intended to improve the public process for development agreements while maintaining the current code requirements related to noticing and outreach contained in Chapter 19.08 GHMC; and

WHEREAS, on March 20, 2017, at a special meeting, the Planning and Building Committee took public comment on the draft policies and after considering the public comment, directed staff to prepare a resolution for the City Council to establish additional policies for development agreement public process; and

WHEREAS, the City Council considered the resolution on March 27<sup>th</sup>, and wanted to include open houses as part of the public outreach for development agreements requesting deviations. The Council also asked that applicants of development agreements pay for the additional cost of the public notice for the outreach contained in this resolution; Now, Therefore,

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

Section 1. The City Council hereby directs staff to conduct the following public notice as allowed by GHMC 19.03.002 in addition to the notice already required for development agreements prescribed in Chapter 19.08 GHMC. For pending development agreement applications, staff is not required to provide public notice if the application has progressed beyond the stage at which such public notice could have been conducted.

A. Notice of Application. Within 30 days of the submittal of a complete application, a notice of application shall be published in the Gateway, posted on the site and mailed. Staff shall follow the procedures contained in GHMC 19.03.001 to the extent possible. Mailed notice shall be as follows:

1. Standard Development Agreements (GHMC 19.08.020(B)): Mailed to property owners within 300 feet of the subject site.
2. Development Agreements Associated with Comprehensive Plan Amendments (GHMC 19.09.080(C)(8)): Mailed to property owners within 1,000 feet of the subject site.
3. Development Agreements with Deviations in the Planned Community Development Land Use Designation (Gig Harbor North) (GHMC 19.08.020(C)(1)): Mailed to property owners within 1,000 feet of the subject site.
4. Development Agreements with Deviations in the defined Downtown Area (GHMC 19.08.020(C)(2)): Mailed to all city addresses.

B. Notice of Public Meetings. In addition to the requirements in GHMC 19.08.040(D), not less than 10 days prior to the public meeting date, notice of the public meeting shall be posted on the site and mailed to property owners. Mailed notice shall be as follows:

1. Standard Development Agreements (GHMC 19.08.020(B)): Mailed to property owners within 300 feet of the subject site.
2. All other Development Agreements: Mailed to property owners within 1,000 feet of the subject site.

C. Notice of Public Hearings. In addition to the requirements in GHMC 19.08.040(D), not less than 10 days prior to the public hearing date, notice of the public hearing shall be mailed as follows:

1. Standard Development Agreements (GHMC 19.08.020(B)): Mailed to property owners within 300 feet of the subject site.
2. All other Development Agreements: Mailed to property owners within 1,000 feet of the subject site.

D. Web and Email Notice: Staff shall post all notices on the City's Public Notice website and shall include all notices in the Planning Department's weekly email notice.

Section 2. The City Council hereby requests existing and future applicants of development agreements that include deviations from development standards, as provided for in GHMC 19.08.020(C), conduct the following additional public meetings and public hearings. For pending development agreement applications, the additional public meetings and public hearings set forth below are not requested if the application has progressed beyond the stage at which such public meeting or hearing could have been conducted.

A. Staff Pre-Application Conference: Potential applicants of development agreements with deviations should conduct a pre-application conference

with staff prior to the pre-application public outreach described in section B below.

**B. Prior to Application.** Within the 90-day period preceding submittal of application, the applicant should conduct a minimum of two neighborhood meetings in order to solicit public comment on the desired development agreement. At least one of these meetings shall be in an open house format. The agenda for the meetings should include a complete description of the project, the deviations requested, and the public benefits being offered. The applicant shall conduct all public notice. Notice should be mailed to property owners within 1,000 feet of the subject property. A notice of each neighborhood meeting should be published in the Gateway at least seven days prior to the meeting. The published notice shall be at least a one-eighth page advertisement. An audio recording of the meeting, copies of all written comments received, and the attendance sign-up sheets from each neighborhood meeting should be included in the application to the city.

**C. Pre-Initiation.**

1. The Planning and Building Committee should hold a public meeting to review the application. This should be in a work-study format. The Committee should recommend to the City Council what appointed boards and commissions of the City should be part of the negotiations if the Council initiates the application (e.g. Parks Commission, Arts Commission, Planning Commission, DRB).
2. In addition to and after the committee work-study meeting, an open house should be held at the Civic Center prior to the public hearing on the initiation.

**D. Initiation.** The City Council should hold a public hearing to take public testimony on whether the application will be processed further. If initiated, the Council should direct the Committee to engage the appropriate appointed boards and commissions.

**E. Recommendation.** During the code required public meetings with the Planning and Building Committee and prior to their recommendation to the Council, the Committee shall engage the identified appointed boards and commission as part of negotiations.

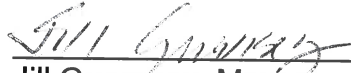
**Section 3.** All public meetings and public hearings required by Chapter 19.08 GHMC are not optional. This includes the public hearing(s) with the City Council prior to their decision on development agreement.

**Section 4.** The public outreach in Section 2 is the minimum necessary expected for applicants of development agreements with deviations. The City


Council or Planning and Building Committee may request additional public outreach.

Section 5. Applicants of development agreements that engage in the public notice and outreach contained in this resolution shall reimburse the City for any additional costs of public notice.

PASSED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, at a regular meeting thereof this 10th day of April, 2017.

  
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Jill Guernsey, Mayor

ATTEST:

  
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Shawna Wise, Assistant City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

  
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Angela G. Summerfield

Filed with the City Clerk: 03/21/17  
Adopted: 04/10/17  
Resolution No. 1075