

RESOLUTION NO. 1150

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO PROPOSED COMPREHENSIVE PLAN AMENDMENTS; ADOPTING FINDINGS AND CONCLUSIONS ON ONE COMPREHENSIVE PLAN AMENDMENT APPLICATION (PL-COMP-19-0001) THAT WILL NOT BE PROCESSED IN THE 2019 COMPREHENSIVE PLAN ANNUAL CYCLE.

WHEREAS, except under limited circumstances not applicable here, the Growth Management Act prevents the processing of comprehensive plan amendments more than once a year; and

WHEREAS, the City of Gig Harbor has adopted regulations for the processing of comprehensive plan amendments in chapter 19.09 GHMC; and

WHEREAS, under GHMC 19.09.050, all comprehensive plan amendments are considered legislative processes and are not subject to deadlines for issuance of a final decision; and

WHEREAS, under GHMC 19.09.130 the City Council evaluates the submitted comprehensive plan amendment applications and determines which applications will be processed further during the annual cycle; and

WHEREAS, should the City Council determine not to process an application further during the annual cycle, GHMC 19.09.140 requires the City Council to adopt findings and conclusions on the applications that will not be processed by way of resolution; and

WHEREAS, on July 8, 2019, the City Council held a public hearing on the 2019 comprehensive plan amendment docket; and

WHEREAS, on July 8, 2019, the City Council evaluated the comprehensive plan amendment applications submitted for the 2019 annual cycle; Now, Therefore,

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

Section 1. At the 2018 Comprehensive Plan Amendment Docket Hearings - November 13 and 26, 2018 – Council directed staff to continue processing the Henderson Burnham LLC request (PL-COMP-17-0004) into 2019 consistent with a

modified proposal, also referred to as the “preferred alternative,” presented by the applicants.

The previous 2018 request was a land use amendment for eight acres on tax parcels 012225-8002 and portions of -4011, -4064, and -8003 from Residential Low to Residential High Transition (with subsequent rezone to RB-2), with an accompanying development agreement for said parcels as well as the Walt Smith Gravel Mine (tax parcel 0122253072). The associated development agreement proposed to limit proposed uses and shift density from adjacent site totaling 40-acres.

The Planning Commission recommend denial of application number PL-COMP-17-0004 in 2018 due to inconsistency with the Comprehensive Plan.

The applicant now proposes to keep the land use amendment request consistent with the 2018 request, but significantly alter the associated development agreement. The alterations would include: 1) The agreement would only apply to the parcels subjected to the proposed comprehensive plan amendment; and, 2) The area subjected to the development agreement be developed as and RB-2/PRD use and design standard, but adhere to the maximum density of the R-1 Zone with clustered dwelling units.

Section 2. City Council must consider the criteria in GHMC 19.09.130 in regards to proposed comprehensive plan amendments, as follows:

19.09.130 Considerations for decision to initiate processing.

Before rendering a decision whether the individual comprehensive plan amendment proposal may be processed during any year, the city council shall consider all relevant facts, including the application materials, as well as the following items:

A. Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the comprehensive plan; and

B. Whether the assumptions upon which the comprehensive plan is based are no longer valid, or whether new information is available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments; and

C. For amendments that have been considered within the last three years, whether there has been a change in circumstances that makes reconsideration of the proposed amendment now appropriate. (Ord. 1177 § 1, 2009; Ord. 1075 § 1, 2007).

In addition to the above criteria, GHMC 19.09.140 requires the City Council to pass a resolution adopting findings and conclusions on applications that will not be further processed in the annual review cycle.

Section 3. Findings. After consideration of the materials in the files associated with PL-COMP-17-0004 and PL-COMP-19-0001, the City's Comprehensive Plan, historical land use designations, criteria for approval found in Chapter 19.09 GHMC, applicable law, and public testimony, City Council hereby makes the following findings:


- A. No evidence was presented to show a change in circumstances in the area.
- B. No evidence was presented to show the assumptions upon which the comprehensive plan is based are no longer valid.
- C. PL-COMP-19-0001 is found to be inconsistent with Ordinance No. 1400 adopted and made effective December 11, 2018.

Section 4. Conclusions: The City Council hereby makes the following conclusions:

- A. No substantial change to the area since adoption of the comprehensive plan is evidenced that would cause the need for reconsideration of the land use designation.
- B. Assumptions upon which the comprehensive plan is based are still valid. No new information is available for the proposed area.
- C. Because the proposed amendment contained in application PL-COMP-19-0001 is not consistent with the City Council's direction provided in Ordinance No. 1400, PL-COMP-19-0001 shall not be initiated, removed from the docket, and will not be further processed.

RESOLVED by the City Council this 22nd day of July, 2019.

APPROVED:



Kit Kuhn, Mayor

ATTEST/AUTHENTICATED:



Molly M. Towslee, City Clerk

FILED WITH THE CITY CLERK: 07/16/19
PASSED BY THE CITY COUNCIL: 07/22/19
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