

**ORDINANCE NO. 1239**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REZONING 12.93 ACRES FROM PCD-RMD ZONING DISTRICT AND PCD-RLD ZONING DISTRICT TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), LOCATED NORTH OF BORGEN BOULEVARD AND EAST OF THE RIDGE AT GIG HARBOR SUBDIVISION; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER 0222308002, AND CITY OF GIG HARBOR FILE NO. PL-FPRD-12-0001, AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH**

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WHEREAS, Olympic Property Group LLC requested Final PRD Approval for Division 1A of the Harbor Hill Plat located north of Borgen Blvd. and east of the Ridge at Gig Harbor Subdivision; a portion of Pierce County Assessor-Treasurer Parcel Number 0222308002; and

WHEREAS, the land use designations in the Comprehensive Plan for the subject site are PCD-Residential Medium and PCD-Residential Low; and

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

WHEREAS, Olympic Property Group LLC requested Preliminary Planned Residential Development (PRD) approval for 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 on December 2, 2008; 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, an application for final PRD approval was submitted to the City and deemed complete on March 30, 2012 for Division 1A, 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 #898 on April 23, 2012; 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 April 23, 2012;

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

Section 1. The real property located north of Borgen Blvd. and east of the Ridge at Gig Harbor Subdivision; a portion of Pierce County Assessor-Treasurer Parcel Number 0222308002 and legally described in Exhibit "A", is hereby rezoned from PCD-RMD (Planned Community District - Residential Medium) and 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, being an exercise of a power specifically delegated to the City legislative body, 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 23rd day of April, 2012.

CITY OF GIG HARBOR

  
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CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By:   
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MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

By:   
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ANGELA S. BELBECK

FILED WITH THE CITY CLERK: 04/18/12  
PASSED BY THE CITY COUNCIL: 04/23/12  
PUBLISHED: 05/02/12  
EFFECTIVE DATE: 05/07/12  
ORDINANCE NO: 1239