

Gig Harbor City Council Meeting

**October 25, 2010
5:30 p.m.**



**AGENDA FOR
GIG HARBOR CITY COUNCIL MEETING
Monday, October 25, 2010 – 5:30 p.m.**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of October 11, 2010.
2. Receive and File: a) Minutes of Joint City Council / Lodging Tax Meeting October 11, 2010; b) Third Quarter GHPD Report.
3. Correspondence / Proclamations: World Orphan Day.
4. Liquor License Action: a) Renewals: Maritime Mart; Marketplace Grille; Blue Cannon Pizza; GH Shell Food; and Qdoba Mexican Grill.
5. Approval of Payment of Bills for October 25, 2010: Checks #64785 through #64913 in the amount of \$1,168,326.13.

PRESENTATIONS:

1. World Orphan Day Proclamation - Luciann Gill Nadeau and Dave Thomas.
2. Hanging Flower Basket Program - Gig Harbor Historic Waterfront Association.

OLD BUSINESS:

1. Second Reading of Ordinance – 2010 Comprehensive Plan Amendments.
2. Second Reading of Ordinance Vacating a Portion of Prentice Street - Page.

NEW BUSINESS:

1. First Public Hearing – Harbor Hill LLC Development Agreement.

STAFF REPORT:

PUBLIC COMMENT:

MAYOR'S REPORT / COUNCIL COMMENTS:

Mayor presents 2011 Proposed Budget.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Budget Worksession I – Mon. Nov 1 at 5:30 p.m.
2. Budget Worksession II – Tue. Nov 2 at 5:30 p.m.

ADJOURN:

MINUTES OF GIG HARBOR CITY COUNCIL MEETING – OCTOBER 11, 2010

PRESENT: Councilmembers Ekberg, Young, Conan, Malich, Payne, Kadzik and Mayor Hunter. Councilmember Franich was absent.

CALL TO ORDER: 5:30 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of September 27, 2010.
2. Receive and File: a) Joint Worksession City Council / Planning Commission Minutes of September 20, 2010; b) Council Retreat Minutes of September 24, 2010.
3. Liquor License Action: Special Occasion Liquor License – Homestead Group Home.
4. 2011 State and Federal Legislative Agenda.
5. BB16 Interchange Improvements Project / WSDOT Agreements.
6. Approval of Payment of Bills for October 11, 2010: Checks #64697 through #64784 in the amount of \$1,725,066.31.
7. Approval of Payroll for the month of September: Checks #5747 through #5762 in the amount of \$310,601.53.

MOTION: Move to adopt the Consent Agenda as presented.
Ekberg / Conan - unanimously approved.

PRESENTATIONS:

Recognition of Summer Event Organizers: Marketing Director Laureen Lund asked representatives from Gig Harbor Garden Tour, Gig Harbor Summer Art Fair, Chalk the Walk, Cruise the Narrows, Gig Harbor Wine and Food Festival, Rock Gig Harbor, Harbor Hounds, Gig Harbor Chowder Cook Off/Gig Harbor Farmers Market, and SalmonChanted Harbor to come forward to be publically recognized for their contributions. Mayor Hunter handed out a certificate of appreciation to the event coordinators and thanked them.

OLD BUSINESS:

1. **First Reading of Ordinance – 2010 Comprehensive Plan Amendments.** Planning Director Tom Dolan presented the ordinance to adopt two city-sponsored Comprehensive Plan Amendments and addressed questions. This will return at the next meeting for a second reading.

2. **72nd Street Annexation Petition.** Tom Dolan explained that at the last meeting Council asked the proponents to contact the adjacent neighborhood residents to determine if they would be interested in joining in the annexation. In response, Carl

Halsan sent a letter to the neighbors. Mr. Dolan said that he has been contacted by a couple of the neighbors who seem to be non-committal.

Carl Halsan said that he received one call, which he followed up with an e-mail. This person said that they didn't care one way or another.

MOTION: Move to accept the Notice of Intent to Commence Annexation subject to: 1. Accepting proposed annexation boundaries outlined in Option 1; 2. Requirement of the simultaneous adoption of a proposed zoning code with the property being zoned R-1 upon annexation; and 3. Requirement of the assumption of proportionate indebtedness of the City.
Young / Payne – Councilmembers Ekberg, Young, Conan, Payne and Kadzik voted yes. Councilmember Malich voted no.

NEW BUSINESS:

1. Public Hearing and First Reading of Ordinance Vacating a Portion of Prentice Avenue – Page. Engineering Tech William Hendrickson presented the background for this request by Thomas Page to vacate a 33 foot portion of Prentice Avenue located in the non-user statute area. He explained that no city utility easements will be required.

Mayor Hunter opened the public hearing at 5:46 p.m. No one came forward to speak and the hearing closed. He said that this will return at the next meeting for a second reading.

STAFF REPORT:

City Administrator Rob Karlinsey reported the following:

- The Boundary Review Board is holding a public hearing on the proposed formation of a County-wide Flood District tomorrow at 9:00 a.m. He said that Mayor Pro Tem Payne and Senior Engineer Jeff Langhelm will be testifying along with the attorney from Ogden Murphy and Wallace, Wayne Tanaka. He added that the Mayor and he also planned on attending. City Attorney Angela Belbeck explained that there are several procedural inconsistencies with the process that are being addressed.
- The entrance interview for the 2009 Audit is scheduled for Thursday, October 21st at 2:00 p.m. He invited any interested Councilmembers to attend.
- Public Works Superintendent Marco Malich would be out of town for the Budget Worksessions and so an open house at the Public Works Shop is scheduled this week to allow Councilmembers to tour the facility and discuss any issues or concerns. Councilmembers could contact him directly to schedule a visit.

- The Finance / Safety Committee is scheduled to review Reserve Fund Policies at the upcoming meeting. He explained that his draft policy has “morphed” into a Budget Policy document. He asked the Committee members to review sample documents from other jurisdictions that have been posted on the website.

MAYOR’S REPORT / COUNCIL COMMENTS:

Mayor Hunter announced the passing of Bill Owel, Civil Service Commissioner and husband of past Councilmember Marilyn Owel. He said that as memorial service information is received it will be forwarded to Council.

Clerk Molly Towslee added that the service for Paul Ancich, local fisherman is scheduled for this Thursday, St. Nicholas Church at 11:00 a.m.

PUBLIC COMMENT: None.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Finance Committee – Mon. Oct 18th at 4:00 p.m.
2. Operations Committee – Thus. Oct 21st at 3:00 p.m.
3. Planning / Building Committee – Mon. Nov 1 at 5:15 p.m.
4. Budget Worksession I – Tue. Nov 2 at 5:30 p.m.
5. Budget Worksession II – Wed. Nov 3 at 5:30 p.m.

Rob Karlinsey said the draft 2011 Budget would be ready for the October 25th meeting and added that Tom Dolan is working to schedule a Special Planning & Building Committee meeting for next Wednesday, October 20th.

ADJOURN TO JOINT WORKSESSION WITH LTAC:

MOTION: Move to adjourn at 5:58 p.m.
Ekberg / Young – unanimously approved.

CD recorder utilized: Tracks 1002 – 1015

Charles L. Hunter, Mayor

Molly Towslee, City Clerk

OUTLINE MINUTES

Consent Agenda - 2a

Joint Work Session:

Page 1 of 3

City Council / Lodging Tax Advisory Committee

Date: October 11, 2010 Time: 6:00 PM Location: Community Rooms A&B Scribe: Molly Towslee

Members Present:

City Council: Derek Young, Ken Malich, Paul Conan, Steve Ekberg, Paul Kadzik, Tim Payne and Mayor Hunter.
LTAC: Sue Braaten, Tom Drohan, Warren Zimmerman, Wade Perrow, and Jennifer Kilmer. Chamber of Commerce President, Scott Limoli was also present.

Staff Present:

City Staff: Rob Karlinsey, Laureen Lund and Molly Towslee

Call to Order at 6:07 p.m.

Councilmember Derek Young explained that the Lodging Tax Advisory Committee is struggling with the budget which is a result of an unanticipated decline in revenues. He explained that Marketing Director Laureen Lund has been working on cuts in the program to address the lack of funding while still meeting the goals of the LTAC:

1. Heads in Beds;
2. First class, efficient and lodging focused visitor information center;
3. Meetings, Conventions, and Tours; and
4. Media & Public Relations, Website and Advertising

Item No. 1:

Councilmember Young then gave a brief overview of the draft 2011 Budget and what the committee is asking of Council in 2011. He explained that the LTAC would like the city offer a package to the Chamber of Commerce to encourage them to take over the Visitor Information Center operation at the Bogue Building on Judson Street.

Warren Zimmerman explained that the Chamber is looking for a new location and the downtown area is the best choice. He said that co-locating with others isn't attractive due to the space constraints.

Jennifer Kilmer mentioned that one factor to consider is the significant investment in signage pointing visitors to that site. It was mentioned that the transition to the Chamber assuming the duties of a Visitor's Center at this site would be relatively seamless for the customers.

Sue Braaten stressed the importance of having a Visitor's Center located downtown.

Councilmember Kadzik brought up the concern of where the Mainstreet program would locate if this transition were to take place. Ms. Kilmer said that the History Museum Board would most likely offer them space at the museum. The importance of keeping the program separate from larger organizations was discussed.

There was discussion on the cost of running the current Visitor's Center.

A suggestion was made to utilize the Skansie House for the Mainstreet program, but the lack of electricity and heat is a deterrent. The group discussed the use of the Bogue Building is an in-kind contribution to the Mainstreet Program and what would happen if they were required to relocate.

Concern over public perception was discussed if the Marketing Department and the Chamber were to duplicate efforts for a Visitor's Center.

After further discussion, City Administrator Rob Karlinsey was directed to update a proposal for the Chamber of Commerce and to forward it to Council for review this week.

Item No. 2:

Councilmember Young then presented information on the LTAC request to increase the General Fund portion of the Marketing Director's salary by 15% (up from 10% to 25%).

Sue Braaten voiced concern that if Laureen moves back up to the Civic Center, it will be harder to justify her salary being paid for by lodging taxes.

Tom Drohan said he was shocked to learn that the General Fund only paid for 10% of the Marketing Department salaries. He said 25% would be fairer.

Warren Zimmerman said he had nothing to add other than we should be providing better service to the Chamber members and the community as a whole.

Wade Perrow handed out a copy of the RCWs that govern lodging tax which outlines the need for accountability for where the money is spent. He gave a breakdown on the LTAC Budget and stressed that the budget document should be a performance document in which benefits from dollars spent can be evaluated and tracked per state law. He talked about a "top-down" process in which the programs supporting "heads in beds" are funded from LTAC first, and the remainder is paid by the General Fund.

Wade said there are benefits to allowing the Chamber of Commerce to run a Visitor's Center in the Bogue Banks. The center cannot be given for free. He suggested a market value study and that a fair rent be charged in the form of a subsidy to offset the General Fund as it applies to the LTAC Budget. **Consent Agenda - 2a**
Page 3 of 3

Jennifer Kilmer discussed how other cities use the LTAC funds for a basic grant program but they have no strategic, coordinated efforts. She said the Gig Harbor LTAC system is different in the amount that goes towards staffing. She said that our LTAC has great coordination, but no money to invest in the "heads in beds" function. She added that a better approach would be to move more of the salaries to the General Fund so that more successful programs could target "heads in beds" explaining that Gig Harbor is getting promotional benefit from these efforts.

Tom Drohan agreed with Wade's comments about the budget and how the General Fund should pay a larger share of the marketing department expenses.

The LTAC members discuss methods used to track the success of ads and programs. Several mentioned that the effects of advertising are accumulative and not easily tracked.

Rob Karlinsey discussed his goal to protect the General Fund. Councilmembers commented that they may be in favor of increasing the city's share to 25% but the issue is where this comes from.

Wade Perrow referred to a recent article in *The Business Examiner* citing 88.9% hotel occupancy in July. He stressed that no one in Gig Harbor reached those numbers and said they need help. He supported having the Chamber involved.

There was discussion on the range of room rates.

Rob said he would redraft the proposal and forward to Council for comment. There was no further discussion and the meeting adjourned at 7:34 p.m.



POLICE

TO: MAYOR CHUCK HUNTER AND CITY COUNCIL
 FROM: CHIEF OF POLICE MIKE DAVIS
 SUBJECT: 2010 3rd QUARTER COUNCIL REPORT
 DATE: October 25th, 2010

DEPARTMENTAL ACTIVITIES SUMMARY

- 2010 YTD **calls for service** when compared to 2009 YTD **calls for service** show an increase in calls for service of 30.
- 2010 YTD shows about the same number of **reports written** by our officers as during the same period in 2009.
- **DUI arrests for 2010 YTD** are up by 7 when compared to the same time period in 2009. Our 2010 YTD **traffic infractions** are down by 325 when compared to the same period in 2009; and our **criminal traffic citations** decreased by 106 in 2010 YTD when compared to the same period in 2009.
- Our **traffic accidents** in 2010 YTD increased by 21 accidents when compared to the same period in 2009.
- 2010 YTD statistics show our **misdemeanor** arrests decreased by 84 and our **felony arrests** are up by 11 when compared to the same YTD period in 2009.

Category	September 2010					
	September 2009	September 2010	Change	YTD 2009	YTD 2010	Change
Calls for Service	722	720	-2	6090	6120	30
General Reports	203	191	-12	1558	1557	-1
Criminal Traffic	22	22	0	297	191	-106
Infractions	135	81	-54	1100	775	-325
Criminal Citations	10	10	0	152	150	-2
Warrant Arrests	3	8	5	39	40	1
Traffic Reports	5	18	13	96	117	21
DUI Arrests	1	4	3	41	48	7
Misdemeanor Arrests	29	29	0	383	299	-84
Felony Arrests	3	10	7	44	55	11

MARINE SERVICES UNIT:

During the 3rd quarter 2010 the GHPD Marine Service Unit (MSU) accounted for the following patrol hours and activity:

- 219.5 Patrol Hours
- 61 Vessel Inspections
- 3 SAR Calls
- 15 Boater Assists
- 1 Citation

During this quarter, the weather was sporadic and our marine patrol hours were down slightly from previous years. We did arrest one boater for *Boating under the Influence of Alcohol* and he is currently being prosecuted through Gig Harbor Municipal Court. The patrol boat was able to assist in establishing a security zone around the underwater pipeline being installed for the expansion of the sewer treatment plant. Regular patrols are completed for the year and the boat remains in an on-call status, ready to respond to any boating complaints or emergencies.

RESERVE UNIT: Lynn Mock, our former Community Service Officer is due to start her Reserve Officer PTO training next week. We also have three reserve officer candidates who have completed their background investigations: Jennifer Moots and James Oxier, who are former Explorers and Matthew Bell who is currently a corrections officer with Pierce County. They are scheduled to start the Reserve Academy in January.

The Reserve Unit continues to monitor the 10 sex offenders (levels Is and IIs) currently living in the city. Level IIIs are the more dangerous sex offenders who are designated as highly likely to reoffend.

EXPLORER POST: During the 3 quarter the Explorer Post has held six training meetings. We had five Explorers attend the Summer Explorer Academy in Sunnyside and two received awards for top academics. We held a night of firearms training at the Gig Harbor Sportsman's Club where the Explorers had the opportunity to train on 9mm Glock handguns. The Explorers conducted nighttime security for the Art Festival and conducted traffic control at the Police Academy for the Chief for a Day event. We are currently processing seven new applicants to fill a couple of open positions in the post. The Post is thriving under the leadership of Officers Dahm and Cox.

C.O.P.S. (Citizens Offering Police Support): The five volunteers in the C.O.P.S. unit accounted for approximately 195 hours of assistance to the police department during

the third quarter. This unit is expanding its support role by running errands to the crime lab, compiling false alarm data, conducting residential vacation checks and establishing a home security survey plan (in development) for city residents. The C.O.P.S. have also assumed routine patrol and enforcement of overtime moorage violations at the city dock and have refined the process of impounding/releasing boats to make it easier for our full-time police officers. So far, four vessels have been cited for violating the moorage enforcement regulations and compliance appears to be much higher. (Note: vessels are not impounded and cited until at least 48 hours AFTER their two-day allowed moorage privileges have passed AND they have been issued a warning. People violating the moorage regulations know that they are in violation.) Currently, we have five C.O.P.S. volunteers and hope to expand the unit in the near future. An immediate need for the unit is at least two portable radios. We are exploring funding options for that equipment.

GHPD Response Times
2010

	P1	P2	P3
January	3.97	6.58	9.54
February	7.72	8.35	10.06
March	5.06	7.4	8.8
April	4.13	7.01	9.38
May	4.94	7.66	9.37
June	5.22	8.18	9.76
July	2.73	7.12	9.51
August	4.97	6.97	9.38
September	2.91	7.4	11.25
October			
November			
December			
YTD Average	4.63	7.41	9.67

To the left are our officer average response times for our Priority 1, 2 and 3 calls for the 3rd quarter 2010. Priority 1 calls are the most serious calls and usually involve an in-progress crime. Our goal is to respond to Priority 1 calls within 4 minutes 90% of the time. Our average response time of 6.91 minutes for all three priority levels has increased a small amount through the 3rd quarter when compared to the 3rd quarter of 2009.

Below are our **2010 3rd quarter performance** measures and workload indicators. Our calls for service and reports written are showing increases during the 3rd quarter.

2010 3rd Quarter
Performance Measures

	2009 3rd Qtr	2010 3rd Qtr	2009 Actual	2010 Estimate
% of citizens who feel safe in general according to survey	n/a	n/a	n/a	80%
UCR Violent crimes per 1000 population	n/a	n/a	2.4	2.0
UCR Property crimes per 1000 population	n/a	n/a	55.8	45
Average police emergency response time in minutes	6.66	6.91	6.67	7.0

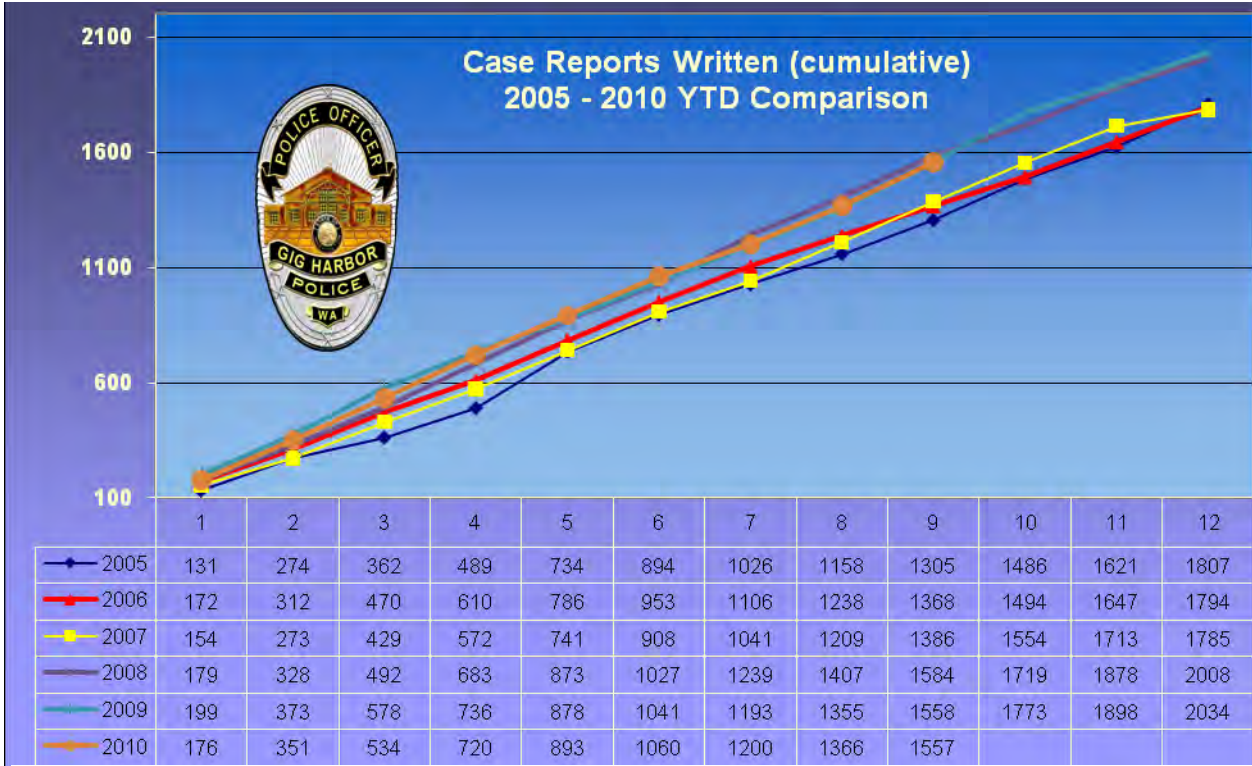
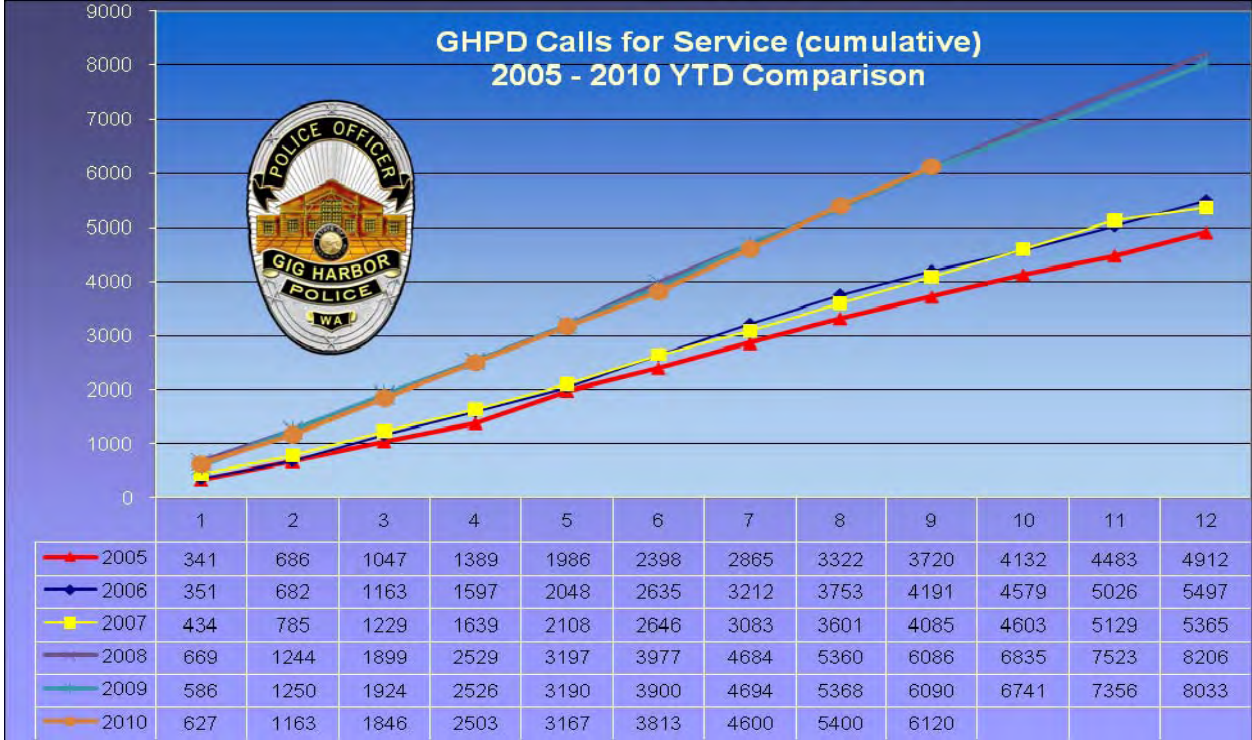
Workload Measures

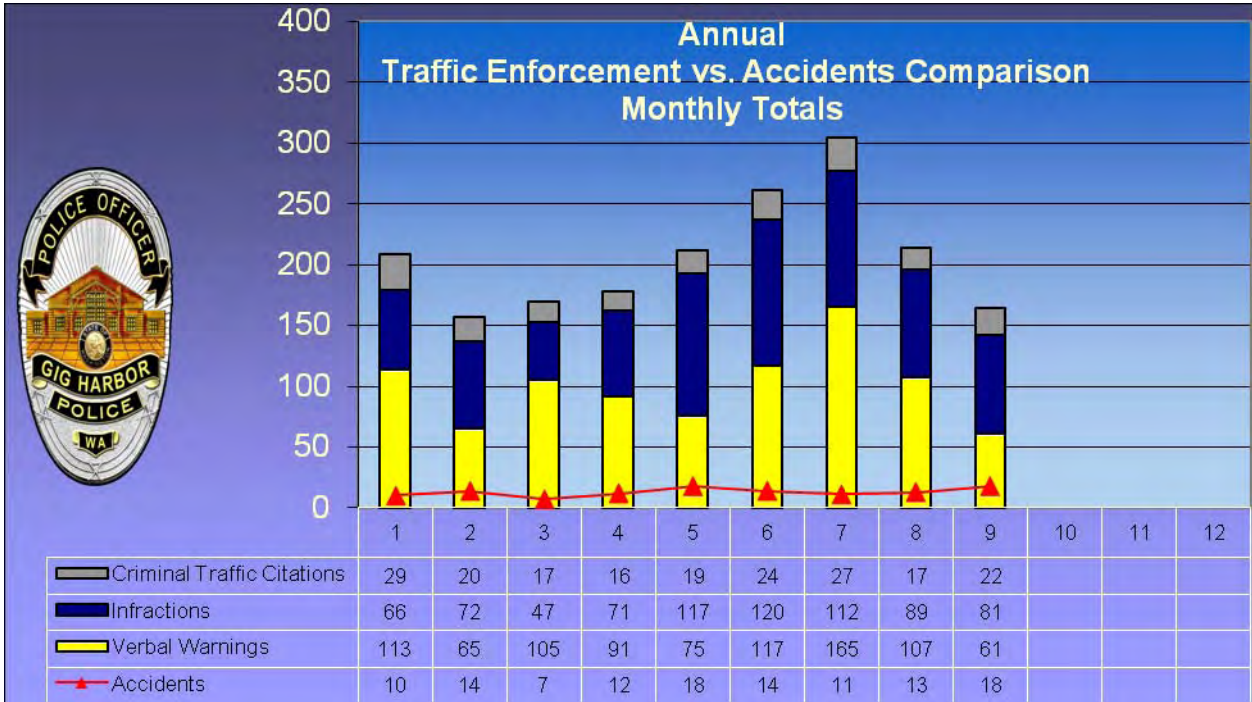
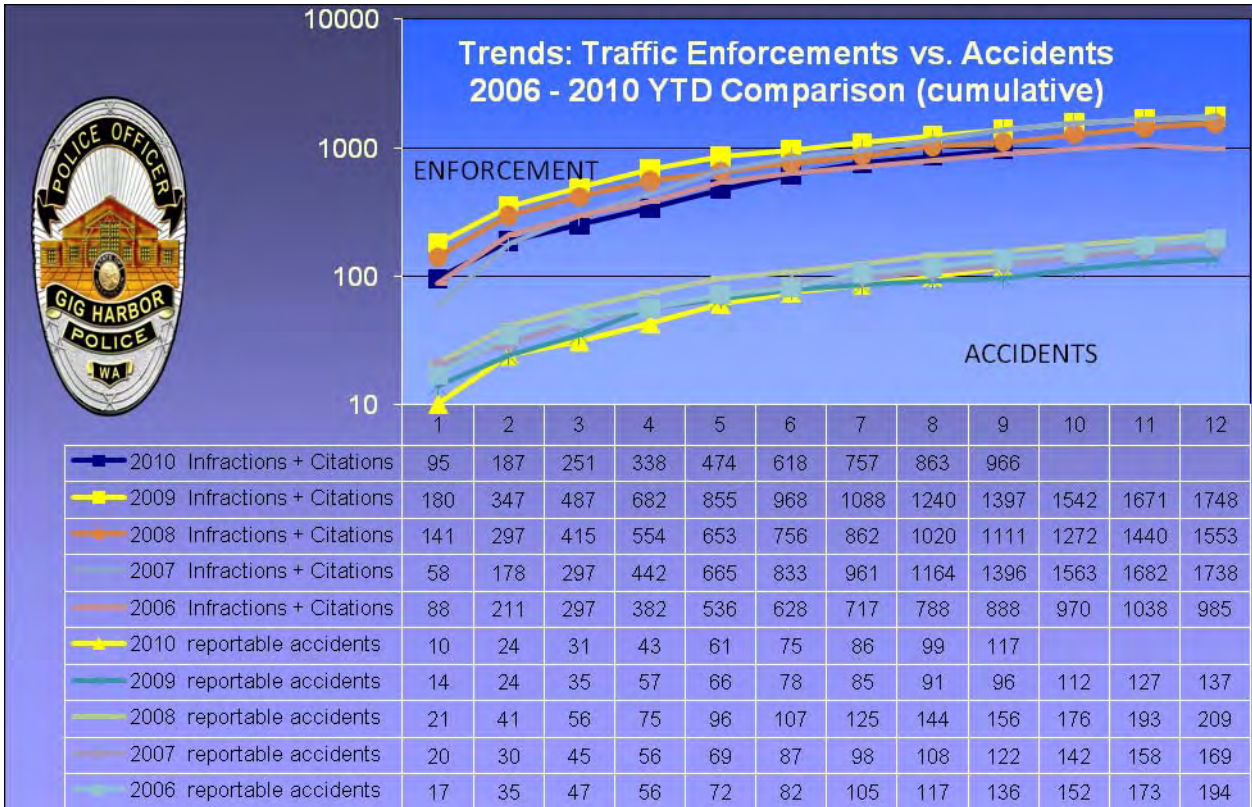
	2009 3rd Qtr	2010 3rd Qtr	2009 Actual	2010 Estimate
Number of dispatched calls for service	2190	2307	8206	8500
Number of office walk in requests for service	595	713	2311	2192
Number of cases assigned for follow-up	51	58	242	280
Number of police reports written	517	497	2088	2200

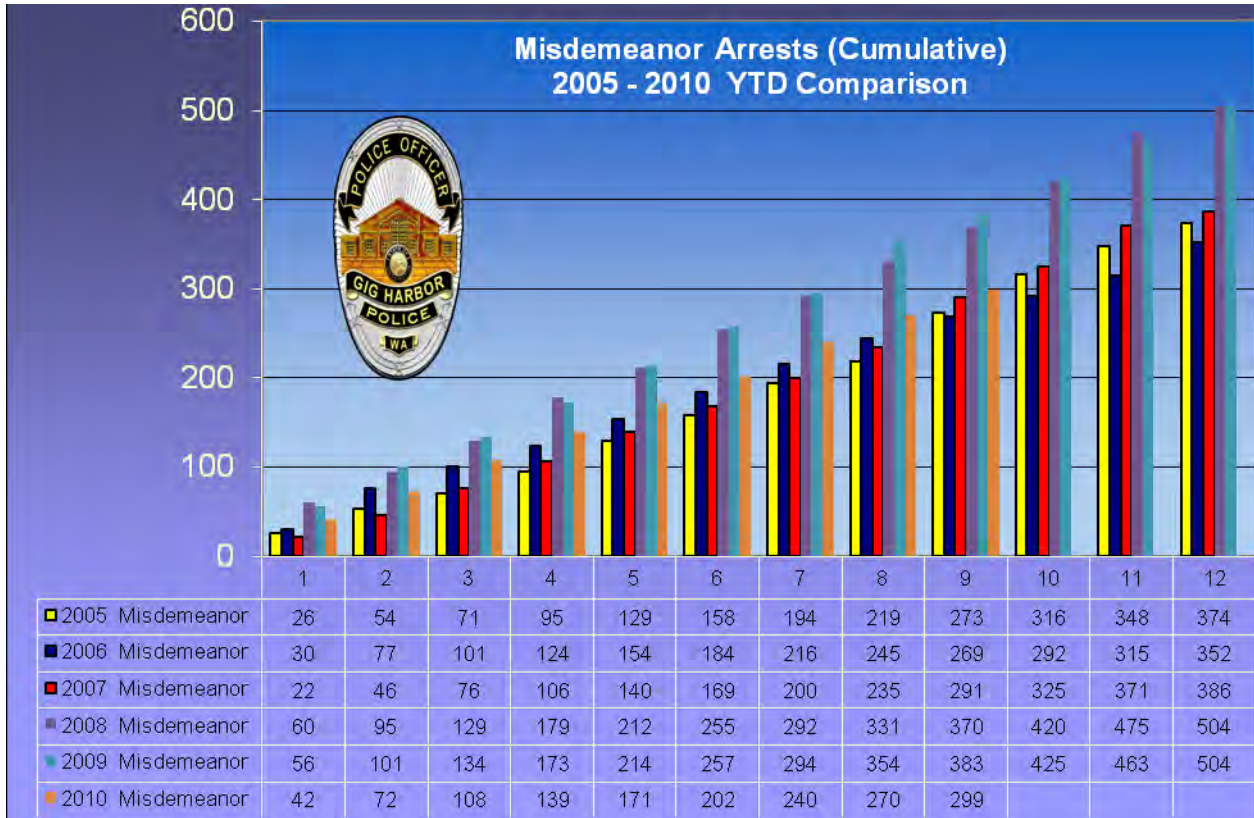
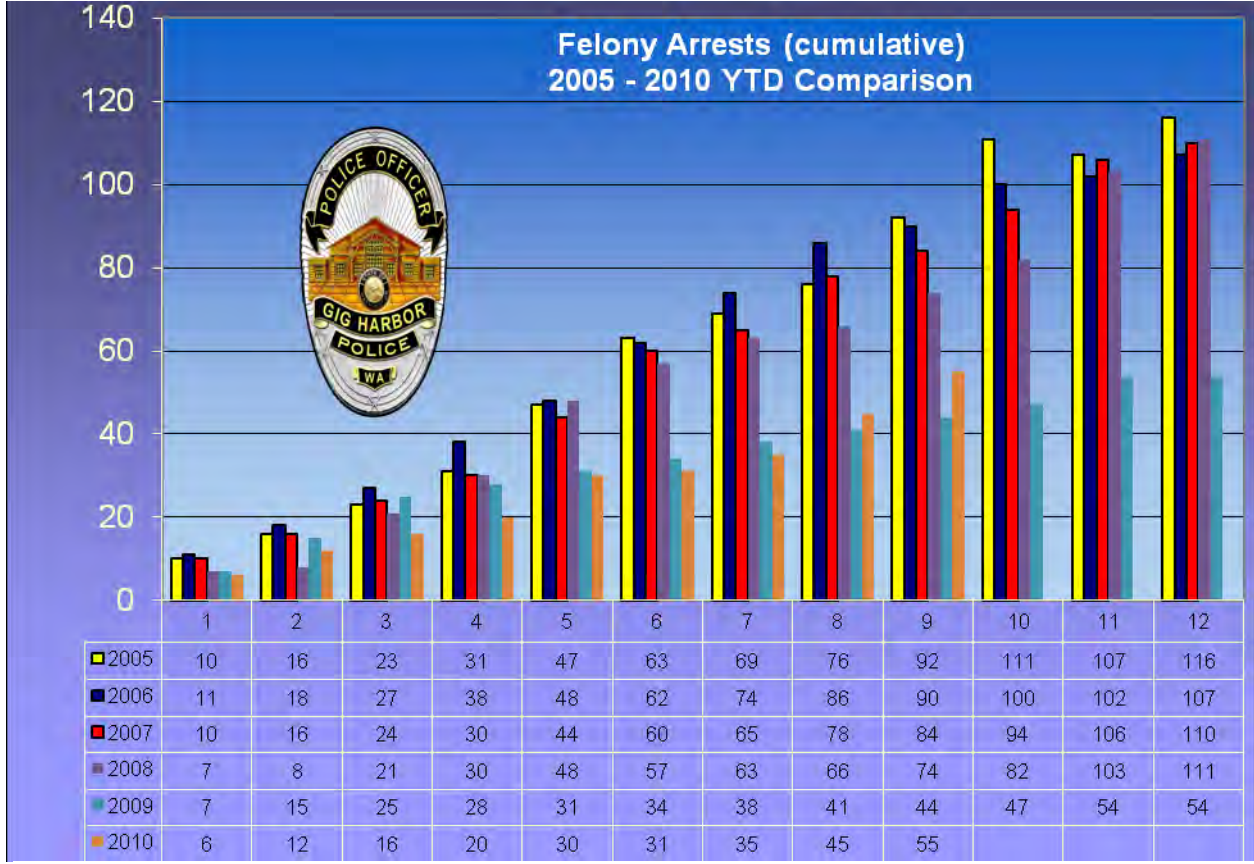
Below you will find the reported traffic accidents for the 3rd quarter of 2010-- out of the 59 (we had 62 accidents last quarter) accidents during the 3rd quarter, 11 involved injuries.

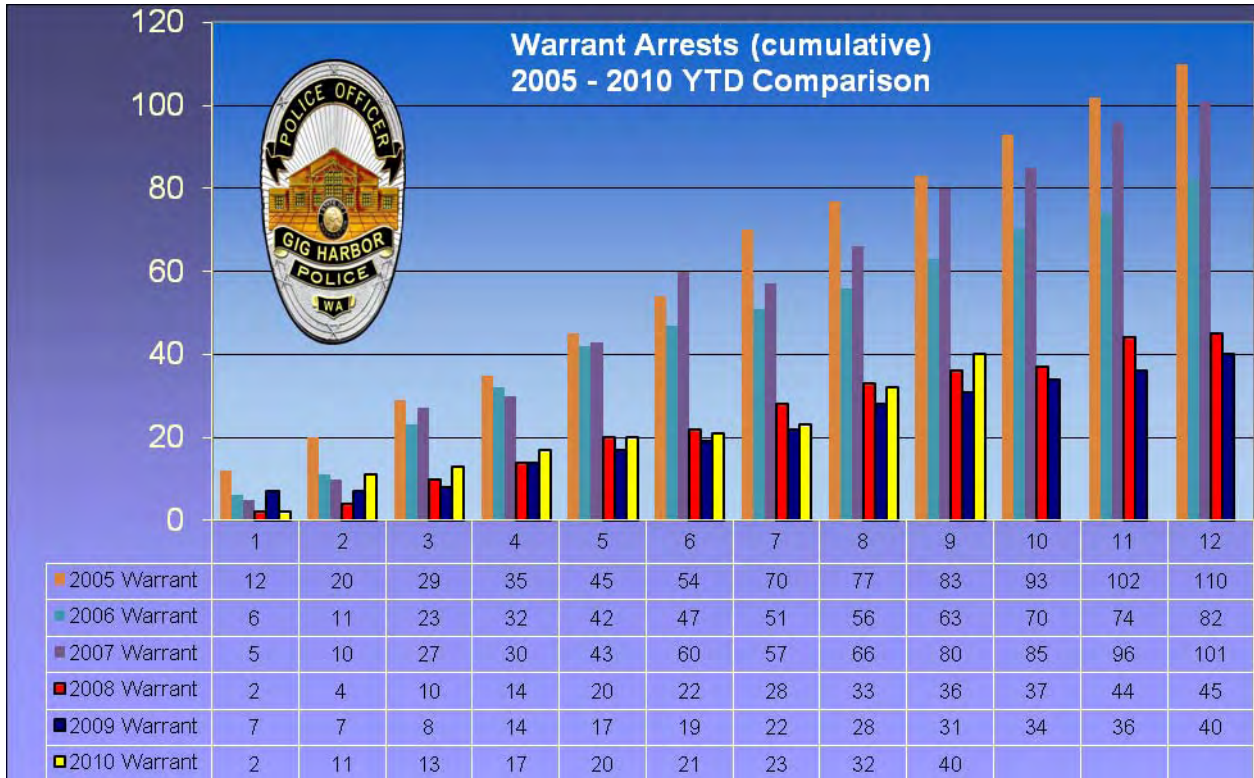
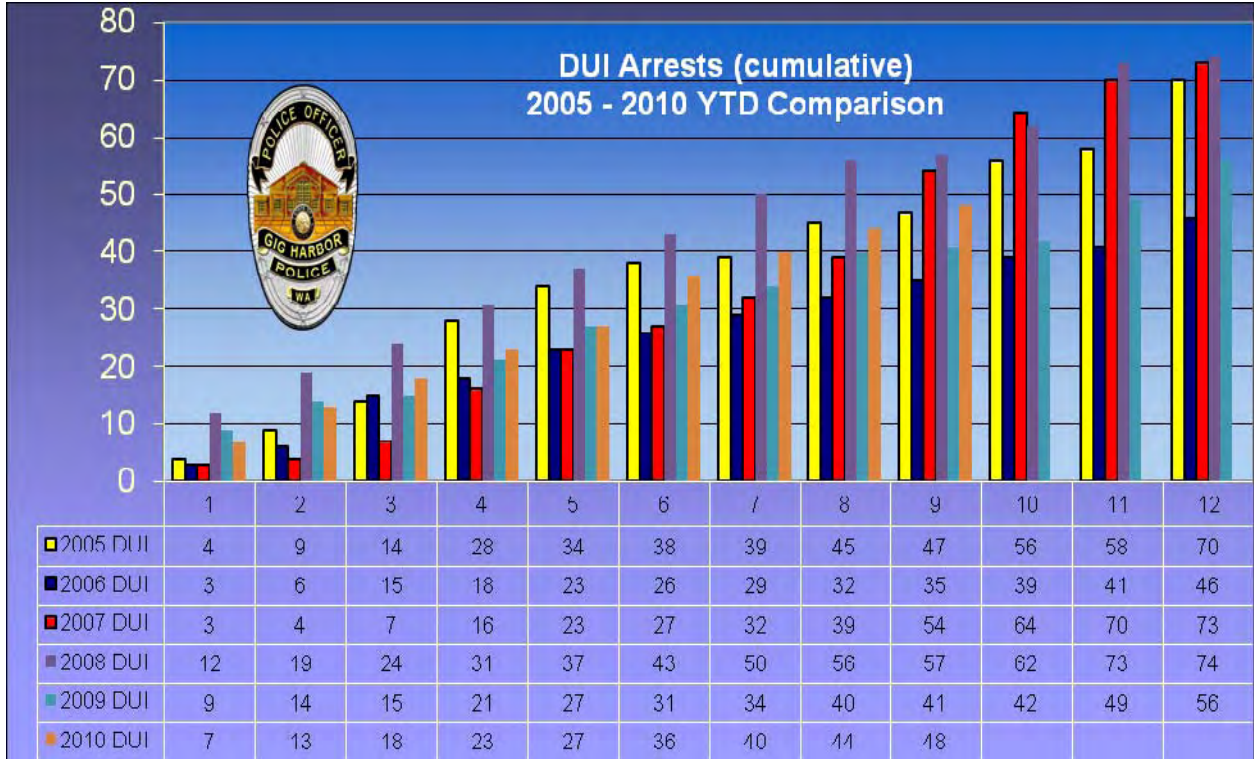
TRAFFIC ACCIDENTS FOR 3 rd QUARTER 2010 (CONT)					
DATE	TIME	LOCATION	CROSS STREET	TYPE	INJURY
8/30/2010	20:28	Borgen Blvd.	Burnham		N
8/31/2010	9:15	Wollochet	Wagner Way	FTY	Y
8/31/2010	11:15	Pt. Fosdick Dr.	4545		N
8/31/2010	12:41	Pioneer Way	Stinson Ave.	Following To Close	Y
8/31/2010	15:13	Olympic Dr.	Ramp E/B SR16	FTY	N
8/31/2010	21:30	Borgen Blvd.	Harbor Hill Rd.	FTY	N
9/4/2010	9:10	Pt. Fosdick Dr.	36th St.		N
9/6/2010	12:20	Burnham Dr.	Borgen Blvd.		N
9/8/2010	9:33	Wollochet	Hunt St.	FTY Left Turn	N
9/8/2010	16:25	Pt. Fosdick Dr.	4601		N
9/9/2010	17:43	Olympic Dr.	Pt. Fosdick Dr.	FTY	N
9/10/2010	14:55	Harbor Hill Dr.	10990		N
9/10/2010	15:20	Burnham Dr.	Borgen Blvd.		N
9/12/2010	0:26	Burnham Dr.	53rd Ave.	DUI	Y
9/12/2010	9:55	Olympic Dr.	Hollycroft		N
9/15/2010	15:02	Burnham Dr.	Borgen Blvd.		N
9/15/2010	17:51	Harborview Dr.	N. Harborview	Fail To Stop at Stop Sign	N
9/16/2010	0:30	Borgen Blvd.	5100		N
9/17/2010	18:08	Burnham Dr.	Borgen Blvd.	No Proof Insurance	N
9/18/2010	13:35	Pioneer Way	Kimball Dr.		N
9/18/2010	14:20	Burnham Dr.	Borgen Blvd.	Driv.on Rd Laned Traffic	N
9/22/2010	8:18	Borgen Blvd.	Burnham		N
9/22/2010	17:19	Olympic Dr.	Pt. Fosdick Dr.	FTY	Y
9/22/2010	17:10	Borgen Blvd.	5100	FTY	Y
9/25/2010	11:00	Pt. Fosdick Dr.	Briarwood Ln		N
9/27/2010	11:30	Pt. Fosdick Dr.	5304		N

TRAFFIC ACCIDENTS FOR 3 rd QUARTER 2010					
DATE	TIME	LOCATION	CROSS STREET	TYPE	INJURY
7/2/2010	15:45	Kimball Dr.	6401		N
7/2/2010	10:40	Sehmel Dr.	Burnham	FTY Making Left Turn	N
7/7/2010	20:10	45th St. Ct.	Pt. Fosdick Dr.		N
7/9/2010	10:30	Soundview Dr.	Judson St.	FTY Right of Way	Y
7/10/2010	1:05	Canterwood Blvd.	Borgen Blvd.	DUI /Poss. Fraud DL	N
7/10/2010	10:00	SR16 Ex Ram	Burnham	Inattention To Driving	N
7/14/2010	21:16	51th Ave.	11330		N
7/15/2010	10:21	Pt. Fosdick Dr.	45th St. NW	FTY while Making Turn	N
7/19/2010	15:18	Pt. Fosdick Dr.	4601		N
7/20/2010	14:35	Rosedale St.	Skansie	Inattention To Driving	Y
7/20/2010	15:30	Harbor Hill Dr.	10990		N
7/27/2010	13:40	43rd Ave. Ct.	6515		N
7/27/2010	18:15	Harborview Dr.	Dorotich St.	FTY Making Left Turn	N
7/29/2010	18:04	Olympic Dr.	Pt. Fosdick Dr.	FTY From Private Drive	N
7/28/2010	20:00	Harborview Dr.	Soundview Dr.	DUI	N
7/30/2010	10:41	Olympic Dr.	HWY 16	FTY Right of Way	N
8/1/2010	15:20	Rosedale St.	Bayridge Ave.	Inattention To Driving	N
8/2/2010	15:00	Pt. Fosdick Dr.	4423		Y
8/5/2010	16:52	Judson St.	3110		N
8/7/2010	14:07	Olympic Dr.	Hollycroft		N
8/8/2010	8:45	46th Ave.	72nd	Too Fast For Conditions	N
8/12/2010	15:30	Pt. Fosdick Dr.	4600		N
8/14/2010	14:23	Borgen Blvd.	51st Ave.	Failed To Yield	Y
8/16/2010	17:36	Olympic Dr.	4900		Y
8/17/2010	10:10	Hunt St.	3408		N
8/19/2010	14:40	Olympic Dr.	5500		N
8/22/2010	16:53	Harbor Hill Dr.	10990		N
8/22/2010	16:00	Harborview Dr.	2905		N
8/24/2010	14:30	Pioneer Way	7525		N
8/25/2010	10:50	Peacock Hill Dr.	10414	FTY	N
8/26/2010	0:56	Hollycroft	Olympic Dr.	Failed To Provide Ins.	Y
8/26/2010	21:41	51st Ave	11330		N
8/28/2010	15:00	Borgen Blvd.	5120		N









3rd Quarter Crime Report

Year-to-date (through August 2010) there were **649 incidents** within the city of **Gig Harbor**. Over all we saw a 26% decrease in all reported crime through August of this year. The most notable increase has again been in burglaries at 32%. This is the same trend we have seen throughout the first two quarters of 2010. (Note: the September crime totals have not been processed at the writing of this report)

Kidnap/Child Lure					
	August 2009	August 2010	Year-To-Date (through Aug 2009)	Year-To-Date (through Aug 2010)	Year-To-Date Percent Change
Child Luring	0	0	1	1	0%
Kidnapping (restrain or abduct)	0	0	0	0	0%
Kidnap/Child Lure Total:	0	0	1	1	0%

Violent Crimes					
	August 2009	August 2010	Year-To-Date (through Aug 2009)	Year-To-Date (through Aug 2010)	Year-To-Date Percent Change
Aggravated Assault	1	1	4	4	0%
Non Aggravated Assault	2	3	26	17	-35%
Homicide	0	0	0	0	0%
<i>Business Robbery:</i>	0	0	0	6	N/A
<i>Residential Robbery:</i>	0	0	1	1	0%
<i>Street Robbery:</i>	0	0	4	0	-100%
<i>Other Robbery:</i>	0	0	2	0	-100%
Robbery	0	0	7	7	0%
Violent Crimes Total:	3	4	37	28	-24%

Property Crimes					
	August 2009	August 2010	Year-To-Date (through Aug 2009)	Year-To-Date (through Aug 2010)	Year-To-Date Percent Change
<i>Residential Arson:</i>	0	0	0	0	0%
<i>Non-Residential Arson:</i>	0	0	0	0	0%
Arson	0	0	0	0	0%
Motor Vehicle Theft	2	1	15	18	20%
<i>Gas Station Runouts:</i>	1	0	2	2	0%
<i>Mail Theft:</i>	2	0	4	1	-75%
<i>Shoplifting:</i>	11	5	66	39	-41%
<i>Theft from Vehicle:</i>	8	15	65	90	38%
<i>Trailer Theft:</i>	0	0	1	2	100%
<i>Boat Theft:</i>	0	0	2	1	-50%
<i>Other Theft:</i>	7	2	32	30	-6%
Theft	29	22	172	165	-4%

<i>Residential Burglary:</i>	3	2	14	22	57%
<i>Non-Residential Burglary:</i>	0	1	23	27	17%
Burglary	3	3	37	49	32%
<i>Residential Vandalism:</i>	4	8	84	78	-7%
<i>Non-Residential Vandalism:</i>	1	1	4	3	-25%
Vandalism	5	9	88	81	-8%
Property Crimes Total:	39	35	312	313	0%

Drug Crimes					
	August 2009	August 2010	Year-To-Date (through Aug 2009)	Year-To-Date (through Aug 2010)	Year-To-Date Percent Change
Drug Possession (Methamphetamine)	1	1	3	3	0%
Drug Sale/Manufacture (Methamphetamine)	0	0	1	0	-100%
Drug Possession (Other)	4	8	32	45	41%
Drug Sale/Manufacture (Other)	1	0	8	5	-37%
Drug Crimes Total:	6	9	44	53	20%

Warrant Arrests, Fraud, Traffic, and Other Incidents					
	August 2009	August 2010	Year-To-Date (through Aug 2009)	Year-To-Date (through Aug 2010)	Year-To-Date Percent Change
Weapons Violations	1	0	7	0	-100%
Warrant Arrests	9	14	57	35	-39%
Fraud or Forgery	9	2	58	53	-9%
Criminal Traffic	43	11	298	116	-61%
Liquor Law Violations	6	3	29	23	-21%
Telephone Harassment	1	0	7	5	-29%
Intimidation	0	0	8	2	-75%
Possession of Stolen Property	0	3	6	11	83%
Warrant Arrests, Fraud, Traffic, and Other Incidents Total:	69	33	470	245	-48%

Other Crimes					
	August 2009	August 2010	Year-To-Date (through Aug 2009)	Year-To-Date (through Aug 2010)	Year-To-Date Percent Change
Criminal Trespass	0	0	5	7	40%
Failure to Register/Sex Offender	0	0	2	0	-100%
Simple assaults	0	0	0	0	0%
Trafficking in Stolen Property	0	0	1	2	100%
Other Crimes Total:	0	0	8	9	13%

Totals					
	August 2009	August 2010	Year-To-Date (through Aug 2009)	Year-To-Date (through Aug 2010)	Year-To- Date Percent Change
Grand Total:	117	81	872	649	-26%

###

PROCLAMATION OF THE MAYOR OF THE CITY OF GIG HARBOR

WHEREAS; the pandemic of homeless and orphaned children is exponentially growing, leaving 145 million children orphaned or displaced globally; and

WHEREAS; children who have been orphaned or rendered vulnerable by AIDS are among the most impoverished children of the world- currently over 15,000,000; and

WHEREAS; the orphan crisis, (including displaced children from wars, natural disasters and AIDS) creates a humanitarian and economic challenge that our global society must urgently address- There are more than 53.1 million orphans in Sub Sahara Africa alone; and

WHEREAS; the fragile and vulnerable children left behind from these wars, natural disasters and famine, create an unfathomable poverty that renders addressing hunger as a top priority for our global humanitarian society; Over 60 million orphans go to bed hungry every night; and

WHEREAS; every two seconds, a child becomes an orphan; and

WHEREAS; World Orphans Day contributes to raising public awareness about the plight of these children, whose numbers are on the rise; and

WHEREAS; only a large scale and sustainable political, social and moral awakening and movement by global governments, NGO's and religious groups can address this crisis; and

WHEREAS; the elected Officials, guarantors of the rights of children in their respective districts, encourage the protection and well being of these vulnerable children;

NOW THEREFORE, I, Charles Hunter, Mayor of Gig Harbor, declare November 8, 2010

WORLD ORPHANS DAY

And urge all citizens to take part in activities and observances designed to increase awareness and understanding of the plight of these children.

Chuck Hunter, Mayor

Date

C091080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE: 10/07/2010

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR
(BY ZIP CODE) FOR EXPIRATION DATE OF 20110131

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	PRIVILEGES
1 K&E & SOOK CORPORATION	MARITIME MART 7102 STINSON GIG HARBOR WA 98325 0000	078669	GROCERY STORE - BEER/WINE
2 LAI FOOK, RICHARD ANTHONY LAI FOOK, TERRY-ANN CARLENE	MARKETPLACE GRILLE 8825 N HARBORVIEW DR STE C & D GIG HARBOR WA 98332 2149	084215	BEER/WINE REST - BEER/WINE
3 EMPIRE RESTAURANTS INC.	BLUE CANNON PIZZA COMPANY 4726 BORGEN BLVD STE B GIG HARBOR WA 98332 6832	405752	BEER/WINE REST - BEER/WINE BEER/WINE REST - BEER/WINE
4 HARBORVIEW GROCERY INC	FINHOLM'S MARKET AND GROCERY 8812 N HARBORVIEW DR GIG HARBOR WA 98335 0000	351392	GROCERY STORE - BEER/WINE
5 GRANITE SERVICE, INC.	GIG HARBOR SHELL FOOD MART 7101 PIONEER WAY GIG HARBOR WA 98335 0000	365485	GROCERY STORE - BEER/WINE
6 ZRC OPERATIONS COMPANY, INC.	ODOBA MEXICAN GRILL 4726 BORGEN BLVD STE A GIG HARBOR WA 98335 0000	403619	BEER/WINE REST - BEER/WINE



CERTIFICATE OF APPRECIATION

In Recognition of

The Gig Harbor Historic Waterfront Association

**Geri Ackerman, Jenny Bean, Adam Beardsley, Bill Fogarty, Jo Graffe,
Alfred Gunn, Janice Kadzik, Paul Kadzik, Kathy Kuhn, Kit Kuhn,
Zoe Kuhn, Steve Lynn, Eleanor Morgan, Katherine Morgan,
Marla Morgan, Paul Morgan, Samuel Morgan, Greg Morrison,
Fred Oldenburg, Mike Runion, Kalynda Stearnes,
Sharon Stearnes, and Nancy Stolz**

The City of Gig Harbor recognizes the tremendous effort that goes into upkeep of the flower baskets and would like to thank you and your organization for the year's beautification efforts.

We look forward to working with you in the future.

October 25, 2010

Charles L. Hunter, Mayor

Rob Karlinsey, City Administrator

Subject: Second Reading of Ordinance –
2010 Comprehensive Plan Amendments

Proposed Council Action: Adopt at this
second reading.

Dept. Origin: Planning Department

Prepared by: Jennifer Kester *JK*
Senior Planner

For Agenda of: October 25, 2010

Exhibits: Draft ordinance with exhibits; Applicable
criteria for approval; Planning Commission
recommendations.

Initial & Date

Concurred by Mayor:

CLH 10/12

Approved by City Administrator:

RSK

Approved as to form by City Atty:

e-mail

Approved by Finance Director:

N/A

Approved by Department Head:

TD 10/12/10

Expenditure		Amount		Appropriation	
Required	0	Budgeted	0	Required	0

INFORMATION / BACKGROUND

The attached draft ordinance reflects the Planning Commission's recommendations on the two Comprehensive Plan amendments which were included in 2010 annual review cycle and are still active. Application COMP 10-0003, 96th Street LLC Land Use Map Amendment was withdrawn on September 27, 2010.

The amendments are listed below and have been organized in the order considered by the Planning Commission.

- 1. COMP-10-0001: Parks, Recreation and Open Space Element** – This amendment would insert goals and policies into the Comprehensive Plan related to parks, recreation and open space. The goals and policies match those contained in the recently adopted 2010 Park Plan. This amendment is sponsored by the City of Gig Harbor.
- 2. COMP-10-0002: Capital Facilities Element** – This amendment includes the annual changes to the City's wastewater, water and transportation improvements plan. In addition, the parks, recreation and open space inventory, analysis and project list is being update to reflect the 2010 Park Plan. This amendment is sponsored by the City of Gig Harbor.

The Planning Commission reviewed the proposed amendments at one public hearing and four work study sessions. Approximately twenty (20) members of the public testified or provided

written comments; however, all the comments were on COMP 10-0003 96th Street LLC and use map amendment, now withdrawn. At their August 12th, 2010 work study session, the Planning Commission voted to recommend the two city-sponsored amendments be approved. Notices of the Planning Commission recommendations on those two remaining applications and their findings are enclosed.

The draft ordinance also includes amendments to the Capital Facilities Element in response to comments from the Washington State Department of Commerce. The sections which changed are highlighted in grey in Exhibit B to the Ordinance.

The City Council has been provided binders containing copies of the specific amendments together with planning staff reports and recommendations, Planning Commission minutes and public comment.

POLICY ANALYSIS

The process for Comprehensive Plan amendment (Chapter 19.09) states that the City Council shall consider the Planning Commission's recommendations and after considering the criteria found in GHMC 19.09.170 make written findings regarding each application's consistency or inconsistency with the criteria. Those amendments which are consistent with the criteria should be approved. The applicable criteria for approval are enclosed.

ENVIRONMENTAL ANALYSIS

The SEPA Responsible Official issued a Determination of Non-Significance (DNS) for the proposed amendments on July 14, 2010 per WAC 197-11-340(2). The appeal period for the DNS expired on September 20, 2010.

FISCAL CONSIDERATION

None

BOARD OR COMMITTEE RECOMMENDATION

Having reviewed the proposed 2010 Comprehensive Plan amendments the City of Gig Harbor Planning Commission recommended the City Council **APPROVE** the Parks, Recreation and Open Space Element insertion and Capital Facilities Element amendment (COMP 10-0001 and COMP 10-0002).

RECOMMENDATION / MOTION

Adopt at this second reading.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO GROWTH MANAGEMENT AND PLANNING, MAKING THE FOLLOWING AMENDMENTS TO THE CITY OF GIG HARBOR COMPREHENSIVE PLAN FOR THE 2010 ANNUAL CYCLE: ADDING A PARKS RECREATION AND OPEN SPACE ELEMENT WHICH INCLUDES THE GOALS AND POLICIES CONTAINED IN THE 2010 GIG HARBOR PARK PLAN (COMP 10-0001); AMENDING THE CAPITAL FACILITIES ELEMENT TO UPDATE THE SIX-YEAR IMPROVEMENT PROJECT LISTS AND REVISE THE INVENTORY, ANALYSIS AND LEVEL OF SERVICE FOR PARKS, RECREATION AND OPEN SPACE FACILITIES (COMP 10-0002); PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Gig Harbor plans under the Growth Management Act (chapter 36.70A RCW); and

WHEREAS, the Act requires the City to adopt a Comprehensive Plan; and

WHEREAS, the City adopted a revised GMA Comprehensive Plan as required by RCW 36.70A.130 (4) in December 2004; and

WHEREAS, the City is required to consider suggested changes to the Comprehensive Plan (RCW 36.70A.470); and

WHEREAS, except under circumstances not applicable here, the City may not amend the Comprehensive Plan more than once a year (RCW 36.70A.130); and

WHEREAS, the City is required to provide public notice and public hearing for any amendments to the Comprehensive Plan and the adoption of any elements thereto (RCW 36.70A.035, RCW 36.70A.130); and

WHEREAS, on March 22, 2010, the City Council evaluated the comprehensive plan amendment applications submitted for the 2010 annual cycle, held a public hearing on such applications, and forwarded three comprehensive plan amendment applications to the Planning Commission for further processing in the 2010 Comprehensive Plan annual cycle; and

WHEREAS, on July 14, 2010, the City's SEPA Responsible Official issued a Determination of Non-Significance (DNS) for comprehensive plan amendment applications, pursuant to WAC 197-11-340(2), which was not appealed; and

WHEREAS, the Planning Director notified the Washington State Department of Commerce of the City's intent to amend the Comprehensive Plan and forwarded a copy of the proposed amendments on July 14, 2010 pursuant to RCW 36.70A.106; and

WHEREAS, the Planning Commission held work study sessions on to discuss the applications on July 15, 2010, July 29, 2010, August 5, 2010 and August 12, 2010; and

WHEREAS, the Planning Commission held a public hearing on the Comprehensive Plan amendments on August 5, 2010; and

WHEREAS, on August 12, 2010 the Planning Commission voted to recommend approval of two proposed amendments and recommend denial of one proposed amendments as documented in the Planning Commission's written recommendations signed by Planning Commission Chair, Harris Atkins, all dated August 12, 2010; and

WHEREAS, on September 27, 2010, prior to the scheduled public hearing on the Comprehensive Plan amendments at the City Council, the agent for the property owners of application COMP 10-0003, 96th Street LLC Land Use Map Amendment, announced to the City Council the withdrawal of that application; and

WHEREAS, with the withdrawal of application COMP 10-0003, the City Council did not conduct a public hearing on or consider the application any further; and

WHEREAS, on September 27, 2010, the Gig Harbor City Council held a public hearing on the two remaining proposed amendments to the Gig Harbor Comprehensive Plan for the 2010 annual review cycle; and

WHEREAS, on September 28, 2010, Carl Halsan, agent for the property owners of the 96th Street LLC property submitted a written letter withdrawing application COMP 10-0003; and

WHEREAS, the Gig Harbor City Council had a first reading of an Ordinance implementing the recommendations of the Planning Commission for the two remaining applications and amending the Comprehensive Plan on October 11, 2010; and

WHEREAS, the Gig Harbor City Council had a second reading of an Ordinance implementing the recommendations of the Planning Commission for the two remaining applications and amending the Comprehensive Plan on _____, 2010;

Now, Therefore,

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

Section 1. Comprehensive Plan Text Amendments.

A. **Notice.** The City Clerk confirmed that public notice of the public hearings held by the City Council on the following applications was provided.

B. **Hearing Procedure.** The City Council's consideration of the comprehensive plan text amendments is a legislative act. The Appearance of Fairness doctrine does not apply.

C. **Testimony.** No persons testified on the applications at the September 27, 2010 public hearing.

D. **Criteria for Approval.** The process for Comprehensive Plan amendments (Chapter 19.09) states that the City Council shall consider the Planning Commission's recommendations and after considering the criteria found in GHMC 19.09.170 make written findings regarding each application's consistency or inconsistency with the criteria. The criteria found in GHMC 19.09.170 are as follows:

19.09.170 Criteria for approval.

A. The proposed amendment will further and be consistent with the goals, policies and objectives of the comprehensive plan; and

B. The proposed amendment is consistent with the Growth Management Act, the countywide planning policies and other applicable interjurisdictional policies and agreements, and/or other state or local laws; and

C. The proposed amendment will not adversely impact the city's ability to provide sewer and water, and will not adversely affect transportation facilities and other public facilities and services such as parks, police, fire, emergency medical services and governmental services; and

D. The proposed amendment advances the public interest; and

E. For text amendments which propose to increase density or intensity of permitted development and all land use map amendments, the following approval criteria also apply:

1. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of this amendment, according to one of the following provisions:

a. The city has adequate funds for needed infrastructure, facilities and services to support new development associated with the proposed amendments; or

b. The city's projected revenues are sufficient to fund needed infrastructure, facilities and services, and such infrastructure, facilities and services are included in the schedule of capital improvements in the city's capital facilities plan; or

c. Needed infrastructure, facilities and services will be funded by the developer under the terms of a development agreement associated with the comprehensive plan amendment; or

d. Adequate infrastructure, facilities and services are currently in place to serve expected development as a result of this comprehensive plan amendment based upon an assessment of land use assumptions; or

e. Land use assumptions have been reassessed, and required amendments to other sections of the comprehensive plan are being processed in

conjunction with this amendment in order to ensure that adopted level of service standards will be met; and

2. For a land use map amendment, the subject parcels being redesignated are physically suitable for the allowed land uses in the designation being requested, including compatibility with existing and planned surrounding land uses; and

3. The proposed amendment will not create a demand to change land use designations of other properties, unless the change in land use designation for other properties is in the long-term interest of the community in general.

E. Applications. The City Council hereby enters the following findings and conclusions for each application:

1. COMP 09-0001 – Parks, Recreation and Open Space Element

Summary: A text amendment to insert goals and policies into the Comprehensive Plan related to parks, recreation and open space. The goals and policies match those contained in the Gig Harbor 2010 Park Plan adopted in June 2010. This amendment is sponsored by the City of Gig Harbor.

Findings:

- a) Historically, the City has had a Parks, Recreation and Open Space Element in the Comprehensive Plan. This element was removed in 2009 because the 2001 Park Plan, which had been adopted by reference, had expired and a new 2010 Park Plan was being developed.
- b) The Council finds that the insertion of the goals and policies of the adopted 2010 Park Plan into the Parks, Recreation and Open Space Element is consistent with the approved 2009 comprehensive plan amendment which put the following language in the Parks, Recreation and Open Space Element. *"This chapter is reserved for the parks, recreation and open space plan. The City has removed the expired 2001 plan and is working on a replacement plan for adoption in the 2010 Comprehensive Plan Amendment Cycle."*
- c) The City Council finds that the proposed amendment is consistent with the Growth Management Act, the countywide planning policies and multi-county planning policies.
- d) The City Council finds that any impacts the proposed policies and goals will have on City infrastructure were adequately assessed through the public process which adopted the 2010 Park Plan. Given the adoption of the 2010 Park Plan, the City has already determined that no adverse impacts will occur.
- e) Given the substantial amount of public comment and process in the development of the 2010 Park Plan through the Parks Commission and the adoption of the 2010 Park Plan by the City Council in June 2010, the City Council finds that proposed amendment advances the public interest.

Conclusion: After consideration of the materials in the file, staff presentation, the Planning Commission recommendation, the City's Comprehensive Plan, criteria

for approval found in Chapter 19.09 GHMC, applicable law, and public testimony, the City Council hereby **approves** application COMP 10-0001, as identified in Exhibit A attached to this Ordinance.

2. COMP 10-0002 – Capital Facilities Plan

Summary: A text amendment to make annual changes to the City's wastewater, water and transportation improvements plan. In addition, the parks, recreation and open space inventory, analysis and project list is being updated to reflect the 2010 Park Plan. This amendment is sponsored by the City of Gig Harbor.

Findings:

- a) The City's Comprehensive Plan seeks to keep pace with the population and commercial growth through the funding of capital improvements that manage and allow for the projected growth. The City Council finds that the amendments to the wastewater, water, parks and transportation project lists and parks level of service analysis in the Capital Facilities Plan will allow the City to better address the planning area's needs by identifying capital projects and associated funding strategies.
- b) The City Council finds that the proposed amendment is consistent with the Growth Management Act, the countywide planning policies and multi-county planning policies.
- c) The City Council finds that the amendments are necessary so as not to create significant adverse impacts to the City's infrastructure. Updating the transportation, water, parks and open space project lists in the capital facilities plan allows the City to plan for and provide the necessary infrastructure to serve the development projected by the Comprehensive Plan.
- d) The City Council finds that this amendment serves the public interest by creating a plan to provide the infrastructure needed to meet agreed upon levels of service for citizens and ratepayers and to provide for the growth potential of the City.

Conclusion: After consideration of the materials in the file, staff presentation, the Planning Commission recommendation, the City's Comprehensive Plan, criteria for approval found in Chapter 19.09 GHMC, applicable law, and public testimony, the City Council hereby **approves** application COMP 10-0002, as identified in Exhibit B attached to this Ordinance.

Section 2. Transmittal to State. The Planning Director is directed to forward a copy of this Ordinance, together with all of the exhibits, to the Washington State Commerce Department within ten days of adoption, pursuant to RCW 36.70A.106.

Section 3. Severability. If any portion of this Ordinance or its application to any person or circumstances is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remainder of the Ordinance or the application of the remainder to other persons or circumstances.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this ____ day of October, 2010.

CITY OF GIG HARBOR

Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:

Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Angela S. Belbeck

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

Exhibit "A"
Application COMP 10-0001:
Parks, Recreation and Open Space
Element

Chapter 10

PARKS, RECREATION AND OPEN SPACE

~~This chapter is reserved for the parks, recreation and open space plan. The City has removed the expired 2001 plan and is working on a replacement plan for adoption in the 2010 Comprehensive Plan Amendment Cycle.~~

INTRODUCTION

The 2010 Parks, Recreation and Open Space Plan (Park Plan) for Gig Harbor represents the City's vision, and provides goals and objectives for the development of parks, recreation and open spaces in Gig Harbor for the next six years and beyond. Only key elements of the Park Plan are incorporated into the Comprehensive Plan. This chapter includes the goals and policies adopted in the Park Plan, while the inventory, levels of service and 6-year capital facilities projects are included in Chapter 12, Capital Facilities.

Since the adoption of the previous Plan in 2003, the City of Gig Harbor has completed many park projects and has acquired significant park properties. Newly completed park projects include the Civic Center which includes a large multi-use public green, skate park, and playground; Kenneth Leo Marvin Veterans Memorial Park and a two mile expansion of the Cushman Trail. Park properties acquired since 2003 include two sites adjacent to City Park that help protect Crescent Creek, Eddon Boat Park and Austin Estuary. These projects were made possible through grants and partnerships with business, organizations, government, outside funders, and citizens.

The 2010 update was put together using a variety of approaches including:

- Direction and vision from the Parks Commission
- Public Workshop
- Information gathered from the 2008 National Citizen Survey
- Community Intercept Interviews
- Staff input
- Review of site or project specific committee recommendations related to parks
- City Council public hearing and adoption

The general themes expressed by the public include:

- Trail development
- Expanding partnerships to leverage City funds
- Pursuing the acquisition of additional land in developing areas
- Improving public access to natural features including shoreline and critical areas

Using local standards adopted in the Parks, Recreation and Open Space Plan, the City will need 55.57 additional park-acres. Given the importance of public access to the City's waterfront and trail connections expressed by the public, levels of service have been developed for waterfront parks and trails. Funding will continue to be scarce, so taking advantage of grants, partnerships and local resources will be necessary. This plan outlines options and strategies to complete different projects and aspects of the plan. Project funding, prioritization and scope are reviewed

each year as a part of the annual budget process and update of the capital facilities element of the Comprehensive Plan.

The 2010 Gig Harbor Park Recreation and Open Space Plan will help guide the city staff, park commission and city council in meeting identified gaps in services and park development in order to meet the need and support the quality of life for our citizens in the coming years.

VISION

Gig Harbor's Vision: To develop a quintessential system of parks, trails and open spaces that enhance the City's history, environmental features, and sense of place to encourage both active and passive forms of recreation popular on the peninsula.

GOALS AND POLICIES

OPEN SPACE PRESERVATION AND WILDLIFE RESOURCES

GOAL 10.1: DEVELOP A HIGH QUALITY, DIVERSIFIED PARK SYSTEM THAT PRESERVES AND ENHANCES SIGNIFICANT ENVIRONMENTAL RESOURCES AND FEATURES. INCORPORATE UNIQUE ECOLOGICAL FEATURES AND RESOURCES TO PROTECT THREATENED SPECIES, PRESERVE HABITAT, AND RETAIN MIGRATION CORRIDORS THAT ARE UNIQUE AND IMPORTANT TO LOCAL WILDLIFE.

10.1.1. Acquire and preserve especially sensitive or unique habitat sites that support threatened or endangered species and urban wildlife habitat.

10.1.2. Identify and conserve critical wildlife habitat including nesting sites, foraging areas, and migration corridors within or adjacent to natural areas, open spaces, and the developed urban areas.

IDENTIFY URBAN GROWTH PRESERVES

GOAL 10.2: COORDINATE WITH OTHER PUBLIC AND PRIVATE AGENCIES, AND WITH PRIVATE LANDOWNERS TO PRESERVE LAND AND RESOURCES NECESSARY TO PROVIDE HIGH QUALITY, CONVENIENT PARK AND RECREATIONAL FACILITIES BEFORE THE MOST SUITABLE SITES ARE LOST TO DEVELOPMENT.

10.2.1. Continue coordination with PenMet Parks and other agencies on meeting park, recreation, and open space needs through the City and urban growth area to assure that needs are met and services are not duplicated.

10.2.2. Identify lands needed to meet long-term demand for parks, recreation and open space in developing areas such as the wooded, undeveloped, and sensitive lands.

10.2.3. Prior to annexation of urban growth areas review park, recreation, and open space needs to determine potential impacts to adopted levels of service. Such impacts shall be considered when determining the impacts of a potential annexation.

DEVELOPING HEALTHY COMMUNITIES

GOAL 10.3: THROUGH THE CITY'S PERMIT PROCESS, REQUIRE, WHEN POSSIBLE, NEW DEVELOPMENT TO SUPPORT AND ENHANCE THE PEDESTRIAN ENVIRONMENT TO PROMOTE HEALTHY LIFESTYLES AND ACTIVE COMMERCIAL AREAS.

10.3.1. Require pedestrian friendly design features (including but not limited to placement of new buildings, on-site walkways, and pedestrian scale site features) on new developments to promote active healthy lifestyles within the community.

10.3.2. Require non-residential developments to provide common areas (such as town squares, plazas, or pocket parks) proportional to size of the development and the impact on existing park infrastructure to serve the recreational needs of employees and customers. Encourage these spaces to be used as the focus of commercial and civic buildings.

PARK DESIGN STANDARDS

GOAL 10.4: DESIGN AND DEVELOP FACILITIES THAT ARE ACCESSIBLE, SAFE, AND EASY TO MAINTAIN, WITH LIFE CYCLE FEATURES THAT ACCOUNT FOR LONG-TERM COSTS AND BENEFITS.

General

10.4.1. Create park plans for the potential development and re-development of City park properties.

10.4.2. Incorporate features and amenities into parks that fit the local context; contribute to environmental sustainability; and are accessible, safe, and easy to maintain for the long term.

10.4.3. Provide maps at the City's larger parks, documenting park and trail opportunities in the vicinity of the park.

10.4.4. Develop and maintain parks consistent with local, state and federal environmental regulations.

Accessibility

10.4.5. Design park and recreation facilities to be accessible in accordance with the American Disabilities Act (ADA).

Maintenance

10.4.6. Design and develop facilities that are of low maintenance and high capacity design to reduce overall facility maintenance and operation requirements and costs.

10.4.7. Where appropriate, use low maintenance materials, settings or other value engineering considerations that reduce care and security requirements, and retain natural conditions and experiences.

Security and Safety

10.4.8. Implement design and development standards that will improve park facility safety and implement security features for park users, department personnel, and the public-at-large.

10.4.9. Continue to develop and implement safety standards, procedures, and programs that will provide proper training and awareness for department personnel.

10.4.10. Define and enforce rules and regulations concerning park activities and operations that will protect user groups, department personnel, and the general public-at-large.

10.4.11. Where appropriate, use adopt-a-park programs, neighborhood park watches, park police patrols, and other innovative programs that will increase safety and security awareness and visibility.

TRAIL AND CORRIDOR ACCESS SYSTEMS

GOAL 10.5: DEVELOP A HIGH QUALITY SYSTEM OF MULTIPURPOSE PARK TRAILS AND CORRIDORS THAT PROVIDE ALTERNATIVE TRANSPORTATION OPTIONS AND LOW IMPACT RECREATIONAL OPPORTUNITIES FOR RESIDENTS OF ALL AGES AND ABILITIES IN COORDINATION WITH THE CITY'S NON-MOTORIZED TRANSPORTATION PLAN.

Trail Systems

10.5.1. Create a comprehensive system of multipurpose off-road trails using the Cushman Trail as the backbone of the system. Trails should be developed to provide access to significant environmental features, public facilities, neighborhoods and businesses districts to promote physical activity and a health conscious community.

10.5.2. Leveraging the resources of WSDOT, private developers and other agencies, construct pedestrian facilities that cross SR-16 and other highways (ex: pedestrian overpass at BB16).

10.5.3. Trails should be connected to nearby sidewalk facilities wherever feasible to facilitate the use of the off-street trail systems for non-motorized transportation and recreation. Where sidewalks are an integrated component of a trail system, larger sidewalks may be needed.

10.5.4. Work with PenMet Parks, Pierce County, Tacoma, the Washington State Department of Transportation, and other appropriate jurisdictions to link and extend Gig Harbor trails to other regional trail facilities.

10.5.5. Extend trails through natural area corridors like the Crescent and Donkey (North) Creek corridors, and Wollochet Drive wetlands within the City that will provide a high quality, diverse sampling of area environmental resources, in balance with habitat protection.

Trail Development and Amenities

10.5.6. Develop trails consistent with the park development goals and policies where applicable.

10.5.7. Furnish trail systems with appropriate supporting trailhead improvements that may include interpretive and directory signage systems, rest stops, drinking fountains, restrooms, parking and loading areas, water and other services.

10.5.8. Where appropriate, locate trailheads at or in conjunction with park sites, schools, and other community facilities to increase local area access to the trail system and reduce duplication of supporting improvements.

10.5.9. Develop trail improvements of a design that is easy to maintain and access by maintenance, security, and other appropriate personnel, equipment, and vehicles.

10.5.10. Develop trail accessibility standards to provide for accessible trails where possible and support a diversity of non-motorized uses. Such standards should not prohibit construction of trails where grade or corridor width will not allow full accessibility or trail widths for all uses.

10.5.11. Develop and implement a system of signs to mark trails and non-motorized routes that coordinates with the City's streetscape and furniture standards. Such signage should be developed in accordance with the City's adopted way finding plan.

RECREATIONAL FACILITIES

GOAL 10.6: DEVELOP A QUALITY, DIVERSIFIED RECREATION SYSTEM THAT PROVIDES FOR ALL AGE AND INTEREST GROUPS.

Waterfront Access and Facilities

10.6.1. Cooperate with Pierce County, PenMet Parks, the Washington State Department of Fish & Wildlife, and other public and private agencies to acquire and preserve additional shoreline access for waterfront fishing, wading, swimming, viewing and other related recreational activities and pursuits, recognizing the rights of property owners in the vicinity of such sites.

10.6.2. Develop and/or encourage a mixture of watercraft access opportunities including canoe, kayak, sailboard, and other non-power boating activities, especially on Gig Harbor Bay and along the Puget Sound shoreline.

Athletic Facilities

10.6.3. Concentrate on field and court activities like soccer, football, baseball, basketball, tennis, pickleball and volleyball that provide for the largest number of participants.

10.6.4. Encourage, leverage the development, or develop, where appropriate, a select number of facilities that provide a quality playing environment, possibly in conjunction with PenMet Parks, Pierce County, Peninsula School District, and other public or private agencies. Such facilities should be developed to meet the requirements for all age groups, skill levels, and recreational interests where possible.

Indoor Facilities

10.6.5. Facilitate the continued development by the Peninsula School District and other organizations, of special meeting, assembly, eating, health, cultural, and other community facilities that provide general support to school age populations and the community-at-large at elementary, middle, and high schools within the City, urban growth area and the greater peninsula.

SPECIAL PURPOSE FACILITIES

GOAL 10.7: ENCOURAGE THE DEVELOPMENT OF QUALITY FACILITIES THAT MEET THE INTERESTS OF ALL SEGMENTS OF THE COMMUNITY.

10.7.1. Where appropriate and economically feasible (self-supporting), encourage other organizations to develop and operate specialized and special interest recreational or cultural facilities like theater, golf and water parks for these interests in the general population.

10.7.2. Where appropriate, facilitate and encourage joint planning and operating programs with other public and private agencies to determine need and provide for special activities like golf, performing arts, water parks, and camping on an area wide basis.

RECREATIONAL PROGRAMS

GOAL 10.8: COORDINATE WITH AND ENCOURAGE THE EFFORTS OF OTHER

AGENCIES AND NON-PROFIT RECREATIONAL PROVIDERS TO ASSURE THAT THE RECREATIONAL NEEDS OF THE GIG HARBOR RESIDENTS ARE MET.

10.8.1. Facilitate and encourage other organizations to provide arts and crafts, classroom instruction in music and dance, physical conditioning and health care, meeting facilities, daycare, latch key, and other program activities for all cultural, age, physical and mental capability, and income groups in the community.

10.8.2. Endorse the efforts of local non-profit organizations to provide soccer, baseball, softball, basketball, volleyball, tennis, pickleball, and other instruction and participatory programs for all age, skill level, and income groups in the community.

10.8.3. Assist historical and cultural societies to develop and display artifacts, reports, and exhibits; and conduct lectures, classes, and other programs that document and develop awareness of Gig Harbor's heritage.

HISTORIC RESOURCES

GOAL 10.9: DEVELOP A HIGH QUALITY, DIVERSIFIED PARK SYSTEM THAT PRESERVES SIGNIFICANT HISTORIC OPPORTUNITY AREAS AND FEATURES.

10.9.1. Identify, preserve, and enhance Gig Harbor's multicultural heritage, human history of the City and its neighborhoods, traditions, and cultural features including historic sites, buildings, artworks, objects, views, and monuments.

10.9.2 Identify and incorporate significant historic and cultural lands, sites, artifacts, and facilities into the park system to preserve these interests and to provide a balanced social experience.

10.9.3 Register City owned parks, structures and open space properties that are eligible for the Gig Harbor Register of Historic Places and utilize the City's Certified Local Government (CLG) board to determine appropriate preservation methods and traditional uses.

10.9.4. Encourage the Harbor History Museum, Gig Harbor BoatShop, Gig Harbor Fishermen's Civic Club and others to make cultural programs and activities more accessible to the public.

10.9.5. Encourage the owners of historic sites and structures to provide increased public access.

10.9.6. Consider adopting incentives and adaptive re-use provisions for properties listed on the City's Historic Register to encourage retention of such structures.

CULTURAL ARTS PROGRAMS AND RESOURCES

GOAL 10.10: ENCOURAGE FINE AND PERFORMING ARTS PARTNERSHIPS AND PROGRAMS THAT REFLECT THE COMMUNITY'S VISION AND CULTURE.

10.10.1. Identify public art opportunities that highlight the cultural and historical connections within our community through local history, environmental systems, cultural traditions, and visual symbols.

10.10.2. Use public art to create visible landmarks and artistic points of reference to reinforce Gig Harbor's identity, unique culture and character.

10.10.3. Acquire works of art through a variety of methods including commissioned works, temporary works, direct purchases, and community projects.

10.10.4. In cooperation with area artists and cultural organizations, utilize the city's website as a clearinghouse for arts information and resource sharing.

FINANCIAL RESOURCES AND COORDINATION

GOAL 10.11: CREATE EFFECTIVE AND EFFICIENT METHODS OF ACQUIRING, DEVELOPING, OPERATING AND MAINTAINING FACILITIES AND PROGRAMS THAT ACCURATELY DISTRIBUTE COSTS AND BENEFITS TO THE GENERAL PUBLIC AND PRIVATE DEVELOPMENT.

Finance

10.11.1. Investigate available methods for the financing of facility development, maintenance, and operation in order to reduce costs, retain financial flexibility, match user benefits and interests, and increase facility services.

10.11.2. Consider joint ventures with other public and private agencies such as PenMet Parks, Pierce County, Peninsula School District, regional, state, federal, and other public and private agencies including for-profit concessionaires, where feasible and desirable.

Public and Private Resource Coordination

10.11.3. Engage in joint planning and development efforts with PenMet Parks, Pierce County, Peninsula School District, and other public and private agencies to avoid duplication; improve facility quality and availability; reduce costs; and represent resident area interests.

Cost/Benefit Assessment

10.11.4. Define existing and proposed land and facility levels-of-service (ELOS/PLOS) that differentiate requirements due to: population growth impacts versus improved facility standards; neighborhood versus community nexus of benefit; city versus the combination of city, county, school, and other provider agency efforts; in order to effectively plan and program park and recreation needs within the existing city and urban growth area boundaries.

10.11.5. Create effective and efficient methods of acquiring, developing, operating, and maintaining park and recreational facilities in manners that accurately distribute costs and benefits to public and private user interests - including the application of growth impact fees where new developments impact existing level-of-service (ELOS) standards.

HUMAN RESOURCES

GOAL 10.12: DEVELOP, TRAIN, AND SUPPORT A PROFESSIONAL PARKS STAFF THAT EFFECTIVELY SERVES THE COMMUNITY IN THE REALIZATION OF THE ABOVE LISTED GOALS AND POLICIES.

10.12.1. Continue to train a diverse, well-trained work force that is motivated to achieve department and citywide goals.

10.12.2. Encourage teamwork through communications, creativity, positive image, risk taking, sharing of resources, and cooperation toward common goals.

10.12.3. Where appropriate, provide staff with education, training, and modern equipment and supplies to increase personal productivity, efficiency, and pride.

Exhibit “B”
Application COMP 10-0002:
Capital Facilities Element

Chapter 12

CAPITAL FACILITIES

INTRODUCTION

A Capital Facilities Plan is a required element under the State Growth Management Act, Section 36.70A.070 and it addresses the financing of capital facilities in the City of Gig Harbor and the adjacent urban growth area. It represents the City and community's policy plan for the financing of public facilities over the next twenty years and it includes a six-year financing plan for capital facilities. The policies and objectives in this plan are intended to guide public decisions on the use of capital funds. They will also be used to indirectly provide general guidance on private development decisions by providing a strategy of planned public capital expenditures.

The capital facilities element specifically evaluates the city's fiscal capability to provide public facilities necessary to support the other comprehensive plan elements. The capital facilities element includes:

- Inventory and Analysis
- Future Needs and Alternatives
- Six-Year Capital Improvement Plan
- Goals, Objectives and Policies
- Plan Implementation and Monitoring

Level of Service Standards

The Capital Facilities Element identifies a level of service (LOS) standard for public services that are dependent on specific facilities. Level of service establishes a minimum capacity of capital facilities that must be provided per unit of demand or other appropriate measure of need. These standards are then used to determine whether a need for capacity improvements currently exists and what improvements will be needed to maintain the policy levels of service under anticipated conditions over the life of the Comprehensive Plan. The projected levels of growth are identified in the Land Use and Housing Elements.

Major Capital Facilities Considerations and Goals

The Capital Facilities Element is the mechanism the city uses to coordinate its physical and fiscal planning. The element is a collaboration of various disciplines and interactions of city departments including public works, planning, finance and administration. The Capital Facilities Element serves as a method to help make choices among all of the possible projects and services that are demanded of the City. It is a basic tool that can help encourage rational decision-making rather than reaction to events as they occur.

The Capital Facilities Element promotes efficiency by requiring the local government to

prioritize capital improvements for a longer period of time than the single budget year. Long range financial planning presents the opportunity to schedule capital projects so that the various steps in development logically follow one another respective to relative need, desirability and community benefit. In addition, the identification of adequate funding sources results in the prioritization of needs and allows the tradeoffs between funding sources to be evaluated explicitly. The Capital Facilities Plan will guide decision making to achieve the community goals as articulated in the Vision Statement of December, 1992.

INVENTORY AND ANALYSIS

The inventory provides information useful to the planning process. It also summarizes new capital improvement projects for the existing population, new capital improvement projects necessary to accommodate the growth projected through the year 2010 and the major repair, renovation or replacement of existing facilities.

Inventory of Existing Capital Facilities

Wastewater System

Existing Capital Facilities

Gig Harbor's original collection system, constructed in 1974-1975, served the downtown area and an area south of downtown. The original system was called Utility Local Improvement District (ULID) #1 and included six lift stations. ULID #2 was constructed to the south of ULID #1 in 1988 to serve south Gig Harbor including portions of Soundview Drive, Harbor Country Drive, Point Fosdick Drive, and Olympic Drive. ULID #3 was constructed north of ULID #1 in 1992 to serve North Gig Harbor including the area along Burnham Drive north of Harborview Drive, the Washington State Women's Corrections Center off Bujacich Drive, and the Purdy area including the Peninsula School District campus in Purdy.

Further expansions of the City's collection system were built under development agreements and as mitigation conditions of proposed development through the state environmental policy act (SEPA) process. As of 2009 the City's collection system consisted of approximately 150,000 feet of gravity sewers, 32,000 feet of sewer force mains, and 15 lift stations.

The City's wastewater treatment plant (WWTP) is located on five acres, west of Harborview Drive at its intersection with North Harborview Drive. The original WWTP was brought online to provide secondary treatment of municipal sewage in 1975. The original WWTP had a design capacity of 0.45 million gallons per day (MGD) with an average organic loading of 700 lbs BOD₅/day. In 1988, the WWTP was expanded to treat 0.7 MGD and an average organic loading of 1,800 lbs BOD₅/day. The WWTP was expanded again in 1996 to treat 1.0 MGD and permitted to treat a capacity of 1.6 MGD and an average organic loading of 3,400 lbs BOD₅/day. In 2009 the City started construction of Phase I of additional improvements to the WWTP to expand the treatment capacity to the permitted capacity.

The WWTP consists of the following major components: influent flow meter, influent screens, screening press, aeration basins, blowers, secondary clarifiers, return activated sludge pumps, waste activated sludge pump, aerobic digester, digested sludge pumps, sludge dewatering centrifuge, chlorinators, chlorine contact tanks, dechlorination system, and effluent discharge pumps. Effluent from the WWTP is piped through an outfall that discharges in to Gig Harbor.

In addition to sewer service within the Gig Harbor UGA, the City of Gig Harbor owns, operates, and maintains a septic system for the Shorecrest Development along Ray Nash Drive NW located about 5 miles west of the City. The Shorecrest septic system is a 12-unit development with an on-site septic system and pressurized drainfield.

Level of Service

The City introduced a requirement in May 2006 through Ordinance #1044 for most new development and redevelopment projects to request a portion of the treatment capacity at the City's wastewater treatment plant (WWTP) through the sewer capacity reservation certificate (CRC) process. Each CRC reserves a specific number of gallons per day for treatment at the wastewater treatment plant based on the current value of an equivalent residential unit (ERU). Since the WWTP has limited capacity to treat wastewater, the City identifies by way of the sewer CRC process those projects that the City's WWTP has adequate public wastewater facilities to treat.

In August 2007 the City released a statement indicating the City may not be able to grant any additional sewer CRCs until a planned expansion project at the WWTP is completed. The anticipated completion date of the planned expansion project is November 2010. At the time of completion, the projected wastewater treatment capacity will be increased to 1.6 million gallons per day (MGD). The net increase of capacity compared to the previous capacity is 0.4 MGD, or approximately 2,667 ERUs. Based on maximum monthly flow projections, the projected treatment capacity of 1.6 MGD will be adequate for the next six years. Upon completion of design on Phase 1 expansion at the WWTP the City started construction of the design improvements in 2009 with the intent of providing additional treatment capacity.

Forecast of Future Needs

The City has used a demographics forecasting allocation model (DFAM) to forecast future population growth on undeveloped and underdeveloped parcels within the City's urban growth area (UGA). The primary input to the DFAM was a result of the City's Buildable Lands Analysis. The resulting population growth was then correlated to the generation of sewer flows to provide an estimate of the distribution of sewer flows throughout the City's UGA. These forecasted flows and descriptions of future wastewater needs are described further in the City's Wastewater Comprehensive Plan.

Future Wastewater Collection Needs

The City's collection system is planned at full build-out to expand to the limits of the UGA. The

collection system has been divided into a total of 21 topographic basins, also known as sewer basins. At build-out each sewer basin will have one sewer pump station and a mixture of sewer gravity mains and sewer force mains. The design and construction of undeveloped and under-developed sewer basins may be financed by developers as conditions of SEPA or land use approval, and/or utility local improvement districts (ULIDs).

As noted above in the description of the existing capital facilities, the City's core area has an established sewer collection system. Some areas within the City's UGA are capable of having sewer flows conveyed through the use of gravity to existing sewer lift stations. However, in most areas the future development of the City's sewer collection system will occur in areas beyond the City's core area. These areas have a topographic low point where wastewater must be collected and pumped and may require construction of a new sewer pump station, also known as a lift station. Only one lift station shall be utilized in each sewer basin.

In situations where a new sewer lift station must be constructed two scenarios exist. The first scenario is where no lift station is located in the sewer basin. The proposed development activity shall design and construct a new lift station that will collect sewer flows from the proposed development and all future development upstream in the sewer basin.

The second scenario is where an existing lift station is already located in the sewer basin but the proposed development activity is located lower in elevation than the existing lift station. The proposed development activity shall design and construct a new lift station that will collect sewer flows from the existing lift station, the proposed development and all future development upstream in the sewer basin. The existing lift station would then be demolished.

Due to the likely potential for mechanical and electrical failures and the complications that arise when these failures occur, developments shall maximize gravity flows while minimizing the use of lift stations and grinder pumps.

Only developments lower in elevation than an existing lift station or gravity main AND lower in elevation than the path of sewer main construction may, upon approval of the Public Works Director, use grinder pumps in lieu of constructing a new lift station.

The City's Public Works Department provides continuous maintenance of the existing collection system. Future needs of the existing collection system are mostly limited to projects requiring rehabilitation of the lift stations. However, through the modeling of projected wastewater flows, no projects have been identified in the short term as necessary to increase the capacity of a gravity sewer main. Funding for the ongoing maintenance of the existing collection system, including rehabilitation of existing lift stations and replacement of existing sewer mains may be funded by utility connection fees and utility rates.

Specific facility improvements anticipated to accommodate the upcoming six year planning period are listed in Table 12.5.

Future Wastewater Treatment Plant Needs

To treat wastewater flows and waste load projections for the anticipated 20 year planning horizon the City will need to increase the permitted capacity of the treatment plant. With the construction of the Phase I improvements to the WWTP scheduled to be completed in 2010⁰⁹, the City anticipates the need for completing the design and construction of the Phase II WWP improvements and extending the marine portion of the wastewater outfall into Colvos Passage to receive approval on an increased wastewater discharge.

Reclaimed Water Investigation.

The State has identified reclaimed water as an important water resource management strategy that can offer benefits related to potable water supply, wastewater management, and environmental enhancement. The City has acknowledged the State’s acceptance and promotion of reclaimed water as being a viable and important water resource management tool through the adoption of a comprehensive plan goal for the wastewater utility to explore options to create reclaimed water. Table 12.5 identifies an annual project for the study and investigation of wastewater reuse and reclaimed water.

Water System

Existing Capital Facilities

The City of Gig Harbor Water System, limited by its retail water service area (RWSA), is unique in that many residents within the City limits and the City’s UGA receive water service from adjacent water purveyors. Approximately 35% of the population within the City limits and City’s UGA receives water from the City, and the remainder within the City limits and City’s UGA receive water from other water purveyors or from private wells.

The City of Gig Harbor Water System was originally built in the late 1940's. Today, the City’s RWSA encompasses approximately 4.4 square miles with 1,927 service connections serving approximately 4,700 people. The City operates six groundwater wells that supply water to its water service customers, and has more than 37 miles of pipeline and six reservoirs located around the City. Summaries of the City’s well source supply and storage facilities are provided in Table 12.1 and Table 12.2, respectively, below. The City also provides wholesale water service to multiple customers outside the City’s RWSA, and has an emergency intertie with one purveyor.

Table 12.1 - Summary of Well Source Supply

Well No.	Location (Sec-Twnshp-Rge)	Date Drilled	Capacity (GPM)	Depth (Ft.)	Status
1	8-21N-2E	1949	120	246 320	Inactive
2	32-22N-2E	1962	280	116	Active
3	17-21N-2E	1978	750	745	Active
4	8-21N-2E	1988	200	399	Active

5	7-21N-2E	1990	543	705	Active
6	7-21N-2E	1991	975	566	Active
7	31-22N-2E	N/A	40	393	Inactive
8	17-21N-2E	1965	20	231	Active

Source: City of Gig Harbor Water Facilities Inventory (WFI) Report, 2008; DOE Water Right Certificates

Table 12.2 - Summary of Storage Facilities

Storage Facility	Associated with Well No.	Total Capacity (gallons)	Base Elevation (ft)	Overflow Elevation (ft)
East Tank	2	250,000	304	320
Harbor Heights Tank 1	4	250,000	290	320
Harbor Heights Tank 2	4	250,000	290	320
Shurgard Tank	3	590,000	339	450
Skansie Tank	5 & 6	1,000,000	338	450
Gig Harbor North Tank	None	2,300,000	301	450
Total		4,640,000		

Source: City of Gig Harbor 2009 Water System Plan

As with most municipalities, the City’s water distribution system has developed continuously as demands and the customer base have grown. This evolution has created a distribution system comprised of pipes of various materials, sizes, and ages. Some areas of the City have pipe materials, sizes, and age that do not meet current construction standards or underperform. A detailed description of the existing water supply system may be found in the City of Gig Harbor Water System Plan.

Level of Service

The City introduced a code requirement in January 2001 through Ordinance #862 for most new development and redevelopment projects to request a portion of capacity of the City’s water system through the water capacity reservation certificate (CRC) process. Each CRC reserves a specific number of gallons per day based on the current value of an equivalent residential unit (ERU). Since the City has limited capacity to withdraw water, the City identifies by way of the water CRC process those projects that the City’s water system has adequate public facilities to treat capacity to provide water.

The City’s Water System Plan identifies the City’s current annual water rights at 10,110 ERUs and a projected water demand in 2018 at 7,012 ERUs. Based on annual water rights the City has capacity to serve water beyond the next six years.

Analysis of the existing storage facilities in the City of Gig Harbor Water System Plan indicates that the City can meet all of its storage needs through the 20-year planning horizon with existing facilities by nesting standby storage and fireflow storage. Consequently the City is not currently

planning for additional storage facilities in the 20-year planning horizon.

Forecast of Future Needs

The City has used a demographics forecasting allocation model (DFAM) to forecast future population growth on undeveloped and underdeveloped parcels within the City's RWSA. The primary input to the DFAM was a result of the City's Buildable Lands Analysis. The resulting population growth was then correlated to the generation of water demands to provide an estimate of the water demands throughout the City's UGA. These forecasted water demands are described further in the City's Water System Plan.

The City has used results of the DFAM and water system modeling to analyze future demands and the resulting impacts to the City's water supply, distribution system, and storage.

The City's planned water supply meets the short-term projected demands. However, it is the City's goal to meet the maximum day water demand with the largest source out of service. This increases the City's reliability and redundancy of their water supply system. Currently the City's water system cannot meet this goal. Therefore additional sources, including up to two new deep aquifer wells and one shallow aquifer well, are planned to meet this goal. The deep aquifer wells may produce up to 1,000 acre-ft per year and 1,000 gallons per minute each and are denoted as Well No. 9 (adjacent to the Gig Harbor North reservoir), Well 11 (location undetermined adjacent to the Skansie reservoir) or Well 12 (location undetermined adjacent to the Harbor Heights reservoirs). The shallow aquifer well may produce up to 750 acre-ft per year and 500 gallons per minute and is denoted as Well No. 10 (located within Crescent Creek Park).

The City's water distribution system is generally strong. The strong water system is, in part, due to the replacement of undersized pipes and the replacement of older asbestos cement (AC) water mains. As a result the programming is continued for systematic replacement of undersized pipes to meet minimum fire flows and replacing older AC water mains with either ductile iron pipe or polyvinyl chloride (PVC) pipe.

Analysis of the existing storage facilities in the City of Gig Harbor Water System Plan indicates that the City can meet all of its storage needs through the 20-year planning horizon with existing facilities by nesting standby storage and fireflow storage. Consequently the City is not currently planning for additional storage facilities in the 20-year planning horizon.

Specific facility improvements required to accommodate the upcoming six-year planning period are listed in Table 12.5.

Parks, Recreation & Open Space Facilities

Existing Facilities

The City has a number of public park facilities, providing a range of recreational opportunities. These facilities are listed in Table 12.3 and described in greater detail below.

The City of Gig Harbor owns 18 parks ranging in size from 0.10 of an acre to 17.74 acres. Included in that total are four designated trails that range from 0.2 of a mile to 4 miles in length. Park profiles on each city park facility are included in the 2010 Park Recreation and Open Space Plan as Appendix A to that plan.

The Gig Harbor park classification system includes: neighborhood parks, waterfront parks, natural parks and trails. Open spaces are designated as open space properties, undeveloped park lands, or other properties. Table 12.3 documents the City’s existing park facilities.

Neighborhood Parks are developed for both passive and active recreation, and are accessible by walking, biking, or driving. They have support facilities such as restrooms and parking. These parks may typically include athletic fields, sports courts, trails, playgrounds, open space and picnicking facilities. Gig Harbor has three neighborhood parks totaling 21.91 acres. City Park at Crescent Creek, Kenneth Leo Marvin Veterans Memorial Park, and the Civic Center are all designated as Neighborhood Parks.

Waterfront Parks are located on the shoreline and generally provide a mix of water related uses and forms of access to the shoreline. These parks typically include historic structures or uses that are planned for preservation in keeping with the City’s maritime heritage. The City actively works to balance uses within these parks to provide a mix of recreation opportunities, historic preservation, and community gathering spaces. Gig Harbor has six waterfront parks totaling 7.69 acres. Austin Estuary, Bogue Viewing Platform, Eddon Boat Park, Old Ferry Landing (Harborview Drive Street End), Jerisich Dock, and Skansie Brothers Park are all designated as Waterfront Parks.

Natural Parks preserve critical areas, urban forests and historic sites for future generations and include low impact recreational uses. Such sites are often developed with ancillary uses that are compatible with or support the primary preservation of the sites key features, such as the garden program located at Wilkinson Farm Park or the hatchery program located at Donkey Creek Park. Gig Harbor has four natural parks totaling 39.46 acres. Adam Tallman Park, Donkey Creek Park, Grandview Forest Park, and Wilkinson Farm Park are all designated as Natural Parks.

Trails include both linear trails (measured in miles) and trail support facilities (measured in acres). Trails are generally off-street transportation and recreation options either paved or unpaved that connect two points and are often located in a utility or undeveloped road right of way. While many of the City’s parks provide access trails that loop through a park site, trails are linear in nature. The City has also designated one on-street trail, Harborview Trail, due to the importance of this corridor for recreational use and as a connector between waterfront parks. Gig Harbor has four designated trails totaling 6.25 miles. Additionally these trails are served by three support facilities totaling 1.37 acres. The Cushman Trail, Finholm View Climb, Harborview Trail, and Stanich Trail are all designated trails within the City.

Undeveloped Park Lands are properties acquired or owned by the City for park purposes, which have not yet been developed. These properties are anticipated to be developed into parks in the future and will be move to the appropriate classification as they are developed. The City presently owns six undeveloped park lands totaling 8.03 acres.

Open Space Properties are natural lands set aside for preservation of significant natural resources, open space or buffering. These lands are typically characterized by critical areas such as wetlands, slopes and shorelines; significant natural vegetation, shorelines, or other environmentally sensitive areas. This classification is used for preserved lands which are not currently planned for development into parks due to physical constraints or other limitations. The City of Gig Harbor has four designated open space properties totaling 25.79 acres.

Other Properties include lands which do not presently provide park, recreation or open space amenities but are in City ownership and possibly could be redeveloped for such uses in the future. These sites are not presently planned for redevelopment. Two other properties are listed in the City’s PROS inventory totaling 0.41 acres.

It should be noted that this inventory includes only City of Gig Harbor parks and open spaces; the Gig Harbor Peninsula is served by a variety of park and recreation service providers, and a detailed inventory of all public facilities on the Peninsula is not included in this plan. Information taken from the County’s geographic information system indicates more than 900 acres of park, recreation and open space lands exist in public ownership on the Gig Harbor Peninsula. The City’s system represents a little over 10% of the public lands set aside on the Peninsula for park, recreation and open space uses.

Table 12.3. Existing Park Facilities

	<u>Name of Facility</u>	<u>Location</u>	<u>Size</u>	<u>Park Classification</u>	
<u>Parks</u>	<u>City Park at Crescent Creek</u>	3303 Vernhardson Street 9702 Crescent Valley Drive NW	9.79	Neighborhood	
	<u>Kenneth Leo Marvin Veterans Memorial Park</u>	3580 50th Street	5.57	Neighborhood	
	<u>Civic Center (includes Greens and Skate Park)</u>	3510 Grandview Street	6.55	Neighborhood	
	Total Neighborhood Parks			21.91	
	<u>Austin Estuary*</u>	4009 Harborview Drive	1.38	Waterfront	
	<u>Bogue Viewing Platform</u>	8803 North Harborview Drive	0.10	Waterfront	
	<u>Eddon Boat Park</u>	3805 Harborview Drive	2.89	Waterfront	
	<u>Jerisich Dock</u>	3211 Harborview Drive	0.56	Waterfront	
	<u>Old Ferry Landing (Harborview Street End)</u>	2700 Harborview Drive	0.17	Waterfront	
	<u>Skansie Brothers Park</u>	3207 Harborview Drive	2.59	Waterfront	
	Total Waterfront Parks			7.69	
	<u>Adam Tallman Park</u>	6626 Wagner Way	11.84	Natural	
	<u>Donkey Creek Park</u>	8714 North Harborview Drive	1.30	Natural	
	<u>Grandview Forest Park</u>	3488 Grandview Street	8.58	Natural	
	<u>Wilkinson Farm Park</u>	4118 Rosedale Street NW	17.74	Natural	
	Total Natural Parks			39.46	
	<u>Cushman Trail</u>		4 miles	Trail	
	<u>Trailhead at Grandview</u>	3908 Grandview	0.45 acres	Trail	

	<u>Trailhead at Hollycroft</u>	<u>2626 Hollycroft Street</u>	<u>0.60 acres</u>	<u>Trail</u>	
			<u>0.05</u>		
	<u>Finholm View Climb</u>	<u>8826 North Harborview Drive (bottom)</u> <u>8917 Franklin Avenue (top)</u>	<u>0.32 acres</u>	<u>Trail</u>	
	<u>Harborview Trail</u>	<u>Harborview and North Harborview Streets</u>	<u>2 miles</u>	<u>Trail</u>	
	<u>Stanich Trail</u>	<u>Undeveloped portion of Erickson Street</u>	<u>0.2 miles</u>	<u>Trail</u>	
	Total Trails (by area)			1.37	
	Total Trails (by length)			6.25	
	Total Parks			70.43	
	Other Properties	<u>Cushman Trailhead at Borgen</u>	<u>5280 Borgen (not yet constructed)</u>	<u>0.18</u>	<u>Undeveloped</u>
		<u>BB-16 Mitigation bonus site</u>	<u>WEST of Burnham interchange</u>	<u>0.45</u>	<u>Undeveloped</u>
<u>Museum (Donkey Creek) Easement</u>		<u>Harbor History Museum shoreline area</u>	<u>0.43</u>	<u>Undeveloped</u>	
<u>Rushmore Park (outside City Limits)</u>		<u>In Plat of Rushmore</u>	<u>1.07</u>	<u>Undeveloped</u>	
<u>Wheeler Street End</u>		<u>Wheeler (undeveloped)</u>	<u>0.08</u>	<u>Undeveloped</u>	
<u>WWTP Park/Open Space</u>		<u>4212 Harborview Drive</u>	<u>5.82</u>	<u>Undeveloped</u>	
Total Undeveloped Park Lands			8.03		
<u>Austin Estuary Tidelands</u>		<u>4009 Harborview Drive</u>	<u>7.07</u>	<u>Open Space</u>	
<u>BB-16 Wetland Mitigation Site</u>		<u>SE corner of Burnham and Borgen</u>	<u>10.49</u>	<u>Open Space</u>	
<u>Harbor Hill Open Space</u>		<u>Gig Harbor North Area</u>	<u>8.09</u>	<u>Open Space</u>	
<u>Old Ferry Landing (adjacent bluff)</u>	<u>Adjacent to Old Ferry Landing</u>	<u>0.14</u>	<u>Open Space</u>		
Total Open Space			25.79		
<u>Bogue Visitors Center</u>	<u>3125 Judson Street</u>	<u>0.15</u>	<u>Other</u>		
<u>Soundview Street End</u>	<u>End of Soundview</u>	<u>0.26</u>	<u>Other</u>		
Total Other Properties			0.41		
Total Other Properties			34.22		

* Austin Estuary tidelands are included under open space

TOTAL PARK RECREATION AND OPEN SPACE LANDS 104.65

Facility	Size (Acres)	Location	Type of Recreation
City Park at Crescent Creek	9.8	Vernhardson Street	Active; Park, athletic facilities, play fields Passive; picnic area
Jerisich Dock	1.5	Rosedale Street at Harborview Drive	Moorage; water access; fishing
Grandview Forest Park	8.8	Grandview Drive	Passive; trail system
Old Ferry Landing	0.1	Harborview Drive, east end	Passive; view point
Donkey Creek Park	1.3	Located at the intersecting parcel defined by Austin Street, Harborview Drive and North Harborview Drive	Passive; historical, scenic, nature area

Eddon Boat Park	2.9	Located at the intersection of Stinson Avenue and Harborview Drive.	Passive; historical.
Wilkinson's Homestead	16.3	Rosedale Street	Passive;; Historical, walking trail, community garden
Tallman's Wetlands	16.0	Wollochet Drive NW	Passive;; Trails
WWTP (Wastewater Treatment Plant)	9.3	Burnham Drive	Passive; (proposed) walking trails Active; (proposed) hike, bike and horse trails
Wheeler Street ROW end	0.4	Vernhardson Street	Passive; beach access
Bogue Viewing Platform	0.4	North Harborview Drive	Passive; picnic area
Finholm Hilleclimb	0.4	Fuller Street between Harbor Ridge Middle School and the Northshore area.	Passive; walkway and viewing point
Dorotich Street ROW	0.4	West side of bay	Passive; Street End Park
Soundview Drive ROW end	0.4	West side of bay adjoining Tides Tavern	Passive; Public Access dock
Harborview Trail	1.4	Harborview Drive and North Harborview Drive	Passive; bike and pedestrian trails
Bogue Building	0.04	3105 Judson Street	Passive; historical
Public Works/ Parks Yard	7.5	46 th Avenue NW	Passive; storage of parks equipment
City Hall/Civic Center	10.0	Grandview Drive adjacent to Grandview Forest Park	Active; athletic fields, recreational courts, skatepark Passive; picnic area
Kenneth Leo Marvin Veterans Memorial Park	5.5	50 th Street near Olympic Drive.	Active: multi-purpose field, and play structures Passive: picnic area and open space
Skansie Brothers Park	2.0	Rosedale Street at Harborview Drive	Passive; historical, picnic area.
Austin Estuary	1.8	Located adjacent to Donkey Creek in the Northwest corner of the harbor.	Passive; historical, scenic, nature area

City Park—this 9.8 acre property is located on Vernhardson Street on the east side of Crescent Creek. The park is improved with athletic facilities including a tennis court, basketball court, and youth baseball/softball field. The park’s active recreation has been expanded in recent years to include a BMX dirt bike course and a sand volleyball court accessed off of Crescent Valley Drive. The City purchased property in 2008 north of the existing park site for future development and open space preservation. Additional open space property was also acquired west of the stream through the County Conservation Futures program in 2008.

The western portion of the site conserves the banks, wetlands, and other natural areas adjacent to Crescent Creek. This portion of the site has been improved with a playground structure, picnic tables, viewing platform, picnic shelter, restrooms, parking area and a pump house building.

Skansie Brothers Park/Jerisich Dock—These waterfront parks are located adjacent to each other at 3207 and 3211 Harborview Drive respectively and have a total area of 3.5 acres. The Jerisich Dock site has been developed with a flagpole, monument for lost fishermen, and recreational pier. The acquisition of the Skansie Brothers property in 2002 expanded the park to include a netshed and historic house which both stand south of Jerisich Dock.

Restrooms, picnic tables, and benches are provided on Jerisich's 1,500-square foot pier supported deck overlooking the harbor and adjacent marinas. The deck provides gangplank access to a 352-foot long, 2,752-square foot fishing and boat moorage floating dock. The dock provides 420 feet of day-use boat moorage, access for kayaks and other hand-carry watercraft, and fishing. The dock is used on a first-come basis to capacity, particularly during summer weekends. The Skansie Brothers site has been developed with a covered pavilion with adjacent grass area that is utilized for seasonal public events. A boat sewage pump-out is provided at no charge, April through October.

Grandview Forest Park—Grandview Forest Park—this 8.8-acre site is located on Grandview Drive adjacent to the Civic Center. The park site surrounds the city water storage towers on a hilltop overlooking the harbor and downtown district. The densely wooded site has been improved with walking trails and paths that provide access to surrounding residential developments and the Civic Center complex. Parking for this park is located on the Civic Center site.

Old Ferry Landing—this 1.0-acre site is located at the east end of Harborview Drive overlooking Point Defiance across the Narrows and Dalco passage. Portions of the original marine and ferry dock landing piles are visible from the end of the road right-of-way that extends into the tidelands. Site has been improved to include picnic facilities, parking and a shoreline view platform.

Donkey Creek Park—this 1.3-acre property is located in the intersecting parcel defined by Austin Street, North Harborview Drive, and Burnham Drive. The site historically was the site of the Borgen lumber yard. The site is presently developed with a restroom facility, picnic tables and open field.

The site is bisected by Donkey (North) Creek—a perennial stream that provides salmonoid habitat including an on-going hatchery operation located on the north bank adjacent to North Harborview Drive. A viewing platform allows for visual stream access.

Wilkinson's Homestead—this 16.3-acre site is located on Rosedale Street adjacent to Tacoma City Light powerlines. The property contains large wetlands, steep hillsides under the powerline corridor, the family homestead, barn, outbuildings, former holly orchard, and meadows. The site is accessed from a driveway off Rosedale Street and from the Cushman Trail.

Tallman's Wetlands—this 16.0-acre property is located on Wollochet Drive NW south of SR-16. The site contains significant wetlands that collect and filter stormwater runoff from the surrounding lands. This park was developed with interpretive trails and off street parking. The park was constructed and dedicated to the City by the developer of the Mallards Landing plat in accordance with the annexation agreement.

Wastewater Treatment Plant—the 9.3-acre wastewater treatment plant facility is located on the west side of Burnham Drive on Donkey (North) Creek. While the principal use of the site is treatment of wastewater, the site includes preserved open space associated with Donkey Creek and adjacent wetlands.

A 3.3 acre portion of the expansion area may be developed to provide a trailhead connection to the Cushman Trail on the overhead powerline property located parallel to SR-16. The powerline right-of-way has been improved to provide a non-motorized trail system.

Wheeler Street Right-of-Way (ROW) End—this 0.4 acre road right-of-way is located at the north end of the bay adjacent to Crescent Creek in a quiet residential neighborhood. This site is presently undeveloped.

Bogue Viewing Platform—this 0.4 acre harbor overlook is located on waterfront side of North Harborview Drive north of the intersection with Burnham Drive. The site has been improved with a pier supported, multilevel wood deck, picnic tables, benches, and planting. A sanitary sewer pump station is located with the park.

Finholm Hillelimb—this 0.4 acre road right-of-way is located in Fuller Street extending between Harbor Ridge Middle School and the North shore business district. A wooden stairway system with overlook platforms, viewing areas, and benches has been developed between Franklin Avenue and North Harborview Drive as a joint effort involving the Lions Club, volunteers and city materials.

Dorotich Street (ROW)—this 0.4 acre road right-of-way is located on the west side of the bay adjoining residential condominiums and some commercial waterfront facilities. A private access dock has been developed at Arabella's Landing Marina that serves as the street-end park.

Soundview Drive ROW—this 0.4 acre road right-of-way is located on the west side of the bay adjoining Tides Tavern (the former Westside Grocery). The present and former owners maintain and provide a public access dock on the right-of-way for use of tavern patrons.

Harborview Trail—this 1.4 mile trail corridor is located within the public street right-of-way of Harborview Drive and North Harborview Drive. Additional road width was constructed (between curbs) to provide for painted on-road bike lanes on both sides of the roadway around the west and north shores of the harbor from Soundview Drive to Vernhardson/96th Street NW and City Park.

Curb gutters, sidewalks, and occasional planting and seating areas have been developed on both sides of the roadway from Soundview Drive to Peacock Hill Avenue. Sidewalks have also been extended on Soundview Drive, Pioneer Way, Rosedale Street, Austin Street adjacent to North (Donkey) Creek, and Burnham Drive will include provisions for pedestrians and bicyclists. Limited improvements have been constructed on Peacock Hill.

Bogue Building—this 0.4 acre property and 1,800 square foot building is located on Judson Street within the downtown district. The one-story, wood frame building was previously used by the Gig Harbor Planning and Building Department and is presently a volunteer and visitor center.

Public Works / Parks Yard—the 7.5 acre Public Works Yard is located north of Gig Harbor High School just west of 46th Street NW. The shop compound includes 3 buildings that provide

4,760 square feet, 2,304 square feet, and 1,800 square feet or 8,864 square feet in total of shop and storage space. Approximately 3,000 square feet of building or 0.52 acres of the site are used to store park equipment, materials, and plantings.

City Hall/Civic Center—this 10.0 acre site is located on Grandview Street adjacent to Grandview Forest Park. The site currently contains City offices, multi-use athletic fields, playground, recreational courts, a skateboard court, a boulder rock climbing wall, and wooded picnic area.

Kenneth Leo Marvin Veteran’s Memorial Park—the “Westside” park is accessible from 50th Street. This park is a memorial park and includes a dual purpose baseball/soccer field, restrooms/, picnic shelter, big toy and veterans monument. Future plans for the park include additional play structures, nature trails and half basketball court.

Eddon Boat Park—with the support of the community and funding raised through a bond levy, the City purchased the Eddon Boat facility at the intersection of Harborview Drive and Stinson Avenue. The park currently includes a historic boat building and small brick house. The City plans to provide passive recreational water access and to restore the historic boat building and dock for public access and maritime programming.

Austin Estuary—The estuary and upland tidelands will be preserved in connection with the Donkey Creek Restoration for passive recreational use. The park is located in the northwest corner of the harbor near the intersection of Harborview Drive and North Harborview Drive.

Cushman Trail—the current trail runs from 14th Avenue NW in the County north to 96th Street. City trailhead facilities are located at Hollycroft Street and at Grandview Street. Future plans include expansion of the trail first to Borgen Boulevard (where another trailhead is planned) and then north to the Purdy Spit.

Long term the City and the county would like to develop the trail further so that it connects to the bike lanes of the new Gig Harbor Narrow’s Bridge and north to the Purdy Spit.

Level of Service

The City established levels of service for the park system in Ordinance # 1191, 2010 Park, Recreation and Open Space Plan (2010 Park Plan) to maintain and improve upon existing levels of service (ELOS). Planned levels of service (PLOS) were established for each category of park, and for the system as a whole to assure a variety of recreation opportunities will be available as the City grows. The level of service standards adopted by the City for the park system are expressed as the number of acres (or miles) per 1000 residents for a particular classification of park. Table 12.4 documents existing levels of service (ELOS) and proposed levels of service (PLOS).

Forecast of Future Needs

The Park Plan utilized levels of service based on the total City population and considered both current and projected levels of service based on anticipated population growth. The population projection, used in this section, reflects the City’s most recent population allocation of 10,500 residents in the year 2030. This population projection reflects the slowdown in growth that has occurred since 2008 and reflects a change in regional population allocations designed to locate future housing near employment centers. The 2030 population allocation in combination with the

PLOS allows the City to calculate the amount of park land needed to achieve the planned service level (Table 12.4).

Table 12.4 Existing and Proposed Level of Service Standards

<u>Park Type</u>	<u>Existing Acres</u>	<u>2010 Existing Level of Service</u>	<u>2030 Planned Level of Service</u>	<u>2030 Additional Area Needed</u>
Neighborhood Parks	21.91	2.91	5.00	30.59
Waterfront Parks	7.69	1.02	1.00	2.81
Natural Parks	39.46	5.25	5.25	15.63
Total Parks	70.43	9.36	12.00	55.57
Trails (in miles)	6.25	0.83	1.17	6.04

Future needs for park, recreation and open spaces are also tied to achieving the expressed desires of this community. In the 2010 Park Plan update process several, key themes emerged which guided the creation of the acquisition and development plan. Key themes included trail development, expanding partnerships to leverage City funds, pursuing the acquisition of additional land in developing areas, and improving public access to natural features.

To meet the future demand the City plans for park improvements include both land acquisitions and development projects within existing parks or undeveloped lands. Specific facility improvements required to accommodate the upcoming six-year planning period are listed in Table 12.5.

The City has adopted a level of service for community parks of 7.1 gross acres of general open space and 1.5 gross acres of active recreational area per 1,000 residents. According to the parks inventory conducted for the Park, Recreation, and Open Space Plan, the City had about 54 acres of public open space (passive recreation) and about 16 acres of active recreation facilities in 2001. Using the 2000 Census population figure, the City met its level of service standards at that time.

Table 12.4. Recreational Facilities and Level of Service

<u>Type of Facility</u>	<u>LOS Standard (Acres/1,000)</u>	<u>2001 Need (Acres)</u>	<u>2001 Actual (Acres)</u>	<u>2022 Need (Acres)</u>	<u>Additional Acreage</u>
Open Space:	7.1	46	53.6	76.7	23.1
Active Recreation:	1.5	9.7	15.8	16.2	0.40
Total:		55.7	69.4	92.9	23.5

Alternative level of service standards, such as those recommended by the National Recreation and Park Association (NRPA) are compared to the City’s current service levels in the Park, Recreation, and Open Space Plan. The NRPA standards provide a finer level of measurement for specialized function facilities relative to the population size. This can provide an additional

planning tool to ensure that all segments of the community are served according to their needs.

In addition to City-owned facilities, residents of the greater Gig Harbor community have access to facilities owned and operated by others. These include facilities associated with the Peninsula School District schools in and around the City, Pierce County's Peninsula Recreation Center and Randall Street Boat Launch, Tacoma's Madrona Links public golf course, and various private parks, including Canterwood Golf Course, sporting facilities, marinas, and boat landings. According to the Park, Recreation and Open Space Plan, all public and private agencies, and other public and private organizations owned 963.4 acres or about 80.3 acres for every 1,000 persons living within the City and its urban growth area in 2000. Therefore, while the City's level of service standards provides a guide for ensuring a minimum provision of park and recreation land, the actual capacity of all such facilities is significantly higher.

Proposed parks capital facility improvements are listed on Table 12.5

Stormwater System

Existing Facilities

The Puget Sound and in particular Gig Harbor, Henderson Bay, and Wollochet Bay are the receiving water bodies of the City of Gig Harbor's storm system. The storm system consists of catch basins, pipe, drainage ditches, natural streams such as Donkey Creek and McCormick Creek, wetlands, ponds, and stormwater detention and water quality facilities. The Operations and Maintenance Department is responsible for approximately 30 stormwater ponds, 1,650 catch basins, 12 miles of drainage ditches and over 33 miles of storm pipe. Annually these numbers will increase as development continues to occur, CIP projects are constructed and new areas are annexed by the City. With the approximately 45 miles of pipe and drainage ditches discharging to the receiving waters of the Puget Sound, which is habitat to various fish and wildlife such as Chinook, coho, steelhead, bald eagles and herons. It is important to protect and improve the water quality of the various water bodies in the City.

The objective of the City's stormwater operation and maintenance program is to assure that all the elements of the stormwater system are functioning properly to avoid any impacts to the environment and properties. The program includes operation and maintenance of storm systems being performed by many entities, including the City's Public Works Department, homeowners association, and property management companies. Scheduled maintenance tasks and inspections are regularly performed and are essential to the program. Major system problems are avoided when defects are identified and addressed in a timely manner.

Through the Clean Water Act and other legislation at the federal level, the Washington State Department of Ecology has been delegated the authority to implement rules and regulations that meet the goals of the Clean Water Act. As part of these rules and regulations, the Department of Ecology issued the Western Washington Phase II Municipal Stormwater Permit (Permit) to the City of Gig Harbor in January 2007. The Permit authorizes the discharge of stormwater to surface waters and to ground waters of the State from Municipal Separate Storm Sewer System

(MS4) owned or operated by the City of Gig Harbor. By being identified as a Permittee the City is required to satisfy many obligations during the five-year permit period.

The City has been proactive in satisfying the requirements of this Permit. In 2006, the City prepared a gap analysis comparing the existing City stormwater program to the Permit requirements. According to the gap analysis, public participation, City staff training and stormwater policies appear to be the areas that the City will need to focus their efforts. Other obligations required by the Permit include the development of a stormwater management program and development of an enforceable mechanism, such as an ordinance, controlling runoff from development and construction sites, including adoption of a new stormwater technical manual. The City's stormwater management program along with the City's stormwater-related ordinances establishes a level of service for both public and private development projects.

The Permit requirements are being phased in over the course of the life of the permit. At the end of the permit, or sooner if required by law, the City will likely be issued a new permit with new permit requirements that are additive to the existing permit requirements.

Level of Service

In connection with the preparation of the City's Stormwater Comprehensive Plan, storm system modeling was performed at a planning level to identify system needs under future full build-out land use conditions. The City selected seven storm trunklines to be analyzed. These trunklines were selected based on known past conveyance and/or sedimentation problems and possible future system impacts due to development.

In general, the City's stormwater infrastructure is sufficient to convey stormwater runoff. And the stormwater management and development guidelines for future developments require runoff rates at developed conditions to meet runoff rates of undeveloped conditions. Therefore little to no net increase in stormwater runoff rates should occur as development continues and the level of service provided by the stormwater utility will remain adequate.

However, a list of recommended storm system capital improvement projects is identified in the Capital Improvement Plan (CIP) of the Stormwater Comprehensive Plan. In March 2008 the City initiated a Stormwater General Facility Charge for funding these stormwater CIP projects.

The types of improvements identified and the implementation scheduled provided in the Stormwater Comprehensive Plan primarily include NPDES Phase 2 permitting requirements, maintenance projects, and habitat projects. Storm system and habitat improvement projects identified in the CIP are based on the Staff's knowledge of the service area, past studies and the hydrologic/hydraulic system analysis.

Through the Clean Water Act and other legislation at the federal level, the Washington State Department of Ecology has been delegated the authority to implement rules and regulations that meet the goals of the Clean Water Act. As part of these rules and regulations, the Department of Ecology issued the Western Washington Phase II Municipal Stormwater Permit (Permit) to the

City of Gig Harbor in January 2007. The Permit authorizes the discharge of stormwater to surface waters and to ground waters of the State from Municipal Separate Storm Sewer System (MS4) owned or operated by the City of Gig Harbor. By being identified as a Permittee the City is required to satisfy many obligations during the five-year permit period.

The City has been proactive in satisfying the requirements of this Permit. In 2006, the City prepared a gap analysis comparing the existing City stormwater program to the Permit requirements. According to the gap analysis, public participation, City staff training and stormwater policies appear to be the areas that the City will need to focus their efforts. Other obligations required by the Permit include the development of a stormwater management program and development of an enforceable mechanism, such as an ordinance, controlling runoff from development and construction sites, including adoption of a new stormwater technical manual. The City's stormwater management program along with the City's stormwater-related ordinances establishes a level of service for both public and private development projects.

The Permit requirements are being phased in over the course of the life of the permit. At the end of the permit, or sooner if required by law, the City will likely be issued a new permit with new permit requirements that are additive to the existing permit requirements.

Forecast of Future Needs

Specific facility improvements required to accommodate the upcoming six-year planning period are listed in Table 12.5.

In connection with the preparation of the City's Stormwater Comprehensive Plan, storm system modeling was performed at a planning level to identify system needs under future full build-out land use conditions. The City selected seven storm trunklines to be analyzed. These trunklines were selected based on known past conveyance and/or sedimentation problems and possible future system impacts due to development.

Recommended storm system improvements are identified in the Capital Improvement Plan of the Stormwater Comprehensive Plan and to meet the needs of the environment, future development and growth. In March 2008 the City initiated a Stormwater General Facility Charge for funding stormwater CIP projects.

The types of improvements identified and scheduled include capacity, facility and habitat projects. Capacity problems can also be resolved in many ways including increased facility sizing, pipe replacement, and flow control facilities. Onsite or regional facilities can reduce flows to minimize capacity impacts on the existing storm system. Regional facility locations should be considered as an alternative to pipe replacement. Storm system and habitat improvement projects identified in the CIP are based on the Staff's knowledge of the service area, past studies and the hydrologic/hydraulic system analysis.

CAPITAL FACILITIES PROGRAM

A Capital Facilities Program (CFP) is a six-year plan for capital improvements that are supportive of the City's population and economic base as well as near-term (within six years) growth. Capital facilities are funded through several funding sources which can consist of a combination of local, state and federal tax revenues.

The Capital Facilities Program works in concert generally with the land-use element. In essence, the land use plan establishes the "community vision" while the capital facilities plan provides for the essential resources to attain that vision. An important linkage exists between the capital facilities plan, land-use and transportation elements of the plan. A variation (change) in one element (i.e. a change in land use or housing density) would significantly affect the other plan elements, particularly the capital facilities plan. It is this dynamic linkage that requires all elements of the plan to be internally consistent. Internal consistency of the plan's elements imparts a degree of control (checks and balances) for the successful implementation of the Comprehensive Plan. This is the concurrence mechanism that makes the plan work as intended.

The first year of the Capital Facilities Program will be converted to the annual capital budget, while the remaining five year program will provide long-term planning. It is important to note that only the expenditures and appropriations in the annual budget are binding financial commitments. Projections for the remaining five years are not binding and the capital projects recommended for future development may be altered or not developed due to cost or changed conditions and circumstances.

Definition of Capital Improvement

The Capital Facilities Element is concerned with needed improvements which are of relatively large scale, are generally non-recurring high cost and which may require financing over several years. The list of improvements is limited to major components in order to analyze development trends and impacts at a level of detail which is both manageable and reasonably accurate.

Smaller scale improvements of less than \$25,000 are addressed in the annual budget as they occur over time. For the purposes of capital facility planning, capital improvements are major projects, activities or maintenance, costing over \$25,000 and requiring the expenditure of public funds over and above annual operating expenses. They have a useful life of over ten years and result in an addition to the city's fixed assets and/or extend the life of the existing infrastructure. Capital improvements do not include items such as equipment or "rolling stock" or projects, activities or maintenance which cost less than \$25,000 or which regularly are not part of capital improvements.

Capital improvements may include the design, engineering, permitting and the environmental analysis of a capital project. Land acquisition, construction, major maintenance, site improvements, energy conservation projects, landscaping, initial furnishings and equipment may also be included.

Capital Facilities Needs Projections

The City Departments of Public Works, Planning, Building and Fire Safety, Finance and Administration have identified various capital improvements and projects based upon recent surveys and planning programs authorized by the Gig Harbor City Council. Suggested revenue sources were also considered and compiled.

Currently, ~~five~~ six functional plans have been completed:

- City of Gig Harbor Water System Plan (April 2009), as may later be amended by resolution.
- City of Gig Harbor Wastewater Comprehensive Plan (November 2009), as may later be amended by resolution.
- City of Gig Harbor Wastewater Treatment Plan Improvements Engineering Report (April 2003)
- City of Gig Harbor Phase 1 Wastewater Treatment Plan Improvements Technical Memorandum (August 2007)
- City of Gig Harbor Stormwater Comprehensive Plan (October 2009), as may later be amended by resolution.
- The City of Gig Harbor 2010 Park, Recreation, & Open Space Plan (adopted June 2010)

All the plans identify current system configurations and capacities and proposed financing for improvements, and provide the technical information needed to develop the capital facility project lists for this Comprehensive Plan.

Prioritization of Projected Needs

The identified capital improvement needs listed were developed by the City Community Development Director, Finance Director, and the City Administrator. The following criteria were applied informally in developing the final listing of proposed projects:

Economics

- Potential for Financing
- Impact on Future Operating Budgets
- Benefit to Economy and Tax Base

Service Consideration

- Safety, Health and Welfare
- Environmental Impact
- Effect on Service Quality

Feasibility

- Legal Mandates
- Citizen Support
- 1992 Community Vision Survey

Consistency

- Goals and Objectives in Other Elements
- Linkage to Other Planned Projects
- Plans of Other Jurisdictions

Cost Estimates for Projected Needs

The majority of the cost estimates in this element are presented in 2009 ~~2010~~ dollars and were derived from various federal and state documents, published cost estimates, records of past expenditures and information from various private contractors.

FUTURE NEEDS AND ALTERNATIVES

The Capital Facility Plan for the City of Gig Harbor is developed based upon the following analysis:

- Current Revenue Sources
- Financial Resources
- Capital Facilities Policies
- Method for Addressing Shortfalls

Current Revenue Sources

The major sources of revenue for the City’s major funds are as follows:

Fund	Source	Projected (2009 2011)
General Fund	Sales tax	\$4,744,000 <u>\$4,554,000</u>
	Utility tax	\$1,351,000 <u>\$1,309,000</u>
	Property tax	\$408,000 <u>1,798,000</u>
Street Fund- Operations	Property tax	\$1,223,000 <u>0</u>
Water Operating Fund	Customer charges	\$906,000 <u>\$1,192,000</u>
Sewer Operating Fund	Customer charges	\$2,319,000 <u>\$3,201,000</u>
Storm Drainage Fund	Customer charges	\$645,000 <u>\$717,000</u>

Financial Resources

In order to ensure that the city is using the most effective means of collecting revenue, the city inventoried the various sources of funding currently available. Financial regulations and available mechanisms are subject to change. Additionally, changing market conditions influence the city's choice of financial mechanism. The following list of sources include all major financial resources available and is not limited to those sources which are currently in use or which would be used in the six-year schedule of improvements. The list includes the following categories:

- Debt Financing
- Local Levies
- Local Non-Levy Financing
- State Grants and Loans
- Federal Grants and Loans

Debt Financing Method

Short-Term Borrowing: Utilization of short-term financing through local banks is a means to finance the high-cost of capital improvements.

Revenue Bonds: Bonds can be financed directly by those benefiting from the capital improvement. Revenue obtained from these bonds is used to finance publicly-owned facilities, such as new or expanded water systems or improvement to the waste water treatment facility. The debt is retired using charges collected from the users of these facilities. In this respect, the capital project is self supporting. Interest rates tend to be higher than for general obligation bonds and the issuance of the bonds may be approved by voter referendum.

General Obligation Bonds: These are bonds which are backed by the full faith and credit of the city. Voter-approved bonds increase property tax rate and dedicate the increased revenue to repay bondholders. Councilmanic bonds do not increase taxes and are repaid with general revenues. Revenue may be used for new capital facilities or maintenance and operations at an existing facility. These bonds should be used for projects that benefit the City as a whole.

Local Multi-Purpose Levies

Ad Valorem Property Taxes: The tax rate is in mills (1/10 cent per dollar of taxable value). The maximum rate is \$1.60 per \$1,000 assessed valuation. In ~~2009~~ 2010, the City's tax rate is ~~\$0.9406~~ 0.9274 per \$1,000 assessed valuation. The City is prohibited from raising its levy more than one percent. A temporary or permanent excess levy may be assessed with voter approval. Revenue may be used for new capital facilities or maintenance and operation of existing facilities.

Business and Occupation (B and O) Tax: This is a tax of no more that 0.2% of the gross value of business activity on the gross or net income of a business. Assessment increases require voter approval. The City does not currently use a B and O tax. Revenue may be used for new capital facilities or maintenance and operation of existing facilities.

Local Option Sales Tax: The city has levied the maximum of tax of 1%. Revenue may be used for new capital facilities or maintenance and operation of existing facilities.

Utility Tax: This is a tax on the gross receipts of electric, gas, telephone, cable TV, water/sewer, and stormwater utilities. Local discretion up to 6% of gross receipts with voter approval required for an increase above this maximum. Revenue may be used for new capital facilities or

maintenance and operation of existing facilities. The city currently levies a 5% utility tax.

Real Estate Excise Tax: The real estate excise tax is levied on all sales of real estate, measured by the full selling price. In addition to the state rate of 1.28 percent, a locally-imposed tax is also authorized. The city may levy a quarter percent tax and additional quarter percent tax. These funds may only be used to finance eligible capital facilities.

Local Single-Purpose Levies

Motor Vehicle Fuel Tax – “Gas Tax”: The state currently levies a tax of 37.5 cents per gallon on motor vehicle fuel under RCW 82.36.025(1) through (6) and on special fuel (diesel) under RCW 82.38.030(1) through (6). Cities receive 10.6961 percent of the 23 cents per gallon tax levied under RCW 82.36.025(1). These funds are distributed monthly on a per capita basis and are to be placed in a city street fund to be spent for street construction, maintenance or repair.

Local Option Motor Vehicle Fuel Excise Tax: Upon a vote of the people, a local option gas tax can be levied countywide at a rate equal to 10 percent of the state rate. Since the state rate is 37.5 cents per gallon, 10 percent currently would be 3.75 cents per gallon. The tax may be implemented only on the first day of January, April, July, or October and expenditure of these funds is limited solely to transportation purposes.

Local Option Commercial Parking Tax: This tax may be levied by a city within its boundaries and by a county in the unincorporated areas. There is no limit on the tax rate and many ways of assessing the tax are allowed. If the city chooses to levy it on parking businesses, it can tax gross proceeds or charge a fixed fee per stall. If the tax is assessed on the driver of a car, the tax rate can be a flat fee or a percentage amount. Rates can vary by any reasonable factor, including location of the facility, time of entry and exit, duration of parking, and type or use of vehicle. The parking business operator is responsible for collecting the tax and remitting it to the city, which must administer it. This tax is subject to a voter referendum. At the present time, Bainbridge Island, Bremerton, Mukilteo, SeaTac, and Tukwila are the only cities that we know are levying this tax. Expenditure of these funds is limited solely to transportation purposes.

Transportation Benefit Districts: Cities, along with counties, may form transportation benefit districts to acquire, construct, improve, provide, and fund transportation improvements in the district that is consistent with any existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels. The area may include other cities and counties, as well as port and transit districts through interlocal agreements.

Any city passing on ordinance to form a transportation benefit district must also identify revenue options for financing improvements in the district. A district that has coterminous boundaries with a city may levy a \$20 per vehicle license fee or impose transportation impact fees on commercial or industrial buildings, both without voter approval. A credit must be provided for any transportation impact fee on commercial or industrial buildings that the city has already imposed. Similarly, any district that imposes a fee that, in combination with another district's fee, totals more than \$20, must provide a credit for the previously levied fee.

Voter-approved revenue options include a license fee of up to \$100 per vehicle and a 0.2 percent sales tax. Like many other special districts, transportation benefit districts may levy a one-year O&M levy under RCW 84.52.052 and do an excess levy for capital purposes under RCW 85.52.056. The funds must be spent on transportation improvements as set forth in the district's plan.

Local Non-Levy Financing Mechanisms

Reserve Funds: Revenue that is accumulated in advance and earmarked for capital improvements. Sources of the funds can be surplus revenues, funds in depreciation revenues, or funds resulting from the sale of capital assets.

Fines, Forfeitures and Charges for Services: This includes various administrative fees and user charges for services and facilities operated by the jurisdiction. Examples are franchise fees, sales of public documents, property appraisal fees, fines, forfeitures, licenses, permits, income received as interest from various funds, sale of public property, rental income and private contributions to the jurisdiction. Revenue from these sources may be restricted in use.

User and Program Fees: These are fees or charges for using park and recreational facilities, sewer services, water services and surface drainage facilities. Fees may be based on a measure of usage on a flat rate or on design features. Revenues may be used for new capital facilities or maintenance and operation of existing facilities.

Street Utility Charges: A fee of up to 50% of actual costs of street construction, maintenance and operations may be charged to households. Owners or occupants of residential property are charged a fee per household that cannot exceed \$2.00 per month. The fee charged to businesses is based on the number of employees and cannot exceed \$2.00 per employee per month. Both businesses and households must be charged. Revenue may be used for activities such as street lighting, traffic control devices, sidewalks, curbs, gutters, parking facilities and drainage facilities.

Special Assessment District: Special assessment districts are created to service entities completely or partially outside of the jurisdiction. Special assessments are levied against those who directly benefit from the new service or facility. The districts include Local Improvement Districts, Road Improvement Districts, Utility Improvement Districts and the collection of development fees. Funds must be used solely to finance the purpose for which the special assessment district was created.

Impact Fees: Impact fees are paid by new development based upon the development's impact to the delivery of services. Impact fees must be used for capital facilities needed by growth and not to correct current deficiencies in levels of service nor for operating expenses. These fees must be equitably allocated to the specific entities which will directly benefit from the capital improvement and the assessment levied must fairly reflect the true costs of these improvements.

Impact fees may be imposed for public streets, parks, open space, recreational facilities, and school facilities.

State Grants and Loans

Public Works Trust Fund: Low interest loans to finance capital facility construction, public works emergency planning, and capital improvement planning. To apply for the loans the city must have a capital facilities plan in place and must be levying the original 1/4% real estate excise tax. Funds are distributed by the Department of Community Development. Loans for construction projects require matching funds generated only from local revenues or state shared entitlement revenues. Revenue may be used to finance new capital facilities, or maintenance and operations at existing facilities.

State Parks and Recreation Commission Grants: Grants for parks capital facilities acquisition and construction. They are distributed by the Parks and Recreation Commission to applicants with a 50% match requirement.

Urban Transportation Improvement Programs: The State Transportation Improvement Board offers three grant programs to cities exceeding a population of 5,000. Urban Arterial Program for roadway projects which improve safety and mobility; Urban Corridor Program, for roadway projects that expand capacity; and, Sidewalk Program for sidewalk projects that improve safety and connectivity.

Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU): SAFETEA-LU represents the largest surface transportation investment in our Nation's history with guaranteed funding for highways, highway safety, and public transportation totaling \$244.1 billion. SAFETEA-LU supplies funds for investments needed to maintain and grow vital transportation infrastructure.

Centennial Clean Water Fund: Grants and loans for the design, acquisition, construction, and improvement of Water Pollution Control Facilities, and related activities to meet state and federal water pollution control requirements. Grants and loans distributed by the Department of Ecology with a 75%-25% matching share. Use of funds is limited to planning, design, and construction of Water Pollution Control Facilities, stormwater management, ground water protection, and related projects.

Water Pollution Control State Revolving Fund: Low interest loans and loan guarantees for water pollution control projects. Loans are distributed by the Department of Ecology. The applicant must show water quality need, have a facility plan for treatment works, and show a dedicated source of funding for repayment.

Federal Grants and Loans

Department of Health Water Systems Support: Grants for upgrading existing water systems,

ensuring effective management, and achieving maximum conservation of safe drinking water. Grants are distributed by the state Department of Health through intergovernmental review and with a 60% local match requirement.

Capital Facility Strategies

In order to realistically project available revenues and expected expenditures on capital facilities, the city must consider all current policies that influence decisions about the funding mechanisms as well as policies affecting the city's obligation for public facilities. The most relevant of these are described below. These policies, along with the goals and policies articulated in the other elements were the basis for the development of various funding scenarios.

Mechanisms to Provide Capital Facilities

Increase Local Government Appropriations: The city will investigate the impact of increasing current taxing rates, and will actively seek new revenue sources. In addition, on an annual basis, the city will review the implications of the current tax system as a whole.

Use of Uncommitted Resources: The city has developed and adopted its Six-Year capital improvement schedules. With the exception of sewer facilities, however, projects have been identified on the 20-year project lists with uncommitted or unsecured resources.

Analysis of Debt Capacity: Generally, Washington state law permits a city to ensure a general obligation bonded debt equal to 3/4 of 1% of its property valuation without voter approval. By a 60% majority vote of its citizens, a city may assume an additional general obligation bonded debt of 1.7570%, bringing the total for general purposes up to 2.5% of the value of taxable property. The value of taxable property is defined by law as being equal to 100% of the value of assessed valuation. For the purpose of applying municipally-owned electric, water, or sewer service and with voter approval, a city may incur another general obligation bonded debt equal to 2.5% of the value of taxable property. With voter approval, cities may also incur an additional general obligation bonded debt equal to 2.5% of the value of taxable property for parks and open space. Thus, under state law, the maximum general obligation bonded debt which the city may incur cannot exceed 7.5% of the assessed property valuation.

Municipal revenue bonds are not subject to a limitation on the maximum amount of debt which can be incurred. These bonds have no effect on the city's tax revenues because they are repaid from revenues derived from the sale of service.

The City of Gig Harbor has used general obligation bonds and municipal revenue bonds very infrequently. Therefore, under state debt limitation, it has ample debt capacity to issue bonds for new capital improvement projects.

User Charges and Connection Fees: User charges are designed to recoup the costs of public facilities or services by charging those who benefit from such services. As a tool for affecting the pace and pattern of development, user fees may be designed to vary for the quantity and

location of the service provided. Thus, charges could be greater for providing services further distances from urban areas.

Mandatory Dedications or Fees in Lieu of: The jurisdiction may require, as a condition of plat approval, that subdivision developers dedicate a certain portion of the land in the development to be used for public purposes, such as roads, parks, or schools. Dedication may be made to the local government or to a private group. When a subdivision is too small or because of topographical conditions a land dedication cannot reasonably be required, the jurisdiction may require the developer to pay an equivalent fee in lieu of dedication.

The provision of public services through subdivision dedications not only makes it more feasible to service the subdivision, but may make it more feasible to provide public facilities and services to adjacent areas. This tool may be used to direct growth into certain areas.

Negotiated Agreement: An agreement whereby a developer studies the impact of development and proposes mitigation for the city's approval. These agreements rely on the expertise of the developer to assess the impacts and costs of development. Such agreements are enforceable by the jurisdiction. The negotiated agreement will require lower administrative and enforcement costs than impact fees.

Impact Fees: Impact fees may be used to affect the location and timing of infill development. Infill development usually occurs in areas with excess capacity of capital facilities. If the local government chooses not to recoup the costs of capital facilities in underutilized service areas then infill development may be encouraged by the absence of impact fees on development(s) proposed within such service areas. Impact fees may be particularly useful for a small community which is facing rapid growth and whose new residents desire a higher level of service than the community has traditionally fostered and expected.

Obligation to Provide Capital Facilities

Coordination with Other Public Service Providers: Local goals and policies as described in the other comprehensive plan elements are used to guide the location and timing of development. However, many local decisions are influenced by state agencies and utilities that provide public facilities within the Urban Growth Area and the City of Gig Harbor. The planned capacity of public facilities operated by other jurisdictions must be considered when making development decisions. Coordination with other entities is essential not only for the location and timing of public services, but also in the financing of such services.

The city's plan for working with the natural gas, electric, and telecommunication providers is detailed in the Utilities Element. This plan includes policies for sharing information and a procedure for negotiating agreement for provision of new services in a timely manner.

Other public service providers such as school districts and private water providers are not addressed in the Utilities Element. However, the city's policy is to exchange information with

these entities and to provide them with the assistance they need to ensure that public services are available and that the quality of the service is maintained.

Level of Service Standards: Level of service standards are an indicator of the extent or quality of service provided by a facility that are related to the operational characteristics of the facility. They are a summary of existing or desired public service conditions. The process of establishing level of service standards requires the city to make quality of service decisions explicit. The types of public services for which the city has adopted level of service standards will be improved to accommodate the impacts of development and maintain existing service in a timely manner with new development.

Level of service standards will influence the timing and location of development, by clarifying which locations have excess capacity that may easily support new development, and by delaying new development until it is feasible to provide the needed public facilities. In addition, to avoid over-extending public facilities, the provision of public services may be phased over time to ensure that new development and projected public revenues keep pace with public planning. The city has adopted level of service standards for six public services. These standards are to be identified in Section V of this element.

Urban Growth Area Boundaries: The Urban Growth Area Boundary was selected in order to ensure that urban services will be available to all development. The location of the boundary was based on the following: environmental constraints, the concentrations of existing development, the existing infrastructure and services, and the location of prime agricultural lands. New and existing development requiring urban services will be located in the Urban Growth Area. Central sewer and water, drainage facilities, utilities, telecommunication lines, and local roads will be extended to development in these areas. The city is committed to serving development within this boundary at adopted level of service standards. Therefore, prior to approval of new development within the Urban Growth Area the city should review the six-year Capital Facilities Program and the plan in this element to ensure the financial resources exist to provide the services to support such new development.

Methods for Addressing Shortfalls

The city has identified options available for addressing shortfalls and how these options will be exercised. The city evaluates capital facility projects on an individual basis rather than a system-wide basis. This method involves lower administrative costs and can be employed in a timely manner. However, this method will not maximize the capital available for the system as a whole. In deciding how to address a particular shortfall the city will balance the equity and efficiency considerations associated with each of these options. When evaluation of a project identifies shortfall, the following options would be available:

- Increase revenue
- Decrease level of service
- Decrease the cost of a facility
- Decrease the demand for the public service or facility

- Reassess the land use assumptions in the Comprehensive Plan

SIX-YEAR CAPITAL FACILITY PLAN

In addition to the direct costs for capital improvements, this section analyzes cost for additional personnel and routine operation and maintenance activities. Although the capital facilities program does not include operating and maintenance costs, and such an analysis is not required under the Growth Management Act, it is an important part of the long-term financial planning. The six-year capital facilities program for the City of Gig Harbor was based upon the following analysis:

- Financial Assumptions
- Projected Revenues
- Projected Expenditures
- Future Needs

Financial Assumptions

The following assumptions about the future operating conditions in the city operations and market conditions were used in the development of the six-year capital facilities program:

1. The city will maintain its current fund accounting system to handle its financial affairs.
2. The cost of running local government will continue to increase due to inflation and other growth factors while revenues will also increase.
3. New revenue sources, including new taxes, may be necessary to maintain and improve city services and facilities.
4. Capital investment will be needed to maintain, repair and rehabilitate portions of the city's aging infrastructure and to accommodate growth anticipated over the next twenty years.
5. Public investment in capital facilities is the primary tool of local government to support and encourage economic growth.
6. A consistent and reliable revenue source to fund necessary capital expenditures is desirable.
7. A comprehensive approach to review, consider, and evaluate capital funding requests is needed to aid decision makers and the citizenry in understanding the capital needs of the city.

Capital improvements will be financed through the following funds:

- General Fund
- Capital Improvement Fund
- Transportation Improvement Fund
- Enterprise Funds

Projected Revenues

Tax Base

The City's tax base is projected to increase at a rate of 2% in 2010 and 1-2% in 2011 for the adjusted taxable value of the property, including new construction. The City's assessment ratio is projected to remain constant at 100%. Although this is important to the overall fiscal health of the city, capital improvements are funded primarily through non-tax resources.

Revenue by Fund

General Fund: The General Fund is the basic operating fund for the city. The General Fund is allocated 25 percent of the annual tax yield from ad valorem property values. Since 2000, the average annual increase in tax levy was 6%. This was mostly due to new construction and annexations as regular growth in property tax levy is limited to 1 percent a year. The city is projecting a 1 to 2 percent increase in tax base for 2010 and 2011 due to the current economy. The City has a maximum rate of \$1.60 per \$1,000 ad valorem. The actual rate collected by the city has fallen from \$1.58 in 1999 to \$0.9294 in 2010. (est.)

Capital Improvement Funds: In the City of Gig Harbor, the Capital Improvement Funds accounts for the proceeds of the first and second quarter percent of the locally-imposed real estate excise tax. Permitted uses are defined as "public works projects for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation or improvements of streets, roads, highways, sidewalks street and road lighting systems, traffic signals, bridges, domestic water systems, storm and sanitary sewer systems, and planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation or improvements of parks. These revenues are committed to annual debt service and expenditures from this account are expected to remain constant, based upon the existing debt structure. The revenues in these funds represent continued capture of a dedicated portion of the ad valorem revenues necessary to meet annual debt service obligations on outstanding general obligation bonds. In 2018, the City is scheduled to repay the 2008 LTGO Bonds.

Street and Street Capital Funds: Expenditures from these funds include direct annual outlays for capital improvement projects. The revenues in this fund represent total receipts from state and local gas taxes and 75% of property taxes collected. The projected revenues are based upon state projections for gasoline consumption, current state gas tax revenue sharing and continued utilization of local option gas taxes at current levels. This fund also includes state and federal grant monies dedicated to transportation improvements.

Enterprise Funds: The revenue these funds are used for the annual capital and operating expenditures for services that are operated and financed similar to private business enterprises. The projected revenues depend upon the income from user charges, connection fees, bond issues, state or federal grants and carry-over reserves.

GOALS AND POLICIES

GOALS

- GOAL 12.1. PROVIDE NEEDED PUBLIC FACILITIES TO ALL OF THE CITY RESIDENTS IN A MANNER WHICH PROTECTS INVESTMENTS IN EXISTING FACILITIES, WHICH MAXIMIZES THE USE OF EXISTING FACILITIES AND WHICH PROMOTE ORDERLY AND HIGH QUALITY URBAN GROWTH.**
- GOAL 12.2. PROVIDE CAPITAL IMPROVEMENT TO CORRECT EXISTING DEFICIENCIES, TO REPLACE WORN OUT OR OBSOLETE FACILITIES AND TO ACCOMMODATE FUTURE GROWTH, AS INDICATED IN THE SIX-YEAR SCHEDULE OF IMPROVEMENTS.**
- GOAL 12.3. FUTURE DEVELOPMENT SHOULD BEAR ITS FAIR-SHARE OF FACILITY IMPROVEMENT COSTS NECESSITATED BY DEVELOPMENT IN ORDER TO ACHIEVE AND MAINTAIN THE CITY'S ADOPTED LEVEL OF STANDARDS AND MEASURABLE OBJECTIVES.**
- GOAL 12.4. THE CITY SHOULD MANAGE ITS FISCAL RESOURCES TO SUPPORT THE PROVISION OF NEEDED CAPITAL IMPROVEMENTS FOR ALL DEVELOPMENTS.**
- GOAL 12.5. THE CITY SHOULD COORDINATE LAND USE DECISIONS AND FINANCIAL RESOURCES WITH A SCHEDULE OF CAPITAL IMPROVEMENTS TO MEET ADOPTED LEVEL OF SERVICE STANDARDS, MEASURABLE OBJECTIVES AND PROVIDE EXISTING FUTURE FACILITY NEEDS.**
- GOAL 12.6. THE CITY SHOULD PLAN FOR THE PROVISION OR EXTENSION OF CAPITAL FACILITIES IN SHORELINE MANAGEMENT AREAS, CONSISTENT WITH THE GOALS, POLICIES AND OBJECTIVES OF THE CITY OF GIG HARBOR SHORELINE MASTER PROGRAM.**

POLICIES

12.1.1. Capital improvement projects identified for implementation and costing more than \$25,000 shall be included in the Six Year Schedule of Improvement of this element. Capital improvements costing less than \$25,000 should be reviewed for inclusion in the six-year capital improvement program and the annual capital budget.

12.1.2. Proposed capital improvement projects shall be evaluated and prioritized using the following guidelines as to whether the proposed action would:

- a. Be needed to correct existing deficiencies, replace needed facilities or to provide facilities required for future growth;
- b. Contribute to lessening or eliminating a public hazard;
- c. Contribute to minimizing or eliminating any existing condition of public facility capacity deficits;
- d. Be financially feasible;
- e. Conform with future land uses and needs based upon projected growth;
- f. Generate public facility demands that exceed capacity increase in the six-year schedule of improvements;
- g. Have a detrimental impact on the local budget.

12.1.3. The City sewer and water connection fee revenues shall be allocated to capital improvements related to expansion of these facilities.

12.1.4. The City identifies its sanitary sewer service area to be the same as the urban growth area. Modifications to the urban growth boundary will constitute changes to the sewer service area.

12.1.5. Appropriate funding mechanisms for development's fair-share contribution toward other public facility improvements, such as transportation, parks/recreation, storm drainage, will be considered for implementation as these are developed by the City.

12.1.6. The City shall continue to adopt annual capital budget and six-year capital improvement program as part of its annual budgeting process.

12.1.7. Every reasonable effort shall be made to secure grants or private funds as available to finance the provision of capital improvements.

12.1.8. Fiscal policies to direct expenditures for capital improvements will be consistent with other Comprehensive Plan elements.

12.1.9. The City and/ or developers of property within the City shall provide for the

availability of public services needed to support development concurrent with the impacts of such development subsequent to the adoption of the Comprehensive Plan. These facilities shall meet the adopted level of service standards.

12.1.10. The City will support and encourage joint development and use of cultural and community facilities with other governmental or community organizations in areas of mutual concern and benefit.

12.1.11. The City will emphasize capital improvement projects which promote the conservation, preservation or revitalization of commercial and residential areas within the downtown business area and along the shoreline area of Gig Harbor, landward of Harborview Drive and North Harborview Drive.

12.1.12. If probable funding falls short of meeting the identified needs of this plan, the City will review and update the plan, as needed. The City will reassess improvement needs, priorities, level of service standards, revenue sources and the Land Use Element.

LEVEL OF SERVICE STANDARDS

The following Level of Service Standards (LOS) shall be utilized by the City in evaluating the impacts of new development or redevelopment upon public facility provisions:

1. ~~Community-Parks:~~
 - ~~7.1 gross acres of general open space per 1,000 population.~~
 - ~~1.5 gross acres of active recreational area per 1,000 population.~~
 - Park level of service standards are addressed in the Parks, Recreation & Open Space Facilities “Inventory and Analysis” section of this Chapter.
2. ~~Transportation/Circulation:~~

Transportation Level of Service standards are addressed in the Transportation Element.
3. ~~Sanitary Sewer:~~

Sanitary sewer level of service standards are addressed in the Wastewater System “Inventory and Analysis” section of this Chapter.
4. ~~Potable Water:~~

Potable water level of service standards are addressed in the Water System “Inventory and Analysis” section of this Chapter.

Six Year Capital Improvement Program

PLAN IMPLEMENTATION AND MONITORING

Implementation

The six-year schedule of improvements shall be the mechanism the City will use to base its timing, location, projected cost and revenue sources for the capital improvements identified for implementation in the other comprehensive plan elements.

Monitoring and Evaluation

Monitoring and evaluation are essential to ensuring the effectiveness of the Capital Facilities Plan element. This element will be reviewed annually and amended to verify that fiscal resources are available to provide public facilities needed to support LOS standards and plan objectives. The annual review will include an examination of the following considerations in order to determine their continued appropriateness:

- a. Any corrections, updates and modifications concerning costs, revenue sources, acceptance of facilities pursuant to dedication which are consistent with this element, or to the date of construction of any facility enumerated in this element;
- b. The Capital Facilities Element's continued consistency with the other element of the plan and its support of the land use element;
- c. The priority assignment of existing public facility deficiencies;
- d. The City's progress in meeting needs determined to be existing deficiencies;
- e. The criteria used to evaluate capital improvement projects in order to ensure that projects are being ranked in their appropriate order or level of priority;
- f. The City's effectiveness in maintaining the adopted LOS standard and objectives achieved;
- g. The City's effectiveness in reviewing the impacts of plans of other state agencies that provide public facilities within the City's jurisdiction;
- h. The effectiveness of impact fees or fees assessed new development for improvement costs;
- i. Efforts made to secure grants or private funds, as available, to finance new capital improvements;
- j. The criteria used to evaluate proposed plan amendments and requests for new development or redevelopment;
- k. Capital improvements needed for the latter part of the planning period for updating the six-year schedule of improvements;
- j. Concurrency status.

Table 12.5 Capital Facilities Projects

Wastewater System Projects

Project No.	Project	Projected Year	Cost	Plan	Primary Funding Sources
Wastewater Treatment System					
T1	Outfall Construction Marine Portion (Bogue View Park to Colvos Passage)	2010-2011	\$8,791,000	6-year	PWTF/ SRF/ revenue bonds /Connection Fees/Utility Rates
T2	WWTP Expansion Phase I	2010	\$7,000,000	6-year	PWTF/ SRF/ revenue bonds /Connection Fees/Utility Rates
T23	WWTP Expansion Phase II	2011-2012	\$8,210,000	6-year	PWTF/ SRF/ revenue bonds /Connection Fees/ Utility Rates
T34	Reuse and Reclamation Studies (\$100,000/yr)	201009-2014	\$500,000	6-year	Connection Fees/Utility Rates
T45	Annual Replacement, Rehabilitation and Renewal	201009-2014	\$610,000	6-year	Connection Fees/Utility Rates
T56	Annual Water Quality Reporting	201009-2014	\$400,000	6-year	PWTF/ SRF/ revenue bonds /Connection Fees/Sewer Rates
Wastewater Treatment Subtotal			\$1825,511,000		
Wastewater Collection System					
C1	Lift Station 1 Improvements (Crescent Creek Park)	2013	\$130,000	6-year	Connection Fees/Utility Rates
C2	Lift Station 3A Jockey Pump Replacement (Harborview Dr./N. Harborview Dr.)	2014	\$156,000	6-year	Connection Fees/Utility Rates
C3	Lift Station 4 Improvements (Harborview Dr./Rosedale St.)	201110-2013	\$2,595,100	6-year	Connection Fees/Utility Rates
C4	Lift Station 5 Improvements (Harborview Ferry Landing)	2013	\$130,000	6-year	Connection Fees/Utility Rates
C5	Lift Station 6 Improvements (Ryan St./Cascade Ave)	201009-201110	\$700,000	6-year	Connection Fees/Utility Rates
C6	Lift Station 7 Improvements (Ried Dr./Hollycroft St.)	2010	\$203,000	6-year	Connection Fees/Utility Rates
C7	Lift Station 8 Improvements (Harbor Country Dr.)	2012-2013	\$532,800	6-year	Connection Fees/Utility Rates
C8	Lift Station 9 Improvements (50 th St./Reid Dr.)	2013	\$127,000	6-year	Connection Fees/Utility Rates
C9	Lift Station 11 Improvements (38 th Ave./48 th St.)	2014	\$139,000	6-year	Connection Fees/Utility Rates
C10	Lift Station 12 Improvements (Woodhill Dr./Burnham Dr.)	2012-2013	\$1,502,500	6-year	Connection Fees/Utility Rates
C11	Lift Station 13 Improvements (Purdy Dr/SR-302)	2012-2013	\$400,900	6-year	Connection Fees/Utility Rates
C12	Install Flow Meter at LS1	201110	\$29,000	6-year	Connection Fees/Utility Rates
C13	Install Flow Meter at LS2	2011	\$31,000	6-year	Connection Fees/Utility Rates

Project No.	Project	Projected Year	Cost	Plan	Primary Funding Sources
C14	Install Flow Meter at LS3A	2014	\$38,000	6-year	Connection Fees/Utility Rates
C15	Install Flow Meter at LS4	2011	\$31,000	6-year	Connection Fees/Utility Rates
C16	Install Flow Meter at LS5	2013	\$36,000	6-year	Connection Fees/Utility Rates
C17	Install Flow Meter at LS6	2010	\$29,000	6-year	Connection Fees/Utility Rates
C18	Install Flow Meter at LS7	2010	\$29,000	6-year	Connection Fees/Utility Rates
C19	Install Flow Meter at LS8	2013	\$36,000	6-year	Connection Fees/Utility Rates
C20	Install Flow Meter at LS9	2013	\$36,000	6-year	Connection Fees/Utility Rates
C21	Install Flow Meter at LS10	2011	\$31,000	6-year	Connection Fees/Utility Rates
C22	Install Flow Meter at LS11	2014	\$38,000	6-year	Connection Fees/Utility Rates
C23	Install Flow Meter at LS12	2011+0	\$29,000	6-year	Connection Fees/Utility Rates
C24	Install Flow Meter at LS13	2014	\$38,000	6-year	Connection Fees/Utility Rates
C25	Install Flow Meter at LS14	2013	\$36,000	6-year	Connection Fees/Utility Rates
C26	Install Flow Meter at LS5	2013	\$36,000	6-year	Connection Fees/Utility Rates
C27	Install Future Lift Station 10A (56 th St./36 th Ave.) and Forcemain	2011+0	\$1,206,000	6-year	Developer Funded
C28	Install Future Lift Station 17A (Skansie Ave./90 th St.) and Forcemain	2011	\$1,581,000	6-year	Developer Funded
C29	Install Future Lift Station 21A (Hunt St/Skansie Ave.) and Forcemain	2010	\$1,518,000	6-year	Developer Funded
C30	Wastewater Comprehensive Plan	2014	225,100	6-year	Connection Fees/Utility Rates
	Wastewater Collection Subtotal		\$10,064,400		
Wastewater Total			\$2835,575,400		

Notes: Estimated costs are based on dollars value in the estimated year of the project.

Water System Projects

Project No.	Project	Projected Year	Cost	Plan	Primary Funding Source
1	Asbestos Cement Water Line Replacement Program (\$75,000/yr)	2010-2014	\$375,000	6-year	Connection Fees/Utility Rates
2	Water Systems Upgrades (\$50,000/yr)	2009-2014	\$300,000	6-year	Connection Fees/Utility Rates
3	Stinson Avenue Water Main Replacement	2010	\$275,000	6-year	Connection Fees/Utility Rates
4	Harborview Drive Water Main Replacement – N. Harborview Dr. to Rosedale St.	2010-2011	\$1,400,000	6-year	Development Mitigation/Connection Fees/Utility Rates
35	Water Rights Annual Advocate for /Permitting (\$40,000/year)	2009-2012	\$160,000	6-year	Connection Fees/Utility Rates
46	Well No. 11 – Deep Aquifer Well	2009-2013	\$4,174,600	6-year	Connection Fees /Utility Rates
7	Well No. 10	2010	\$350,000	6-year	Utility Rates/ Connection Fees
58	Harbor Hill Drive Water Main Extension	2014	\$450,200	6-year	Development Mitigation/Connection Fees/Utility Rates
69	Harborview Drive Loop	2011	\$503,500	6-year	Development Mitigation/Connection Fees/Utility Rates
710	Tarabochia Street Water Main Replacement	2012	\$44,000	6-year	Connection Fees/Utility Rates
811	Grandview Street Water Main Replacement	2012	\$424,400	6-year	Development Mitigation/Connection Fees/Utility Rates
912	96 th Street Water Main Extension	2014	\$269,000	6-year	Development Mitigation/Connection Fees/Utility Rates
1013	Woodworth Avenue Water Main Replacement	2013	\$116,700	6-year	Connection Fees/Utility Rates
1114	Shurgard East Tee and Water Main Replacement	2013	\$437,100	6-year	Development Mitigation/Connection Fees/Utility Rates
1215	Water System Plan Update	2014	\$112,600	6-year	Connection Fees/Utility Rates
	Water Total		\$7,367,100 9,392,100		

Note: Estimated costs are in 2009 dollars

Park, Recreation & Open Space Projects

Project No.	Project	Projected Year	Cost	Plan	Primary Funding Sources
1	City Park Improvements	ongoing		6-year	Grants/Local
2	GHPHS Museum-Creek Easement Acquisition	2008-2012	\$425,000	6-year	Local
3	Gig Harbor North Park	2008-2012	\$3,000,000	6-year	Developer Mitigation/Impact
4	Jerisich Dock-Moorage Extension	2010-2012	\$300,000	6-year	Fees/Grants/Donations
5	Cushman Trail Phase III 96 th -to Borgen	2008-2011	1,500,000	6-year	Local/County
6	Boys and Girls Club/Senior Center	2010-2011	250,000	6-year	Local
7	Pioneer Way Streetscape	2008-2012	\$127,000	6-year	Local
8	Austin Estuary Park	2008-2012	455,000	6-year	RCO Grant
9	Skansie House Remodel	2010-2012	\$60,000-\$100,000	6-year	PSRC Grant/Local
10	Skansie Netshed Repair and Restoration	2010-2014	\$450,000	6-year	Heritage Grant/Local
11	Wheeler Pocket Park	2012	70,000	6-year	Local
12	Wilkinson Farm Barn Restoration	2010-2014	\$200,000	6-year	Heritage Barn Grant/Local Match
13	Wilkinson Farm Park Development	2010-2013	\$900,000	6-year	State-RCO Grant/Preservation Grants/Local Match
14	WWTP/Cushman Trail Access	2010-2012	\$25,000	6-year	Local
15	Kenneth Leo Marvin Veterans Memorial Park Phase 2	2010-2015	\$250,000	6-year	IAC Grant/Impact Fees/Local
16	Eddon Boatyard Dock Restoration	2010-2011	\$250,000	6-year	Heritage Grant
17	Eddon Boat Park Development	2011-2014	\$2,000,000	6-year	RCO Grants/Local
18	Maritime Pier Dock Improvements	2010-2012	\$4,500,000	6-year	Local
19	North/Donkey Creek Corridor: (Conservation Properties) Northwest of Donkey Creek Park along the Creek.	2010-2014	\$1,500,000	6-year	County Conservation Futures
20	Jerisich / Skansie Park Development	2009-2010	\$150,000	6-year	Local
21	Sewer Easement Trail (Veterans Park to 45 th Street Court)	2009-2014	\$300,000	6-year	Local
22	Donkey Creek Restoration	2010-2016	\$1,200,000	6-year	Local/Federal
	Subtotal		\$17,912,000		

Notes:

- (1) CFP – Capital Facilities Program
- (2) GI Fee – Growth Impact Fee
- (3) Bond – Park, Recreation & Open Space Bond

<u>Project No.</u>	<u>Project</u>	<u>Projected Year</u>	<u>Cost</u>	<u>Plan</u>	<u>Primary Funding Sources</u>
1	Harbor History Museum Donkey Creek Acquisition and Easement	2008-2012	\$400,000	6 year	Local
2	Eddon Boatyard Dock Reconstruction	2010-2011	\$250,000	6 year	Heritage Grant
3	Donkey Creek/Austin Estuary Restoration and Roads Project*	2008-2016	\$350,000	6 year	RCO Grant (Funded)
4	Boys and Girls Club/Senior Center	2010-2011	\$1,000,000	6 year	Local (\$250,000), Federal HUD (Funded \$750,000)
5	Crescent Creek Park Playground Improvements	2010-2011	\$50,000- \$300,000	6 year	Grants, Local, Fundraising
6	Skansie Netshed Stabilization Project	2010-2014	\$250,000	6 year	Heritage Grant, Local
7	Cushman Trail Phase III 96th to Borgem	2010-2011	\$2,000,000	6 year	Local, County, RCO Grant, Federal
8	Eddon Boat Park Development	2011-2014	\$300,000	6 year	RCO Grants, Local
9	Gig Harbor North Park	2008-2012	\$5,000,000	6 year	Developer Mitigation, Grants
10	Gig Harbor North Trail System	2010-2014	\$1,500,000	6 year	Local, Developer Mitigation, Grants
11	Wilkinson Farm Barn Restoration	2010-2014	\$250,000	6 year	Heritage Barn Grant, Local Match
12	Jerisich Dock Utility Upgrades	2010-2013	\$70,000	6 year	Local, RCO Grant (BIG)
13	Skansie House Improvements	2010-2012	\$60,000 - \$100,000	6 year	PSRC Grant, Local
14	Jerisich Dock Float Extension	2010-2012	\$300,000	6 year	Fees, Grants, Donations
15	Jerisich / Skansie Park Improvements	2009-2010	\$150,000	6 year	Local, Donations/Volunteer
16	Seasonal Floats at Jerisich Dock	2010-2012	\$200,000	6 year	Local, RCO Grant
17	Maritime Pier	2010-2012	\$2,500,000- \$5,000,000	6 year	Local, Grants, Fees
18	Develop Plan for Wilkinson Farm Park	2010-2011	\$25,000	6 year	Grants, Local, Fundraising
19	Twawelkax Trail	2010-2012	\$125,000	6 year	Local
20	Veterans Memorial Trail	2009-2014	\$125,000	6 year	Local
21	Wilkinson Farm Park Development	2011-2013	\$900,000	6 year	RCO Grant, Preservation Grants, Local Match
22	Develop Plan for Crescent Creek Park	2015	\$25,000	6 year	Grants, Local, Fundraising
23	Harborview Waterfront Trail / Pioneer Way Streetscape	2010-2014	\$500,000	6 year	Grants, Local, Fundraising
24	Kenneth Leo Marvin Veterans Memorial Park Phase 2	2010-2015	\$250,000	6 year	RCO Grant, Local
25	Donkey Creek Corridor Conservation	2010-2016	\$1,500,000	6 year plan	County Conservation Futures
26	Critical Area Enhancement	2012-2016	\$100,000	6 year	Local, Volunteers, Grants

<u>Project No.</u>	<u>Project</u>	<u>Projected Year</u>	<u>Cost</u>	<u>Plan</u>	<u>Primary Funding Sources</u>
27	Wheeler Pocket Park	2010-2012	\$70,000	6 year	Local
	Park Total		\$18,250,000 to \$21,040,000		

* The Donkey Creek/Austin Estuary Restoration and Roads Project benefits Stormwater, Parks and Transportation projects. The City has included portions of this project in each of these project lists; the total project amount is \$2,560,000.

Stormwater System-Projects

<u>Project No.</u>	<u>Project</u>	<u>Projected Year</u>	<u>Cost</u>	<u>Plan</u>	<u>Primary Funding Source</u>
1	Update storm facilities mapping (\$50,000/yr)	Annually	\$300,000	6-year	Connection Fees/Utility Rates
2	Garr Creek Tributary Channel (38 th St)/WWTP Erosion Study	2010-2011	\$50,000	6-year	Connection Fees/Utility Rates
3	38 th /Quail Run Ave Storm Culverts	2014	\$208,200	6-year	Connection Fees/Utility Rates
4	Donkey Creek/Austin Estuary Restoration and Roads Project* Daylighting	2011	\$1,236,000	6-year	State/Federal Salmon Recovery Grants/Earmarks/Local
5	Donkey Creek Culvert under Harborview Drive	2013	\$546,400	6-year	State/Federal Salmon Recovery Grants/Earmarks
6	Annual Storm Culvert Replacement Program (\$50,000/yr)	2009-2014	\$300,000	6-year	Connection Fees/Utility Rates
7	50 th Street Box Culvert	2012	\$371,300	6-year	Connection Fees/Utility Rates
8	Quail Run Water Quality System Improvements	2011-14	\$15,000	6-year	Connection Fees/Utility Rates
9	Annual NPDES Implementation Expenses	2009-2014	\$100,000	6-year	Connection Fees/Utility Rates /State Grant
10	Aquifer Re-charge - Spadoni Gravel Pit and adjacent property north of 96 th street between SR-16 and Burnham Drive.	2011	\$1,700,000	6-year	State/Federal Transportation Funding/Grant
11	Burnham Drive/96 th Street Culvert Replacement	2014	\$56,300	6-year	Connection Fees/Utility Rates
12	Borgen Boulevard/Peacock Hill Avenue Culvert Replacement	2014	\$36,600	6-year	Connection Fees/Utility Rates
13	102 nd Street Court Culvert Replacement	--	\$20,000	6-year	Private Development
14	Burnham Drive/Harborview Drive Rock Spall Pad Construction	--	\$15,000	6-year	Private Development
15	101 st Street Court Detention Pond Reconstruction	--	\$25,000	6-year	Private Development

Project No.	Project	Projected Year	Cost	Plan	Primary Funding Source
16	101 st Street Court Culvert Replacement	--	\$20,000	6-year	Private Development
17	Stormwater Comprehensive Plan Update	2014	\$112,600	6-year	Connection Fees/Utility Rates
	Stormwater Total		\$5,112,400		

Notes:

- Costs shown above are estimates and do not include such items as permitting costs, sales tax, right-of-way acquisition, utility relocations, trench dewatering, traffic control or other unforeseen complications.
 - Private Development funding indicates the full cost for the project shall be borne by property owner(s) or developer(s).
- * The Donkey Creek/Austin Estuary Restoration and Roads Project benefits Stormwater, Parks and Transportation projects. The City has included portions of this project in each of these project lists; the total project amount is \$2,560,000.

Transportation Improvement Projects

Project No.	Project Name	Projected Start Year	Estimated Cost	Plan	Funding Source
1	SR-16/Borgen/Canterwood Hospital Mitigation Improvements	2009	\$11,000,000	6-Year	State/Local
2	50th St Ct NW Improvements	2009	\$1,600,000	6-Year	State/Local
3	Harbor Hill and Borgen Intersection Improvements	2013	\$704,000	6-Year	Developer/Local
4	Rosedale and Stinson Intersection Improvements	2013	\$275,000	6-Year	Local
5	38 th Ave Improvements Phase 1	201009	\$9,790,000	6-Year	State/Local
6	Harbor Hill Drive Extension	201409	\$5,500,000	6-Year	Developer/Local
7	Burnham Dr Phase 1	201411	\$11,360,000 6,700,000	6-Year	State/Local/Developer
8	Burnham Dr/Harbor Hill Drive Intersection Improvements	201110	\$2,200,000	6-Year	Developer/Local
9	Soundview and Hunt Intersection Improvements	2012	\$660,000	6-Year	Developer/Local
10	Olympic/Pt. Fosdick Intersection Improvements	201009	\$440,000	6-Year	Developer/Local
11	Wollochet Dr Improvements	201310	\$660,000	6-Year	Developer/Local
12	Harborview/N Harborview Intersection Improvements	2010	\$1,650,000	6-Year	Local
13	SR 16/Olympic Drive	2012	\$825,000	6-Year	<u>Developer/</u> State/Local
14	Rosedale St/Skansie Ave Intersection Improvements	2011	\$ 275,000	6-Year	Local
15	38th Ave Improvements Phase 2	2009	\$5,280,000	6-Year	State/Local
16	Skansie Ave Improvements	2010	\$9,460,000	6-Year	Local
17	Rosedale St Improvements	2010	\$3,740,000	6-Year	State/Local
18	Olympic/Hollycroft Intersection Improvements	2013	\$26,000	6-Year	Local
19	Vernhardson St Improvements	201413	\$375,000	6-Year	Local

Project No.	Project Name	Projected Start Year	Estimated Cost	Plan	Funding Source
20	Point Fosdick Pedestrian Improvements	201140	\$300,000 1,100,000	6-Year	State/Local
21	Harborview Dr. Improvements from N. Harborview Dr. to Pioneer Wy	201244	\$100,000	6-Year	Federal/State/Local
22	Judson/Stanich/Uddenberg Improvements	201012	\$2,090,000	6-Year	State/Local
23	Donkey Creek Daylighting Street and Bridge Improvements Donkey Creek/Austin Estuary Restoration and Roads Project*	201009	\$974,000 2,050,000	6-Year	Federal/State/Local
24	Wagner Way/Wollochet Drive Traffic Signal	201309	\$300,000	6-Year	Developer/Local
26 25	Grandview Drive Phase 1 from Stinson to Pioneer	201440	\$500,000	6-Year	Developer/Local
25 26	Grandview Drive Phase 2 from Soundview to McDonald	201009	\$860,000	6-Year	Local
27	Pt Fosdick/56th Street Improvements	201240	\$4,330,000 0,000	6-Year	State/Local/Developer
	Subtotal 6-Year:		\$79,558,000 72,056,000		
28	96th Street SR16 Crossing	2030	\$8,000,000	Other	State/Local
29	Briarwood Lane Improvments	202045	\$3500,000	Other	Local
30	Franklin Franklin Ave Improvements	2015	\$500,000	Other	Local
31	Street Connections - Point Fosdick Area	2015	\$600,000	Other	Local
32	Crescent Valley Connector	2030	\$2,000,000	Other	Local
33	Downtown Parking Lot Design	201509	\$60,000	Other	Local
34	Downtown Parking Lot property acquisition	201509	n/a	Other	Local
35	Purchase land for ROW, stormwater improvements, wetland mitigation	201508	n/a	Other	Local
36	Public Works Operations Facility	201540	\$1,125,000	Other	Local
	Subtotal Other:		\$12,585,000 12,785,000		
	Transportation Total:		\$92,369,000 84,841,000		

* The Donkey Creek/Austin Estuary Restoration and Roads Project benefits Stormwater, Parks and Transportation projects. The City has included portions of this project in each of these project lists; the total project amount is \$2,560,000.

Gig Harbor Municipal codes applicable to Comprehensive Plan Amendment Review

When reviewing the applications please use these codes as additional guidance in developing comments. Italics indicate Planning Staff opinions/notes

19.09.170 Criteria for approval.

The city's comprehensive plan was developed and adopted after significant study and public participation. The goals and policies contained therein shall therefore be granted substantial weight when considering a proposed amendment. The city council shall make written findings regarding each application's consistency or inconsistency with the following criteria:

A. The proposed amendment will further and be consistent with the goals, policies and objectives of the comprehensive plan; and

B. The proposed amendment is consistent with the Growth Management Act, the countywide planning policies and other applicable interjurisdictional policies and agreements, and/or other state or local laws; and

C. The proposed amendment will not adversely impact the city's ability to provide sewer and water, and will not adversely affect transportation facilities and other public facilities and services such as parks, police, fire, emergency medical services and governmental services; and

D. The proposed amendment advances the public interest; and

E. For text amendments which propose to increase density or intensity of permitted development and all land use map amendments, the following approval criteria also apply:

1. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of this amendment, according to one of the following provisions:

a. The city has adequate funds for needed infrastructure, facilities and services to support new development associated with the proposed amendments; or

b. The city's projected revenues are sufficient to fund needed infrastructure, facilities and services, and such infrastructure, facilities and services are included in the schedule of capital improvements in the city's capital facilities plan; or

c. Needed infrastructure, facilities and services will be funded by the developer under the terms of a development agreement associated with the comprehensive plan amendment; or

d. Adequate infrastructure, facilities and services are currently in place to serve expected development as a result of this comprehensive plan amendment based upon an assessment of land use assumptions; or

e. Land use assumptions have been reassessed, and required amendments to other sections of the comprehensive plan are being processed in conjunction with this amendment in order to ensure that adopted level of service standards will be met; and

2. For a land use map amendment, the subject parcels being redesignated are physically suitable for the allowed land uses in the designation being requested, including compatibility with existing and planned surrounding land uses; and

3. The proposed amendment will not create a demand to change land use designations of other properties, unless the change in land use designation for other properties is in the long-term interest of the community in general.

- *Only criteria A through D apply the two applications being reviewed.*



COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF RECOMMENDATION
CITY OF GIG HARBOR PLANNING COMMISSION
COMP 10-0002

TO: Mayor Hunter and Members of the Council
FROM: Harris Atkins, Chair, Planning Commission
RE: COMP 10-0002 – Capital Facilities Plan

Having reviewed the proposal and after holding a public hearing on August 5, 2010, the City of Gig Harbor Planning Commission recommends the City Council **APPROVE** the following Comprehensive Plan amendment:

COMP 10-0002: Capital Facilities Plan

The proposed city-sponsored Comprehensive Plan text amendment would make annual updates to capital facilities plan and project lists.

CRITERIA FOR APPROVAL

The Planning Commission made this recommendation after reviewing the criteria for approval found in GHMC 19.09.170. The Planning Commission has determined that criterion E does not apply as the proposal is not a land use amendment and does not increase the density or intensity of permitted development. The recommendation is based on the following analysis of the applicable criteria:

A. The proposed amendment will further and be consistent with the goals, policies and objectives of the comprehensive plan; and

The City's Comprehensive Plan seeks to keep pace with the population and commercial growth through the funding of capital improvements that manage and allow for the projected growth. The amendments to the water, parks and transportation project lists and parks level of service analysis in the Capital Facilities Plan will allow the city to better address the planning area's needs by identifying capital projects and associated funding strategies.

B. The proposed amendment is consistent with the Growth Management Act, the countywide planning policies and other applicable interjurisdictional policies and agreements, and/or other state or local laws; and

The Planning Commission did not identify any policies in the Growth Management Act, the countywide planning policies or multi-county planning policies that the proposed amendment was in conflict with.

C. The proposed amendment will not adversely impact the city's ability to provide sewer and water, and will not adversely affect transportation facilities and other public facilities and services such as parks, police, fire, emergency medical services and governmental services; and

The amendments are necessary so as not to create significant adverse impacts to the city's infrastructure. Updating the transportation, water, parks and open space project lists in the capital facilities plan allows the City to plan for and provide the necessary infrastructure to serve the development projected by the Comprehensive Plan.

D. The proposed amendment advances the public interest; and

This amendment serves the public interest by creating a plan to provide the infrastructure needed to meet agreed upon levels of service for citizens and ratepayers and to provide for the growth potential of the City.

Harris Atkins, Chairman
Planning Commission

HARRIS S. ATKINS

Date 8/12/2010

cc: Planning File



COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF RECOMMENDATION

CITY OF GIG HARBOR PLANNING COMMISSION COMP 10-0001

TO: Mayor Hunter and Members of the Council
FROM: Harris Atkins, Chair, Planning Commission
RE: COMP 10-0001 – Parks, Recreation, and Open Space Element

Having reviewed the proposal and after holding a public hearing on August 5, 2010, the City of Gig Harbor Planning Commission recommends the City Council **APPROVE** the following Comprehensive Plan amendment:

COMP-10-0001: Parks, Recreation and Open Space Element, the proposed city-sponsored Comprehensive Plan text amendment would insert parks, recreation and open space goals and policies, as adopted in the 2010 Park Plan, into the comprehensive plan.

CRITERIA FOR APPROVAL

The Planning Commission made this recommendation after reviewing the criteria for approval found in GHMC 19.09.170. The Planning Commission has determined that criterion E does not apply as the proposal is not a land use amendment and does not increase the density or intensity of permitted development. The recommendation is based on the following analysis of the applicable criteria:

A. The proposed amendment will further and be consistent with the goals, policies and objectives of the comprehensive plan; and

Historically, the City has had a Parks, Recreation and Open Space Element in the Comprehensive Plan. This element was removed in 2009 because the 2001 Park Plan, which had been adopted by reference, had expired and a new 2010 Park Plan was being developed. Insertion of the goals and policies of the adopted 2010 Park Plan into the Parks, Recreation and Open Space Element is consistent with the approved 2009 comprehensive plan amendment which put the following language in the Parks, Recreation and Open Space Element. *"This chapter is reserved for the parks, recreation and open space plan. The City has removed the expired 2001 plan and is working*

on a replacement plan for adoption in the 2010 Comprehensive Plan Amendment Cycle."

B. The proposed amendment is consistent with the Growth Management Act, the countywide planning policies and other applicable interjurisdictional policies and agreements, and/or other state or local laws; and

The Planning Commission did not identify any policies in the Growth Management Act, the countywide planning policies or multi-county planning policies that the proposed amendment was in conflict with.

C. The proposed amendment will not adversely impact the city's ability to provide sewer and water, and will not adversely affect transportation facilities and other public facilities and services such as parks, police, fire, emergency medical services and governmental services; and

The Planning Commission believes that any impacts the proposed policies and goals will have on City infrastructure were adequately assessed through the process which adopted the 2010 Park Plan. Given the adoption of the 2010 Park Plan, the City has already determined that no adverse impacts will occur.

D. The proposed amendment advances the public interest; and

Given the substantial amount of public comment and process in the development of the 2010 Park Plan through the Parks Commission and the adoption of the 2010 Park Plan by the City Council in June 2010, the Planning Commission finds that proposed amendment advances the public interest.

Harris Atkins, Chairman
Planning Commission

HARRIS S. ATKINS

Date 8/12/2010

cc: Planning File



Business of the City Council
City of Gig Harbor, WA

Subject: Second Reading of Ordinance
Vacating a Portion of Prentice Avenue - Page

Proposed Council Action:
Move to adopt Ordinance No. _____
Vacating a portion of Prentice Avenue.

Dept. Origin: Public Works

Prepared by: Willy Hendrickson, Engineering Technician

For Agenda of October 25, 2010

Exhibits: Petition Request, Location map, Vicinity map, Checklist, Ordinance

	Initial & Date
Concurred by Mayor:	_____
Approved by City Administrator:	_____
Approved as to form by City Atty:	_____
Approved by Finance Director:	N/A
Approved by Department Head:	<i>[Signature]</i> 10/20/10

Expenditure Required	\$0	Amount Budgeted	\$0	Appropriation Required	\$0
----------------------	-----	-----------------	-----	------------------------	-----

INFORMATION/BACKGROUND

The City received a letter from Thornton Surveying representing Mr. Thomas Page, owner of 9404 Peacock Ave. NW, Gig Harbor WA, petitioning the City to vacate a 33' portion of Prentice Avenue abutting this property in accordance with GHMC 12.14.002.

At the September 13th Council meeting, Council approved Resolution 840 setting the public hearing date and first reading of this Ordinance on the October 11th Council Meeting.

The 33' Right-of-Way proposed for vacation to Parcel Number 9815000050 along Prentice Ave. is situated in the Woodworth's Addition Plat recorded August 22, 1890. This portion of Prentice Ave. lies within a Non-User Statute area as described in GHMC 12.14.018C. All City departments have approved the proposed street vacation. No City utility easements will be required.

POLICY CONSIDERATIONS

The Right-of-Way proposed for vacation is surplus to the city's needs, and the city does not have any plans for improving this Right-of-Way proposed for vacation.

FISCAL CONSIDERATION

The processing fee has been paid in accordance with GHMC 12.14.004.

RECOMMENDATIONS

Adopt ordinance vacating a portion of Prentice Avenue.



Old Business - 2
8803 State Highway 16 **Page 2 of 12**
PO Box 249
Gig Harbor, WA 98335
T 253 858 8106
F 253 858 7466
thorntonls.com

09 June, 2010

Mr. Willie Hendrickson
Engineering Technician
3510 Grandview Street
Gig Harbor, WA 98335

RE: Vacation of portion of Prentice Avenue (Chester Street) right-of-way

Dear Mr. Hendrickson,

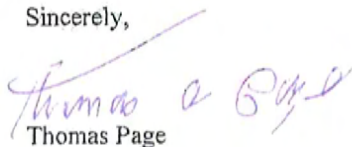
This letter serves as an official request to vacate a 33-foot wide strip of Prentice Avenue abutting my properties at 9404 Peacock Hill Avenue NW in the City of Gig Harbor. This right-of-way along with my properties were created from the plat called "Woodworth's addition to gig harbor" in book 5 of plats at page 66 in Pierce County, Washington. These portions of Prentice Avenue & Benson Street abutting my property at parcel numbers 9815000050 have never been used as street, nor has it been constructed.

Under the City of Gig Harbor's Municipal Code 12.14.018.C, which sites the "vacations of streets and alleys subject to 1889-90 Laws of Washington, Chapter 19, Section 32 (Non-user statue)", that portion of Prentice Avenue & Benson Street right-of-way's abutting my parcels has adversely, by operation of law, become mine legally since these right-of-way's were never opened nor used for their original purpose.

In light of this information, I wish to request those portions of the Prentice Avenue abutting my properties be vacated. See attached drawings depicting the original location of the subject portion of Prentice Avenue right-of-way's in relation to my parcels.

Thank you for your assistance.

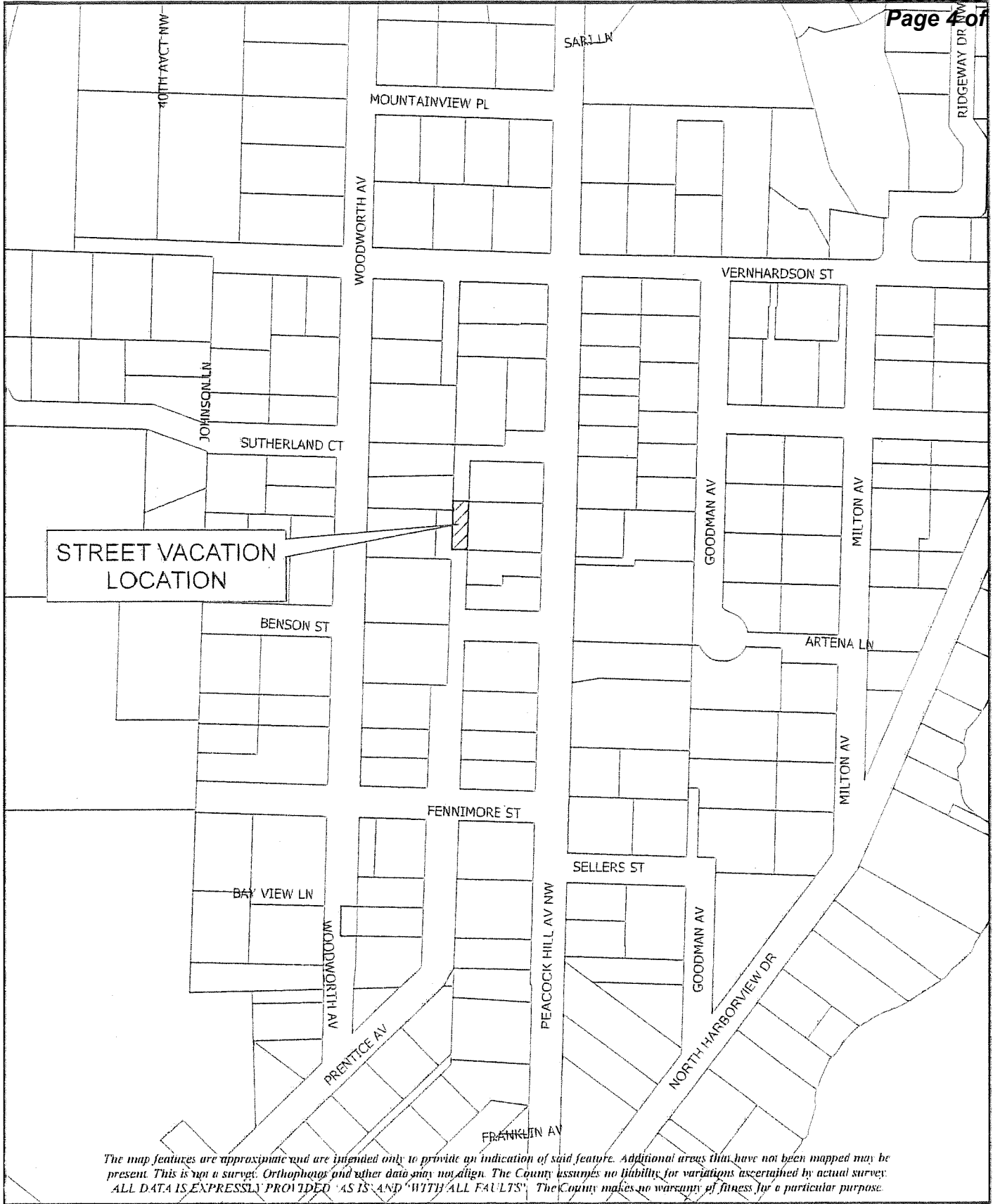
Sincerely,


Thomas Page



The map features are approximate and are intended only to provide an indication of such feature. Additional areas that have not been mapped may be present. This is not a survey. Computations and other data may vary slightly. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED "AS IS" AND "WITH ALL FAULTS". The County makes no warranty of fitness for any particular purpose.

PAGE - 9404 PEACOCK HILL - STREET VACATION
LOCATION MAP



The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED "AS IS" AND "WITH ALL FAULTS". The County makes no warranty of fitness for a particular purpose.



VACATION OF STREETS AND ALLEYS

GIG HARBOR MUNICIPAL CODE CHAPTER 12.14

Name: Thomas Page Date: 10/4/2010

Site address: 9404 Peacock Hill Ave

Phone Number: 858-7190 Parcel Number: 9815000050

OWNER REQUIREMENTS

- ✓ The petition or resolution shall be filed with the city clerk, and the petition shall be signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated. [GHMC § 12.14.002 (c)].
- ✓ Nonrefundable payment to the City of a pre-hearing fee of \$150.00, to defray the administrative cost incurred in processing such vacation petitions [GHMC § 12.14.004 (a)].
- ✓ Legal description prepared by a Licensed Surveyor of area to be vacated [GHMC § 12.14.002 (b)].
- ✓ Location map showing surrounding street network, existing utilities, and adjacent properties labeled with ownership, site addresses, and parcel numbers.
- ✓ Site map prepared by a Licensed Surveyor showing the existing property and street vacation areas with dimensions (using bearings and distances), calculated square footage, two-foot contours, existing easements, wetlands and trails or other relevant information.
- ✓ At the time the City Council recommends granting a vacation petition, the petitioner shall deposit a \$500.00 appraisal fee with the Public Works Director [GHMC § 12.14.004 (b)]. Appraisal fee not required if qualified under the Non-user Statute [GHMC § 12.14.018 (c)].
- ✓ Compensation to the City for vacation if applicable [GHMC § 12.14.018]. Compensation not required if qualified under the Non-user Statute [GHMC § 12.14.018 (c)].

CITY REVIEW

- ✓ Determine Non-user Statute application. YES
- ✓ Verify all information provided in the petition, legal description, location map, and site map. YES
- ✓ Describe topography and vegetation (forested, cleared, etc.) using GIS aerial and digital camera photos of site. TREES WITH REAR DRIVEWAY ACCESS
- ✓ Verify existing utilities or call One Call Locate to determine what utilities are on the property. SEWER SERVICE LINE TO PARCEL.
- ✓ Determine proposed vacation's consistency with City of Gig Harbor Comprehensive Plan (i.e. transportation element). NO IMPACTS
- ✓ Determine current extent of public use of area proposed to be vacated as a Prescriptive Easement. NO CURRENT PUBLIC USE
- ✓ Determine possible retention for future public uses: Roadway, water, sewer, storm drainage, parking facilities, parks, view areas, and access to waterfront. NO FUTURE PUBLIC USE

- ✓ Develop history of area proposed to be vacated including when area was purchased, dedicated, or otherwise acquired. NON-USER STATURE – WOODWORTH'S ADDITION - 1890
- ✓ Determine compensation for vacation as described in GHMC § 12.14.018 if applicable. NONE
- ✓ Verify payment of pre-hearing \$150 fee and \$500 appraisal fee. \$150 PAID - \$500 NOT REQ'D
- ✓ Prepare aerial vicinity map. YES
- ✓ Prepare Council Resolution. YES
- ✓ Post notices of Public Hearing. YES
- ✓ Determine hearing date. YES
- ✓ Legal Review CITY ATTORNEY APPROVED

AFTER RECORDING RETURN TO:

The City of Gig Harbor
Attn: City Clerk
3510 Grandview St.
Gig Harbor, WA 98335

WASHINGTON STATE COUNTY AUDITOR/RECORDER'S INDEXING FORM

Document Title(s) (or transactions contained therein):

Ordinance No. - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY GIG HARBOR, WASHINGTON, VACATING A PORTION OF PRENTICE AVENUE.

Grantor(s) (Last name first, then first name and initials)

Page, Thomas A. and Dagmar L.

Grantee(s) (Last name first, then first name and initials)

City of Gig Harbor

Legal Description (abbreviated: i.e., lot, block, plat or section, township, range)

Portion of the east half of Prentice Avenue, volume 5 of Plats at page 66 AFN 38968, records of Pierce County, Washington

Assessor's Property Tax Parcel or Account number: 9815000050

Reference number(s) of documents assigned or released: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY GIG HARBOR, WASHINGTON, VACATING A PORTION OF PRENTICE AVENUE ABUTTING 9404 PEACOCK HILL AVENUE.

WHEREAS, Thomas A. and Dagmar L. Page petitioned the City to vacate a portion of Prentice Avenue (originally platted as Chester Street), which abuts their property at 9404 Peacock Hill Avenue, Gig Harbor, Washington, under the nonuser statute, RCW 36.87.090 and GHMC Section 12.14.018(C); and

WHEREAS, the portion of this street subject to the vacation petition was platted in the Plat of Woodworth's Addition, recorded in the records of Pierce County on August 22, 1890; and

WHEREAS, in 1890, this street was in unincorporated Pierce County; and

WHEREAS, the portion of Prentice Avenue subject to the vacation petition was not included in any street that was opened or improved within five years after the original platting in 1890; and

WHEREAS, under RCW 36.87.090, any county road which remained unopened for public use for five years after platting was vacated by lapse of time; and

WHEREAS, the City's street vacation procedures for streets subject to the nonuser statute merely eliminates the cloud on the title created by the plat, because the street has already vacated by lapse of time and operation of law; and

WHEREAS, after receipt of the street vacation petition, the City Council passed Resolution No. 840 initiating the procedure for the vacation of the referenced street and setting a hearing date; and

WHEREAS, after the required public notice had been given, the City Council conducted a public hearing on the matter on October 11, 2010, and at the conclusion of such hearing determined that the aforementioned Right-of-Way vacated by operation of law and lapse of time; Now, Therefore,

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

Section 1. The City Council finds that the unopened portion of the platted Prentice Avenue Right-of-Way described in the Page street vacation petition has vacated by lapse of time and operation of law under RCW 36.87.090. The vacated portion of Prentice Avenue, lying between Benson Street and Sutherland Street, Lots 2, and 3 of the Woodworth Addition, Parcel No. 9815000050, abutting 9404 Peacock Hill Avenue is legally described in Exhibit A attached hereto and incorporated by this reference, and further, is shown on the map attached hereto as Exhibit B.

Section 2. The City has the authority to adopt a vacation ordinance to formally remove the cloud on the title of the referenced Right-of-Way area. This street vacation ordinance does not affect any existing rights, including any the public may have acquired in the Right-of-Way since the street was vacated by operation of law.

Section 3. The City Clerk is hereby directed to record a certified copy of this ordinance with the office of the Pierce County Auditor.

Section 4. This ordinance shall take effect five days after passage and publication as required by law.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 25th day of October, 2010.

CITY OF GIG HARBOR

By: _____
Charles L. Hunter, Mayor

ATTEST/AUTHENTICATED:

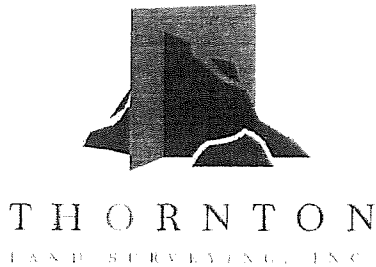
By: _____
Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney:

By: _____
Angela Belbeck

FILED WITH THE CITY CLERK: 10/05/10
PASSED BY THE CITY COUNCIL: 10/25/10
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

EXHIBIT A
LEGAL DESCRIPTION



8803 State Highway 16
PO Box 249
Gig Harbor, WA 98335
T 253 858 8106
F 253 858 7466
thorntonls.com

PROPOSED
LEGAL DESCRIPTION

RIGHT-OF-WAY THAT WILL ATTACH BY OPERATION OF LAW TO PAGE ADJOINER FOLLOWING VACATION OF A PORTION OF PRENTICE AVENUE, GIG HARBOR, WASHINGTON, BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST, W.M., IN PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE EAST HALF OF PRENTICE AVENUE (FORMERLY CHESTER STREET) PER THE PLAT OF WOODWORTHS ADDITION TO GIG HARBOR, RECORDED IN VOLUME 5 OF PLATS AT PAGE 66, UNDER AUDITOR'S FILE NUMBER 38968, RECORDS OF PIERCE COUNTY, WASHINGTON, LYING BETWEEN THE WESTERN EXTENSION OF THE NORTH LINE OF THE SOUTH 40 FEET OF LOT 2, BLOCK 2 OF SAID PLAT AND THE WESTERN EXTENSION OF THE SOUTH LINE OF THE OF LOT 3, BLOCK 2 OF SAID PLAT.

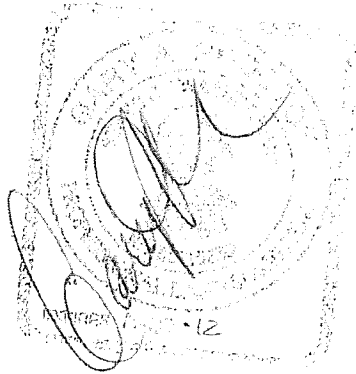
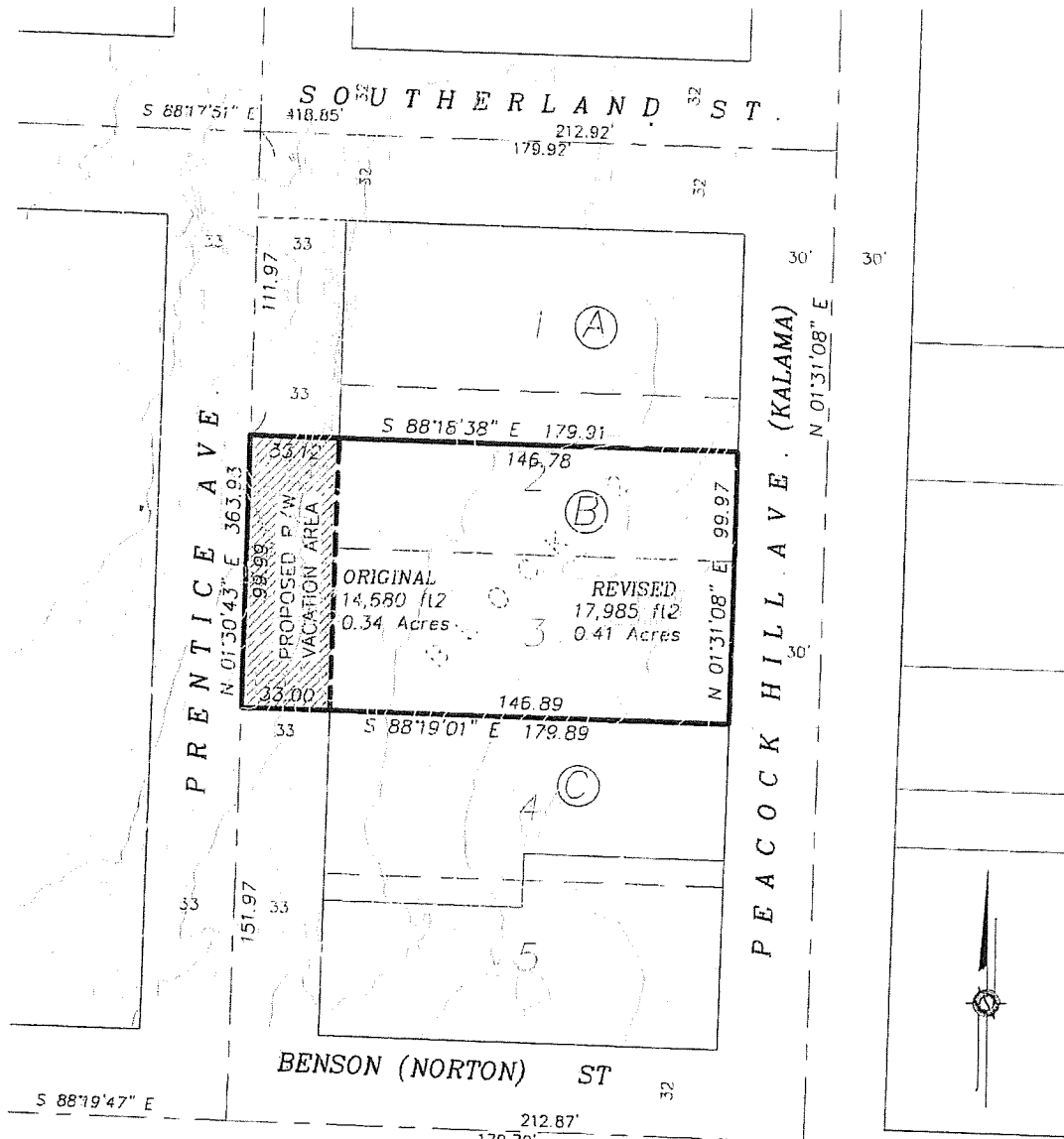


EXHIBIT B
SURVEY MAP



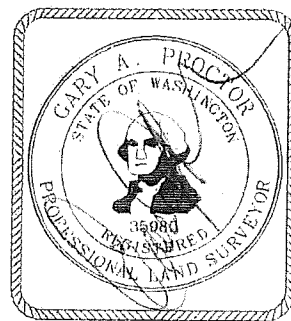
PARCEL/LOT INFORMATION: S

LOT TAX PARCEL NO.	ADDRESS	OWNER
A 9815000041	9416 PEACOCK HILL AVE	DURHAM
B 9815000050	9404 PEACOCK HILL AVE	PAGE
C 9815000061	9324 PEACOCK HILL AVE	BOYD

AREA OF STREET VACATION

PRENTICE AVE 3,306 ft²

SCALE: 1"=60 FEET



Subject: 1st Public Hearing –
Harbor Hill LLC Development Agreement

Proposed Council Action:
Review development agreement and hold
second public hearing on November 8, 2010

Dept. Origin: Planning Department

Prepared by: Jennifer Kester
Senior Planner *JK*

For Agenda of: October 25, 2010

Exhibits: Draft Development Agreement

Initial & Date

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

CUH 10/21/10
JK 10/21/10
by e-mail
N/A
TD 10/21/10

Expenditure Required	Amount Budgeted	Appropriation Required
\$0	\$0	\$0

INFORMATION / BACKGROUND

In 2009 the Council passed an ordinance that extended the potential terms of development agreements to 20 years. The ordinance further allowed projects in the planned community development land use designation to deviate from the allowed uses, minimum and maximum densities, maximum gross floor area, or maximum structure height allowed in the underlying zoning district if a majority of the City Council plus one approved a development agreement. Before approving such development agreement the City Council must: 1) vote to initiate consideration of the development agreement; 2) require that the Planning and Building Committee meet and make a recommendation to the Council as a whole; 3) conduct two properly noticed public hearings on the development agreement.

For the last 9 months the property owners (Harbor Hill LLC) have been meeting with the City to discuss a development agreement that would allow deviations from zoning requirements in the Harbor Hill PCD-RLD, PCD-RMD and PCD-BP districts owned by the Harbor Hill LLC. On September 13, 2010, the Council voted to initiate the consideration of the development agreement. On October 20, 2010, the Planning and Building Committee considered the draft development agreement and recommended approval to the Council. Now the Council is to hold two public hearing prior to voting on the development agreement. The Planning and Building Committee draft of the agreement is attached to this council bill.

The development agreement covers approximately 251 acres both north and south of Borgen Boulevard, east of Costco and The Ridge at Gig Harbor, including some of the Harbor Hill

Business Park and all of the proposed Harbor Hill residential plat. The application is **Page 2 of 39** associated with a preliminary plat and preliminary planned residential development application for 824 dwelling units on 200 acres. The development agreement is also associated with lots 1A, 1B, 3, 4B, 5 and 6 of the Harbor Hill Business Park which received final plat approval in 2006.

The proposed development agreement would run for 20 years and would grant the following benefits to the City of Gig Harbor in exchange for benefits granted to the proponent by the City:

The City would receive the following:

1. A "master planned" community that provides for connectivity and consistent design with increased perimeter buffers, trail system and private open space/parks which will be a benefit to the residents and public.
2. Lot 3 of the Harbor Hill Business Park will be dedicated to the City for use as a park within 90 days after the project is approved.
3. Harbor Hill LLC will provide \$50,000 towards park design fees for Lot 3.
4. Harbor Hill LLC will dedicate 19.9 acres of open space, trails and park land along the west edge of the residential area and adjacent to the Village Center parcel.
5. A road connection through Harbor Hill Business Park Lots 1A and 1B will be constructed to provide additional traffic network redundancy.
6. Harbor Hill LLC will have to use one-third of its reserved sewer capacity, pay for it, or lose it by the end of year seven.
7. Harbor Hill LLC will have to use two-thirds of its reserved sewer capacity, pay for it, or lose it by the end of year fourteen.

The proponent receives the following:

1. The Harbor Hill Residential Project will retain its project approvals and will be vested to the development standards in effect at the time of its application for a period of twenty (20) years.
2. The Harbor Hill Residential Project will receive, and retain for twenty years, traffic, water, and sanitary sewer capacity reservations for the proposed 824 residential lots or units. For traffic capacity, proponent will be releasing the same number of "peak hour" trips for a net of zero new traffic trips.
3. The Site Plan Application approvals in place on Harbor Hill Business Park lots 1A and 1B will remain in effect for a period of ten (10) years, including water and sewer capacity reservation.
4. Civil Permits will be effective for a period of two (2) years from time of issuance.
5. Park Impact Fees for the proposed 824 lots or units will be waived by the City.
6. Lots 1A, 1B, 4B, and 5 of the Harbor Hill Business Park will be required to provide only 15% open space instead of the 20% otherwise required by code.
7. A phasing plan for sixteen (16) phases will be approved with the project including a measure of flexibility to allow proponent to better meet market demand for residential lots.
8. The residential project will not be required to meet minimum residential density and open space requirements on a phase by phase basis, as long as the development is proceeding towards its approved plan which in aggregate does meet the required density and open space requirements.
9. The project will be allowed to construct (subject to limitations) model homes within the project.

STAFF ANALYSIS

The proposed deviations from the zoning requirements in the PCD-RLD and PCD-RMD districts proposed by Harbor Hill LLC have been anticipated since the applicant submitted land use permits for their 824 unit residential development in Gig Harbor North. The proposed deviation related to the PCD-BP zones are an outcome of staff negotiations on the development agreement. After the second public hearing on the development agreement scheduled for November 8, 2010, the Council may pass a resolution approving the development agreement with a majority of the City Council plus one voting in favor of the agreement.

BOARD OR COMMITTEE RECOMMENDATION

The Planning and Building Committee met on October 20, 2010 to review the agreement. The Planning and Building Committee recommended approval. Vote: 2-1; Councilmembers Kadzik and Conan for; Councilmember Franich against.

RECOMMENDATION / MOTION

Review development agreement and hold second public hearing on November 8, 2010.

**DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF GIG HARBOR
AND HARBOR HILL LLC,
FOR THE
HARBOR HILL DEVELOPMENT**

THIS DEVELOPMENT AGREEMENT is made and entered into this ____ day of _____, 2010, by and between the CITY OF GIG HARBOR, a Washington municipal corporation, hereinafter the "City," and HARBOR HILL LLC, a Washington limited liability company, hereinafter "Harbor Hill" or "Developer."

RECITALS

A. Introduction

RCW 36.70B.170 authorizes the execution of a development agreement between a local government and a person having ownership or control of real property within its jurisdiction.

A development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement.

This Development Agreement relates to the development known as the Harbor Hill property, legally described on Exhibit A attached hereto (the "Property"), and generally located north and south of Borgen Boulevard between Harbor Hill Drive and Peacock Hill Avenue N.W. in the City of Gig Harbor, Pierce County, Washington.

B. Harbor Hill Property Description

Harbor Hill is the successor to OPG Properties LLC (f/k/a Olympic Property Group LLC), a Washington limited liability company, and Pope Resources, a Delaware limited partnership, as the developer and owner of the Property. The Property is located within the incorporated limits of the City.¹ The Property is graphically depicted on the drawing attached hereto as Exhibit B (the "Property Map").

The Property comprises two areas, as shown on the Property Map: (1) the Residential Area, and (2) the Commercial Area.

¹ The Property description does not include those land areas previously conveyed by Harbor Hill to third parties, including Costco Wholesale Corporation, Northwest Capital Investors LLC, YMCA of Tacoma/Pierce County, International Church of the Foursquare Gospel, and the City, nor does it include Lot 6 (a/k/a the "Village Center") of Harbor Hill Business Park.

C. Comprehensive Plan Designation and Zoning

The Property is designated on the City's official comprehensive plan map as shown on the drawing attached hereto as Exhibit C and is zoned on the City's official zoning map as shown on the drawing attached hereto as Exhibit D. Neither Exhibit C nor Exhibit D is intended to modify the City's maps, and in the event of any inconsistency between Exhibit C and the City's comprehensive plan map or between Exhibit D and the City's official zoning map, the City's maps shall control.

D. Water, Sewer, and Transportation Facility Capacity

Harbor Hill has reserved with the City, for the benefit of the Property and the Village Center, certain water service, sewer service, and vehicle trip capacity, as evidenced by the capacity reservation certificates attached hereto as Exhibit E (the "Capacity Reservation Certificates"). In addition, the City has prepared a water service, sewer service, and transportation facility capacity evaluation in connection with the development of the Property.

E. Existing Development Within the Property

The Property is undeveloped except for certain utility and transportation infrastructure improvements constructed or installed by Harbor Hill or its affiliates.

F. Pre-Annexation Agreement

The Property was subject to that certain "Preannexation Agreement for Gig Harbor North" dated September 26, 1996 (the "Pre-annexation Agreement"), among Pope Resources, a Delaware limited partnership (an affiliate of and predecessor to Harbor Hill), Tucci & Sons, Inc., a Washington corporation, and the City, which was recorded in the real property records of Pierce County, Washington, under Auditor's File No. 9704040094, Book 325, page 1622. To the actual current knowledge of the parties hereto, all obligations of Pope Resources, OPG Properties LLC, and Harbor Hill arising under the Pre-Annexation Agreement have been fully satisfied.

G. PRD Submittal

On _____, 2010, Harbor Hill filed with the City a complete application for approval of a planned residential development and preliminary plat within the Residential Area (File Nos. _____ and _____) (collectively, the "PRD Application").

H. Prior Development Agreements

The Property is not currently subject to any development agreement. The following real property presently or formerly owned by Harbor Hill or its affiliate

OPG Properties LLC (d/b/a Olympic Property Group and f/k/a Olympic Property Group LLC) has been subject to the following two (2) development agreements:

1. "Development Agreement" dated July 23, 2003, between Olympic Property Group LLC (now known as OPG Properties LLC), a Washington limited liability company, and the City, relating to the Village Center, which was recorded in the real property records of Pierce County, Washington, under Auditor's File Nos. 200308140667 and 200308140668. This development agreement has expired.

2. "Development Agreement by and between the City of Gig Harbor and Harbor Hill LLC, for the Costco Shopping Center Residual Parcels" dated November 13, 2006, between Harbor Hill and the City, relating to the real property commonly known as Residual Parcels A, B, and C the Costco Shopping Center, which was recorded in the real property records of Pierce County, Washington, under Auditor's File No. _____. Harbor Hill's interest under this development agreement has been assigned to a third party.

To the actual current knowledge of the parties hereto, OPG Properties LLC and Harbor Hill are not in default of any obligations under the development agreements described above.

I. Existing Environmental Documents

Harbor Hill, OPG Property Group LLC, Pope Resources, the City, and others have investigated the environmental condition of the Property and the environmental impacts that may be caused by the development of the Property and have prepared certain environmental reports and studies, which are listed on Exhibit F attached hereto (the "Environmental Documents"). The Environmental Documents include draft and final environmental impact statements relating to the adoption of the City's comprehensive plan and zoning code and to the making of the Pre-annexation Agreement.

J. City Environmental Review

The City has reviewed the probable adverse environmental impacts of the making of this Agreement, as required by the State Environmental Policy Act, RCW Chapter 43.21C ("SEPA"), by reviewing the Environmental Documents and by making a threshold determination of _____ dated _____, 2010, which has not been appealed or modified, and a copy of which is attached hereto as Exhibit G (the "Threshold Determination"). The parties acknowledge that additional environmental review under SEPA will be required by the City prior to making any other land use or subdivision decisions relating to the Project.

K. City Authority

This Agreement is made under the authority of the City's police power, contracting authority, and other authority, including the authority granted to the City under RCW 36.70B.170 et seq. to make development agreements, and GHMC Chapter 19.08 as amended. This Agreement establishes development standards for the Property and other provisions that apply to and govern and vest the development, use and mitigation of the development of the Property for the term specified in this Agreement. Actual construction of the Project requires issuance of subsequent City permits, which will be issued in accordance with the standards and procedures described in this Agreement.

Now, therefore, the parties hereto agree as follows:

General Provisions

Section 1. The Project. The Project is the development and use of the Property as described in this Agreement. Upon completion of construction, the Project will comprise the facilities and uses described on Exhibit H attached hereto and incorporated herein by this reference.

Section 2. The Property. The Property consists of approximately _____ acres and is legally described in Exhibit A attached hereto and incorporated herein by this reference.

Section 3. Definitions. As used in this Development Agreement, the following terms, phrases and words shall have the meanings and be interpreted as set forth in this Section.

A. "Adopting Resolution" means the resolution which approves this Development Agreement, as required by RCW 36.70B.200.

B. "Certificate of Occupancy" means either a certificate issued after inspections by the City authorizing a person(s) in possession of property to dwell or otherwise use a specified building or dwelling unit, or the final inspection if a formal certificate is not issued.

C. "City Engineer" means the City's Engineer and his or her designee.

D. "Civil Permit" means any ministerial, nondiscretionary City permit approved by the City Engineer and authorizing clearing and grading, landscaping improvements, the construction of roads, bridges, storm water facilities, or utility facilities, or other construction work, such as those issued under the authority of GHMC Chapters 12.06 and 12.08, except any building permit. "Civil Permit" does not include any landscaping improvements required by GHMC Titles 16, 17, or 18 and approved by the Director.

E. "Commercial Area" means the portion of the Property designated "Commercial Area" on the Property Map, also known as Lots 1A, 1B, 3, 4B, and 5 of Harbor Hill Business Park, which comprises areas for commercial development and appurtenant streets, parks, storm water management areas, and other appurtenant areas. The Commercial Area does not include Lots 2 (YMCA), 4A (International Church of the Foursquare Gospel), and 6 (a/k/a Village Center) of Harbor Hill Business Park.

F. "Design Guidelines" means the Gig Harbor Design Manual, as adopted by the City.

G. "Development Standards" include, but are not limited to, all of the standards listed in RCW 36.70B.170(3), as established or modified by this Agreement. The Development Standards applicable to the Project are described in Section 8 below.

H. "Director" means the City's Planning Director and his or her designee.

I. "Effective Date" means the effective date of the Adopting Resolution.

J. "ERU" means equivalent residential unit as defined in the most current version of the City of Gig Harbor Wastewater and Water Utility Comprehensive Plan.

K. "Existing Land Use Regulations" means the ordinances adopted by the City Council of Gig Harbor in effect on the Effective Date, including the adopting ordinances that govern the permitted uses of land, the density and intensity of use, and the design, improvement, construction standards and specifications applicable to the development of the Property, including, but not limited to the Comprehensive Plan, the City's Official Zoning Map and development standards, Design Guidelines, Public Works Standards, SEPA Regulations, Concurrency Ordinance for water, wastewater and transportation facilities, park regulations, and all other ordinances, codes, rules and regulations of the City establishing subdivision and land use standards, as modified or varied by the City to the extent authorized under the Existing Land Use Regulations for planned residential developments, planned unit developments, and otherwise, provided, however, that Existing Land Use Regulations does not include building codes, clearing and grading codes, storm water management codes and storm water management and site development manuals, regulations governing taxes and impact fees, and regulations defining the term "ERU."

L. "Finished Residential Lot" means a developable legal lot, tract, or parcel within the Residential Area, which has been cleared and rough graded and is preliminarily compacted and ready for construction by Homebuilder, with

all utility lines stubbed to the property line, functional, connected to a main utility line, and ready for use, and all transportation improvements constructed or bonded in accordance with the approved civil engineered drawings and this Agreement.

M. "Harbor Hill Business Park" means the Plat of Harbor Hill Business Park, City of Gig Harbor Subdivision No. _____, recorded in the real property records of Pierce County, Washington, under Auditor's File No. 200605235007, as amended, subject to subsequent tax parcel segregations, including without limitation the tax parcel segregations of Lot 1 (creating Lots 1A and 1B) and Lot 4 (creating Lots 4A and 4B).

N. "Homebuilder" means any person who holds a contractual right to purchase Finished Residential Lots within the Property and to construct and install model homes within such lots either before or after completing such purchase. Notwithstanding the foregoing, a Homebuilder shall not be a party to this Agreement, shall not be a successor or assign of the Developer, and shall have no rights regarding the amendment or termination of this Agreement, unless the Developer shall assign such rights to such Homebuilder in an instrument recorded in the real property records of Pierce County, Washington.

O. "Landowner" is any person who has acquired any portion of the Property from the Developer who, unless otherwise released as provided in this Agreement, shall be subject to the applicable provisions of this Agreement. Notwithstanding the foregoing, a Landowner shall not be a party to or beneficiary of this Agreement, shall not be a successor or assign of the Developer, and shall have no rights regarding the enforcement, interpretation, amendment, or termination of this Agreement, unless the Developer shall assign such rights to such Landowner in an instrument recorded in the real property records of Pierce County, Washington.

P. "Residential Area" means the portion of the Property designated "Residential Area" on the Property Map, which comprises areas for single-family and multi-family development and appurtenant streets, parks, storm water management areas, and other appurtenant areas.

Q. "Village Center" means Lot 6 of Harbor Hill Business Park, upon which the Developer intends to establish a retail commercial village center.

Section 4. Exhibits. Exhibits to this Agreement are attached hereto and incorporated herein, including the following:

- Exhibit A – Legal Description of the Property
- Exhibit B – Property Map
- Exhibit C – Comprehensive Plan Map
- Exhibit D – Zoning Map

- Exhibit E – Capacity Reservation Certificates
- Exhibit F – List of Environmental Documents
- Exhibit G – SEPA Threshold Determination
- Exhibit H – Project Description
- Exhibit I – List of Modified City Development Standards
- Exhibit J – Phasing Plan

Section 5. Project Is a Private Undertaking. It is agreed among the parties that the Project is a private development and that the City has no interest therein except as authorized in the exercise of its governmental functions.

Section 6. Term of Agreement; Vesting Periods.

A. This Agreement shall commence upon the Effective Date of the Adopting Resolution approving this Agreement and shall continue in force for a period of 20 years unless terminated as provided herein. Following the termination of this Agreement, this Agreement shall have no force and effect, subject however, to post-term obligations of the Developer or Landowner.

B. The Development Standards designated in this Agreement shall remain unchanged and apply in full force and effect for the term of this Agreement (the “Development Period”).

C. During the Development Period, Harbor Hill shall have the right to obtain approvals and permits, including without limitation final plat and final planned residential development approvals of development phases within the Residential Area, and develop the Property in accordance with the Development Standards.

D. Within the Residential Area, the following time periods otherwise applicable to City approvals and permits shall be extended for the term of the Development Period: (1) the duration of preliminary and final binding site plan approval, preliminary and final plat approval, PRD approval, and other land use approvals and permits, (2) deadlines for filing final binding site plans, final plats, and other applications and designs, and (3) deadlines for commencing and completing the development of an approved final binding site plan, final plat, or other project. This subsection shall not apply to any Civil Permit or building permit. Notwithstanding the foregoing, the City reserves the right during the Development Period to modify the Development Standards to the extent required by a serious threat to public health and safety.

E. Within the Commercial Area, any City land use approval or permit relating to Lots 1A and 1B, including without limitation any design approval, site plan approval, or binding site plan approval, shall not expire or terminate until the date that is ten (10) years after the issuance of such approval or permit. This subsection shall not apply to any Civil Permit or building permit. Notwithstanding the foregoing, the City reserves the right during the Development Period to modify

the Development Standards to the extent required by a serious threat to public health and safety.

F. Within both the Commercial Area and Residential Area, any Civil Permit shall not expire or terminate until the date that is two (2) years after the issuance of such approval or permit. This subsection shall not apply to any building permit. Notwithstanding the foregoing, the City reserves the right during the Development Period to modify the Development Standards to the extent required by a serious threat to public health and safety.

Section 7. Vested Rights of Developer. During the term of this Agreement, unless sooner terminated in accordance with the terms hereof, in developing the Property consistent with the Project described herein, Developer is assured, and the City agrees, that the development rights, obligations, terms and conditions specified in this Agreement, are fully vested in the Developer and may not be changed or modified by the City, except as may be expressly permitted by, and in accordance with, the terms and conditions of this Agreement, including the exhibits hereto, or as expressly consented thereto by the Developer.

Section 8. Permitted Uses and Development Standards. The permitted uses, the density and intensity of use, the maximum height and size of proposed buildings, provisions for reservation and dedication of land or payment of fees in lieu of dedication for public purposes, the construction, installation and extension of public improvements, development guidelines, and other Development Standards for development of the Property shall be (a) the Project description set forth on Exhibit H attached hereto and incorporated herein by this reference, (b) the Existing Land Use Regulations, (c) the building codes and clearing and grading codes under which the review of the Project is vested under RCW 19.27.095, RCW 58.17.033, and other applicable laws, (d) the storm water management code and storm water management and site development manual in effect on _____, 2009, (e) the permits and approvals identified herein, (f) the Development Standards expressly set forth in this Agreement, and (g) the Development Standards expressly set forth in all other exhibits incorporated herein. The parties have used reasonable efforts to identify on Exhibit I attached hereto the City development standards that are modified by this Agreement, but Exhibit I is not intended to govern to the extent that it either omits any modified development standard or conflicts with any other provision of this Agreement.

Section 9. Minor Modifications. Minor modifications from the approved permits or the exhibits attached hereto may be approved in accordance with the provisions of the City's code and shall not require an amendment to this Agreement.

Section 10. Further Discretionary Actions. Developer acknowledges that the Existing Land Use Regulations contemplate the exercise of further discretionary powers by the City. These powers include, but are not limited to, review of additional permit applications under SEPA. Nothing in this Agreement shall be construed to limit the authority or the obligation of the City to hold legally required public hearings, or to limit the discretion of the City and any of its officers or officials in complying with or applying Existing Land Use Regulations.

Section 11. Financing of Public Facilities. The City may pursue the use of a local improvement district and other similar project-related public financing mechanism for financing the construction, improvement or acquisition of public infrastructure, facilities, lands and improvements to serve the Property, whether located within or outside the Property. Developer acknowledges and agrees that it shall pay its pro-rata share of the costs of public improvements to be financed thereby.

Section 12. Existing Land Use Fees and Impact Fees.

A. Land use fees adopted by the City by ordinance as of the Effective Date may be increased by the City from time to time, and applicable to permits and approvals for the Property, as long as such fees apply to similar applications and projects in the City.

B. Except as provided in C below, all impact fees shall be paid as set forth in the approved permit or approval, or as addressed in Chapter 19.12 of the Gig Harbor Municipal Code. The parties agree that payment of any impact fee relating to the development of the Property shall be required at the later of (i) the time the City issues a building permit for the construction of the building to which the impact fee relates, or (ii) the time required by the City in its impact fee regulations.

C. In consideration of the Developer's dedication to the City of Lot 3 of Harbor Hill Business Park, park impact fees otherwise payable to the City under Chapter 19.12 of the Gig Harbor Municipal Code shall be waived by the City as to each of the 824 dwelling units within the Residential Area.

Section 13. Phasing of Development.

A. Generally; Phasing Plan. The Project may be completed in phases, as set forth on Harbor Hill's phasing plan, which is attached hereto as Exhibit J (the "Phasing Plan") and is hereby approved by the City. The Phasing Plan is subject to compliance with the requirements of SEPA regarding phased environmental review. Harbor Hill shall develop only complete phases, not portions of any phase. Harbor Hill is authorized to propose revisions to the Phasing Plan from time to time. Revisions that would increase the number of phases by more than 25 percent, modify any Development Standard, or

terminate the Phasing Plan require City Council approval in the form of an amendment to this Agreement. The Director is authorized to approve all other revisions to the Phasing Plan, without an amendment to this Agreement, if the revised Phasing Plan is consistent with other provisions of this Agreement and the Development Standards, and if it makes adequate provision for reallocating among the phases the Project conditions, mitigation measures, and other requirements of the City to the satisfaction of the Director. The Developer may construct or install greater infrastructure improvements than are described in the Phasing Plan in its discretion, as where greater infrastructure improvements may give the Developer an economy of scale.

B. Allocation of Conditions and Mitigation Measures Among Phases. With respect to any Project conditions, mitigation measures, and other requirements that are not incorporated within the Phasing Plan, the City and Harbor Hill shall discuss and use best efforts to agree upon the conditions, mitigation measures, and other requirements applicable to each phase, subject, however, to the authority of the City to exercise its legal authority to allocate such conditions, mitigation measures, and other requirements among the phases in order to promote the public health, safety, and welfare. The parties acknowledge that, because the Development will be phased, certain amenities associated with the Project must be available to all phases of the Project, in order to address health, safety and welfare of the residents and other occupants of the Project.

C. Transportation Improvements. Transportation improvements required as a condition of City approval of any Project permit shall be completed prior to the date on which the City approves the final plat of the phase for which the transportation improvements are required, but if no plat is required, then the improvements shall be completed prior to issuance of a certificate of occupancy of any building authorized under the Project permit.

D. Potable Water and Fire Flow Facilities.

i. Off-site potable water and fire flow facilities required as a condition of approval of any Project permit shall be completed prior to the date on which the City approves the final plat of the phase for which the facilities are required, but if no plat is required, then the facilities shall be completed prior to issuance of a certificate of occupancy of any building authorized under the Project permit, provided, however, that off-site fire flow facilities shall be completed before the City issues a building permit for any combustible structure.

ii. On-site potable water and fire flow facilities required as a condition of approval of any Project permit shall be completed before the City issues a certificate of occupancy for any building for which the facilities are required, provided, however, that on-site fire flow facilities shall be completed before the City issues a building permit for any combustible structure.

E. Sewer Facilities.

i. Off-site sewer facilities required as a condition of approval of any Project permit shall be completed prior to the date on which the City approves the final plat of the phase for which the facilities are required, but if no plat is required, then the facilities shall be completed prior to issuance of a certificate of occupancy of any building authorized under the Project permit.

ii. On-site sewer facilities required as a condition of approval of any Project permit shall be completed before the City issues a certificate of occupancy for any building for which the facilities are required.

F. Storm Water Improvements. Storm water improvements required as a condition of City approval of any Project permit shall be completed prior to the date on which the City approves the final plat of the phase for which the storm water improvements are required, but if no plat is required, then the improvements shall be completed prior to issuance of a certificate of occupancy of any building authorized under the Project permit.

G. Utilities. Utility facilities, other than sewer, storm sewer and water facilities, required as a condition of approval of any Project permit, shall be completed before the City issues a certificate of occupancy for any building for which the facilities are required.

H. Parks and Open Space.

i. Parks and open space facilities required as a condition of approval of any Project permit shall be completed or bonded prior to the date on which the City approves the final plat of the phase for which the facilities are required, but if no plat is required, then the facilities shall be completed prior to issuance of a certificate of occupancy of any building authorized under the Project permit.

ii. The parties intend that Lot 3 of Harbor Hill Business Park will be developed by the City as a public park and owned by the City in perpetuity. Within ninety (90) days after the Effective Date, the Developer shall dedicate Lot 3 to the City by a quit claim deed that reserves the future use of Lot 3 to public park, roadway, and appurtenant uses only. After the Effective Date, and at the City's option, exercisable by the Director by written notice to the Developer, the Developer shall either (a) engage such architects, consultants, engineers, and planners as the Developer may select (subject to the City's approval) and shall compensate them up to an aggregate maximum of \$50,000 in costs and fees for the preparation of designs and plans for public park facilities within Lot 3, or (b) pay the City the sum of US\$50,000, which the City shall use only for the preparation of designs and plans for public park facilities within Lot 3. If the City chooses Option (a) above, then within ninety (90) days after the Developer shall

complete such maximum payment, and regardless whether the designs and plans are complete, the Developer shall assign and convey to the City, without warranty of any kind, the Developer's entire right, title, and interest in the public park designs and plans.

iii. The City hereby agrees that, in consideration of the Developer's dedication to the City of Lot 3 of Harbor Hill Business Park, the City's requirement under GHMC 17.54.030.C that Lots 1A, 1B, 4B, and 5 of Harbor Hill Business Park establish or preserve 20 percent or more of their respective lot areas as open space, with either retained natural vegetation or new landscaping, shall be modified as follows as to each such lot: a minimum of 15 percent (instead of 20 percent) of the site, excluding setbacks, shall remain in open space, with either retained natural vegetation or new landscaping.

J. **Bonds.** Notwithstanding the foregoing, in lieu of the completion of the actual construction of any required improvements prior to the approval of a final plat, final planned residential development, or final binding site plan, the Director or City Council may accept a bond, approved as to form by the City Attorney, in an amount and with surety and conditions satisfactory to it, or other secure method, providing for and securing to the City the actual construction and installation of such improvements within a period specified by the City and expressed in the bond.

Section 14. Dedication of Public Lands.

A. All conveyances of public lands from the Developer to the City shall be by statutory warranty deed subject to all matters of record and matters that a visual inspection and ALTA/ACSM survey would disclose, provided, however, that no conveyance shall be subject to any deed of trust, mortgage, or other monetary lien.

B. The Developer will dedicate to the City the tract described as Item No. 14 (South Wetland/Loop Trail) on the Phasing Plan, as public open space, upon the occupancy of four hundred (400) dwelling units within the Residential Area. The Developer will dedicate to the City the tract described as Item No. 19 (Gateway Park) on the Phasing Plan, as a public park, upon the issuance of a Certificate of Occupancy for any building constructed within Phase M2 as described on the Phasing Plan. The completion of the foregoing conveyances shall fully satisfy the Developer's obligations to establish public parks and open space and to mitigate Project impacts to parks and open space in connection with the development of the Project, provided, however, that such dedications shall not fully satisfy the requirements of GHMC 17.89.110 relating to the establishment of private open space that is owned and maintained by a property owner's association.

C. The Developer agrees to construct a road, to the standard described in the City's site plan approval relating to Lots 1A and 1B of Harbor Hill Business Park (File No. _____), within the City-approved right-of-way within Lots 1A and 1B of Harbor Hill Business Park and to dedicate the right-of-way to the City, and the City agrees to accept such dedication from the Developer upon the City's approval of its final construction inspection, before the City issues a certificate of occupancy for any building within either Lot 1A or 1B of Harbor Hill Business Park. The Developer agrees to dedicate to the City the City-approved right-of-way within Lots 1A and 1B of Harbor Hill Business Park (with or without the construction of a road within the right-of-way) within sixty (60) days after completion of construction and dedication to the City of the roadway located within the McCormick Creek project between Burnham Drive and the roadway to be located within Lots 1A and 1B.

D. The Developer may, at its option from time to time, request the elimination of bike lanes within one or more new public streets within the Residential Area, in exchange for wider public sidewalks along such streets. The City may grant or deny such requests in its discretion.

Section 15. Capacity Reservations.

A. There are 2,013 peak hour vehicle trips reserved by the Developer for the Project and Lots 2 (YMCA), 4A (International Church of the Foursquare Gospel), and 6 (a/k/a Village Center) of Harbor Hill Business Park under the existing Capacity Reservation Certificates. Upon the Effective Date, (1) 641 peak hour vehicle trips shall be reallocated from Harbor Hill Business Park to the Residential Area, and (2) 60 peak hour vehicle trips shall be reserved for Lot 3 (future public park) of Harbor Hill Business Park. The balance, 1,312 peak hour vehicle trips, shall be reserved for Lots 1A, 1B, 2, 4A, 4B, 5, and 6 of Harbor Hill Business Park until they are assigned or reallocated either in an amendment to this Agreement, or in a separate agreement between the City and the Developer, or as may otherwise be authorized by law.

B. The Developer covenants to the City that it will either pay City sewer general facility charges and purchase City sewer facility connection rights or partially relinquish its reserved rights under its sewer Capacity Reservation Certificates as to such portions of the Residential Area as the Developer may choose in its discretion, as to a total of 275 sewer ERU's (in any combination of paid fees or relinquished rights), within ninety days after the seventh (7th) anniversary of the Effective Date. Within the Residential Area, the Developer shall pay City sewer general facility charges and purchase City sewer facility connection rights (and not relinquish its reserved rights) as to all ERU's for which the Developer has either obtained a building permit or final plat, final planned residential development, or final binding site plan approval.

C. The Developer covenants to the City that it will either pay City sewer general facility charges and purchase City sewer facility connection rights or partially relinquish its reserved rights under its sewer Capacity Reservation Certificates as to such portions of the Residential Area as the Developer may choose in its discretion, as to a total of 552 sewer ERU's (in any combination of paid fees or relinquished rights), within ninety days after the fourteenth (14th) anniversary of the Effective Date. Within the Residential Area, the Developer shall pay City sewer general facility charges and purchase City sewer facility connection rights (and not relinquish its reserved rights) as to all ERU's for which the Developer has either obtained a building permit or final plat, final planned residential development, or final binding site plan approval.

D. If the Developer partially relinquishes its reserved capacity under its sewer Capacity Reservation Certificates as described above, and if the Developer holds any preliminary plat, preliminary planned residential development, or preliminary binding site plan approval (a "Preliminary Approval") for development within the Residential Area in excess of its remaining reserved capacity, then the Developer shall either obtain new sewer Capacity Reservation Certificates sufficient to eliminate the shortage or amend its Preliminary Approvals to reduce the number of proposed ERU's to the number of reserved sewer ERU's or less. The Developer shall not submit to the City any application for final approval of any plat, PRD, or binding site plan if the Developer's Preliminary Approval allows more ERU's than the Developer has reserved. [THE FOLLOWING COMMENT REQUIRES FURTHER DISCUSSION BY CITY STAFF, THE DEVELOPER, AND LEGAL COUNSEL: "For amending pre-plat we need timeline for that, such as within 90 days of relinquishing capacity. Also need to add clause that if no amendment is filed, the pre-plat becomes null and void." WE DO NOT UNDERSTAND THE PURPOSE OF THESE SUGGESTIONS.] In no event shall any Preliminary Approval confer upon the Developer a vested right to obtain final plat approval as to any ERU for which the Developer does not hold a valid sewer Capacity Reservation Certificate at the time of final plat approval.

Section 16. Setbacks. Setbacks otherwise required under GHMC 17.54.030.B shall not be required from either the north or west boundaries of Lot 3 of Harbor Hill Business Park.

Section 17. Residential Density. Each phase of the residential development of the Project may contain areas within which residential density is clustered, potentially exceeding residential density limits as to such areas, but such variations shall be permitted as long as they are offset by corresponding reductions in existing or future residential density in other portions of the Residential Area, so that the aggregate residential density within the Residential Area shall at all times comply with the Existing Land Use Regulations.

Section 18. Model Homes.

A. The parties acknowledge that the most efficient and economic development of the Residential Area depends upon numerous factors, such as market orientation and demand, interest rates, competition, and similar factors, and that generally it will be most economically beneficial to the ultimate purchasers of the Residential Area to allow the Developer or Homebuilder to construct model homes within the Residential Area prior to approval and recording of a final plat. Therefore, the parties agree that the Developer and any Homebuilder shall be entitled to construct model homes within the Residential Area in accordance with the following terms and conditions;

B. The Developer and any Homebuilder may submit building permit applications for up to seven (7) model homes within seven (7) lots in any preliminary plat within the Residential Area, prior to recording of the final plat. Prior to issuance of building permits for the model homes, the following requirements must be satisfied:

i. Retention/detention facilities that serve the model home lots shall be constructed in accordance with the engineered drawings approved by the City of Gig Harbor.

ii. Construction of road improvements necessary to provide safe public access to the model homes from existing public roadways shall be completed. The City Engineer shall have sole discretion to determine the definition of safe public access. The road improvements shall consist of subgrade, curb and gutter, sidewalk and first lift of asphalt in the final roadway alignment, from the existing public roadways to the furthest proposed model home. These improvements shall be in accordance with the engineered drawings approved by the City.

iii. Water and sewer facilities shall be installed to each lot proposed for model homes.

iv. All proposed streets serving the model homes shall be adequately marked with street signs.

v. All impact fees and utility general facility charges for model homes shall be paid prior to the issuance of building permits for the model homes.

vi. Fire protection features, including access, hydrants, and fire flow, must be provided in accordance with GHMC Chapter 15.16 and the approved civil plans prior to any combustible construction on any lot within the development. Such fire protection features may be installed in a phased manner provided that they are in place and approved as prescribed by code for each individual parcel within the plat prior to issuance of a building permit for said parcel.

vii. Traffic mitigation fees for all model homes shall be paid as required by law or as agreed by the City and the Developer as to the Residential Area.

C. In addition to the foregoing requirements, each residential building permit application for a model home shall include the following submittals:

i. Building plot plans showing the locations of the proposed model homes with distances indicated from the proposed final plat lot lines.

ii. Overall site plan showing the temporary improvements specific to the model homes such as the location of signage, flags, banners, fencing, landscaping, and impervious surfaces such as parking areas and sidewalks.

D. A certificate of occupancy shall not be granted for any of the model homes until the final plat has been recorded. However, the applicant may request final inspection and temporary occupancy for model homes prior to final plat recording, provided:

i. The Developer and Homebuilder have complied with applicable state law with regard to any agreements to transfer, sell, or lease property within the preliminary plat prior to final plat recording.

ii. All Building and Fire Safety requirements and Public Works Standards have been met to the satisfaction of the City's Building and Fire Safety Director and City Engineer.

iii. Driveway approaches for each model home requesting occupancy have been installed.

iv. Repairs to the roadway improvements have been completed as necessary due to damage as a result of model home construction.

v. Completion of miscellaneous utility work as necessary to minimize potential for damage to vehicles or tripping hazards.

vi. Completion of miscellaneous work to provide access for maintenance or operation of underground utilities.

E. Prior to final plat approval, either the Developer or Homebuilder shall submit two (2) copies of a plot plan delineating the as-built location of the model home on the lot. The corners of the lot shall be set by a registered professional land surveyor prior to commencement of construction.

F. The model homes and all associated improvements, including any parking lot, shall be removed within six (6) months after the last to occur of the following events:

i. Preliminary plat approval has expired and no extension has been granted, and

ii. The portion of the Residential Area within which the model home is located has been denied final plat approval and either all appeal periods have been exhausted without the commencement of an appeal or all appeals have been dismissed or otherwise resolved.

Section 19. Default.

A. Subject to extensions of time by mutual consent in writing, failure or delay by either party or Landowner not released from this Agreement to perform any term or provision of this Agreement shall constitute a default. In the event of alleged default or breach of any terms or conditions of this Agreement, the party alleging such default or breach shall give the other party or Landowner not less than thirty (30) days notice in writing, specifying the nature of the alleged default and the manner in which said default may be cured. During this thirty (30) day period, the party or Landowner charged shall not be considered in default for purposes of termination or institution of legal proceedings.

B. After notice and expiration of the thirty (30) day period, if such default has not been cured or if a cure is not being diligently pursued, the other party may, at its option, institute legal proceedings and pursue any remedy available under the law. In addition, the City may file an action to enforce the Gig Harbor Municipal Code, and to obtain penalties and costs as provided in the Gig Harbor Municipal Code, for violations of this Development Agreement and the Code.

Section 20. Annual Review. The City shall, at least every twelve (12) months during the term of this Agreement, review the extent of good faith substantial compliance by Developer and Landowner with this Agreement.

Section 21. Termination. This Agreement shall terminate upon the expiration of the term identified in Section 6 or when the Property has been fully developed, whichever first occurs, and all of the Developer's obligations in connection therewith are satisfied as determined by the City. Upon termination of this Agreement, the City shall record a notice of such termination in a form satisfactory to the City Attorney. Upon the City's issuance of a final and complete certificate of occupancy for any building within any portion of the Property, the description of the Property subject to this Agreement shall be deemed amended to exclude such portion, and any successor owner of such portion shall be released from all liabilities, obligations, and other covenants arising under this Agreement, and shall have no rights under this Agreement; provided, however, that the foregoing shall not release the Developer from any liability or obligation arising under this Agreement.

Section 22. Effect of Termination on Developer Obligations.

Termination of this Agreement as to the Developer of the Property or any portion thereof shall not affect any of the Developer's obligations to comply with the City Comprehensive Plan and the terms and conditions or any applicable zoning code(s) or subdivision map or other land use entitlements approved with respect to the Property, any other conditions of any other development specified in the Agreement to continue after the termination of this Agreement, or obligations to pay assessments, liens, fees or taxes.

Section 23. Effect of Termination on Developer Rights. Upon any termination of this Agreement as to the Developer of the Property or any portion thereof, the entitlements, conditions of development, limitations on fees and all other terms and conditions of this Agreement shall no longer be vested hereby with respect to the property affected by such termination (provided that vesting of such entitlements, conditions or fees may then be established for such property pursuant to then existing planning and zoning laws).

Section 24. Assignment and Assumption; No Third Party Beneficiaries.

A. Harbor Hill shall have the right to assign all or any portion of its rights, liabilities, and obligations under this Agreement to any other party, and consent by the City shall not be a condition precedent to any such assignment. Upon any assignment by Harbor Hill, the assignee shall be entitled to all interests and rights and be subject to all obligations under this Agreement, but Harbor Hill shall not be released of liability unless the conditions of Section 24.B are met.

B. Harbor Hill shall be released of all liabilities and obligations under this Agreement as to any portion of the Property upon its assignment of all such liabilities and obligations to any successor developer and owner of such portion of the Property if the following conditions are met: (1) Harbor Hill provides written notice of the assignment to the City; (2) the assignee assumes in writing all liabilities and obligations of Harbor Hill under this Agreement as to such portion of the Property, and (3) one of the following exists: (a) Harbor Hill retains a fifty percent (50%) or more equitable interest in the assignee and is the managing entity or actively involved in development of the Project; (b) the assignee is a wholly-owned subsidiary of Harbor Hill, OPG Properties LLC, or Pope Resources; (c) the assignee has a financial net worth that equals or exceeds at least twice the amount of outstanding financial obligations, at the time of the assignment, allocable to the portion of the Property to which the assignment relates; (d) substantially all of the on-site and off-site mitigation has been completed or adequate security therefor has been provided; or (e) the City consents, which consent shall not be withheld without just cause. If the conditions for release are met under this subsection, then from and after the date of such assignment, Harbor Hill shall have no further liability or obligation under this Agreement as to the portion of the Property to which the assignment relates

and the assignee shall exercise the rights and perform the obligations of Harbor Hill under this Agreement as to such portion.

C. This Agreement is made and entered into for the sole benefit and protection of Harbor Hill, the City, and their respective successors and assigns, and no other person shall have any right of action based upon any provision of this Agreement, except as expressly provided otherwise in this Agreement. There are no third party beneficiaries of this Agreement.

Section 25. Covenants Running with the Land. The conditions and covenants set forth in this Agreement and incorporated herein by the Exhibits shall run with the land and the benefits and burdens shall bind and inure to the benefit of the parties, their respective successors and assigns.

Section 26. Amendment to Agreement; Effect of Agreement on Future Actions. This Agreement may be amended by mutual consent of all of the parties, provided that any such amendment shall follow the process established by law for the adoption of a development agreement (see, RCW 36.70B.200). However, nothing in this Agreement shall prevent the City Council from making any amendment to its Comprehensive Plan, Zoning Code, Official Zoning Map or development regulations affecting the Property during the term of this Agreement, as the City Council may deem necessary to the extent required by a serious threat to public health and safety. Nothing in this Development Agreement shall prevent the City Council from making any amendments of any type to the Comprehensive Plan, Zoning Code, Official Zoning Map or development regulations relating to the Property after termination of this Agreement.

Section 27. Notices. Notices, demands, correspondence to the City and Developer shall be sufficiently given if dispatched by pre-paid first-class mail to the following addresses:

If to the Developer:
Harbor Hill LLC
Attn: President
19245 Tenth Avenue N.E.
Poulsbo, WA 98370

If to the City:
City of Gig Harbor
Attn: City Administrator
3510 Grandview Street
Gig Harbor, WA 98335

Notices to subsequent Landowners shall be required to be given by the City only for those Landowners who have given the City written notice of their address for such notice. The parties hereto may, from time to time, advise the other of new addresses for such notices, demands or correspondence.

Section 28. Reimbursement for Agreement Expenses of the City. Developer agrees to reimburse the City for actual expenses incurred over and above fees paid by Developer as an applicant incurred by City directly relating to

this Agreement, including recording fees, publishing fees and reasonable staff, legal and consultant costs not otherwise included within application fees. Such payment of all fees shall be made, at the latest, within thirty (30) days from the City's presentation of a written statement of charges to the Developer. In the event Developer fails to pay the fees within the 30-day period, the City may declare the Developer in default and terminate this Agreement after 30 days written notice if the default is not timely cured.

Section 29. Applicable Law and Attorneys' Fees. This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. If litigation is initiated to enforce the terms of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs from the non-prevailing party. Venue for any action shall lie in Pierce County Superior Court or the U.S. District Court for Western Washington.

Section 30. Third Party Legal Challenge. In the event any legal action or special proceeding is commenced by any person or entity other than a party or a Landowner to challenge this Agreement or any provision herein, the City may elect to tender the defense of such lawsuit or individual claims in the lawsuit to Developer and/or Landowner(s). In such event, Developer and/or such Landowners shall hold the City harmless from and defend the City from all costs and expenses incurred in the defense of such lawsuit or individual claims in the lawsuit, including but not limited to, attorneys' fees and expenses of litigation, and damages awarded to the prevailing party or parties in such litigation. The Developer and/or Landowner shall not settle any lawsuit without the consent of the City. The City shall act in good faith and shall not unreasonably withhold consent to settle.

Section 31. Specific Performance. The parties specifically agree that damages are not an adequate remedy for breach of this Agreement, and that the parties are entitled to compel specific performance of all material terms of this Development Agreement by any party in default hereof.

Section 32. Severability. If any phrase, provision or section of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, or if any provision of this Agreement is rendered invalid or unenforceable according to the terms of any statute of the State of Washington which became effective after the effective date of the Adopting Resolution, such invalidity shall not affect the validity of the remainder of this Agreement.

(Remainder of page intentionally left blank.)

IN WITNESS WHEREOF, the parties hereto have caused this Development Agreement to be executed as of the dates set forth below:

HARBOR HILL LLC

CITY OF GIG HARBOR

By: _____
Its: _____
Date: _____

By: _____
Its: Mayor
Date: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that JON ROSE is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of Harbor Hill LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Printed: _____
NOTARY PUBLIC in and for Washington
Residing at: _____
My appointment expires: _____

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

I certify that I know or have satisfactory evidence that CHARLES L. HUNTER is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of the City of Gig Harbor, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Printed: _____
NOTARY PUBLIC in and for Washington
Residing at: _____
My appointment expires: _____

EXHIBIT A

Legal Description of the Property

RESIDENTIAL AREA

TAX PARCEL NUMBER 0222308002

LOT 2 OF THE CITY OF GIG HARBOR SHORT PLAT PL-SP-07-005, RECORDED UNDER PIERCE COUNTY AFN 200902135006, SAID LOT 2 BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 2 EAST, W.M., PIERCE COUNTY, WASHINGTON.

TAX PARCEL NUMBER 0222311000

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN.
EXCEPT ROADS.
SITUATE IN THE CITY OF GIG HARBOR, COUNTY OF PIERCE, STATE OF WASHINGTON.

TAX PARCEL NUMBER 0222311009

PARCEL "B" OF THE BOUNDARY LINE ADJUSTMENT RECORDED UNDER PIERCE COUNTY AFN 200407275004, SAID PARCEL "B" BEING PORTIONS OF THE WEST HALF OF THE NORTHEAST QUARTER AND OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST, W.M.
SITUATE IN THE CITY OF GIG HARBOR, COUNTY OF PIERCE, STATE OF WASHINGTON.

COMMERCIAL AREA

TAX PARCEL NUMBER 4002470011

THAT PORTION OF LOT 1, BUSINESS PARK AT HARBOR HILL, PER THE PLAT THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 200605235007, SAID LOT 1 BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST, W.M., PIERCE COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 1 LYING 287.61 NORTHERLY OF THE SOUTHEAST CORNER OF SAID LOT 1, AS MEASURED ALONG THE EAST LINE OF SAID LOT 1, THENCE NORTH 77°06'13" WEST 644.52 FEET TO AN ANGLE POINT IN THE WEST LINE OF SAID LOT 1;
THENCE ALONG THE BOUNDARY OF SAID LOT 1 THE FOLLOWING COURSES:
THENCE NORTH 88°22'24" WEST 110.70 FEET;
THENCE NORTH 05°55'53" EAST 181.58 FEET;
THENCE SOUTH 88°22'24" EAST 33.73 FEET;
THENCE NORTH 14°26'00" EAST 232.65 FEET;
THENCE SOUTH 48°15'42" EAST 247.61 FEET;
THENCE NORTH 77°19'55" EAST 95.23 FEET;
THENCE NORTH 37°16'34" EAST 168.29 FEET;

THENCE SOUTH 88°22'24" EAST 177.38 FEET TO A POINT ON A 766.00 FOOT CURVE TO THE RIGHT, THE RADIUS OF WHICH BEARS SOUTH 64°21'11" WEST
THENCE SOUTHERLY ALONG SAID CURVE, AN ARC DISTANCE OF 358.65 FEET,
THROUGH A CENTRAL ANGLE OF 26°49'36";
THENCE SOUTH 01°10'47" WEST 189.56 TO THE POINT OF BEGINNING.

TAX PARCEL NUMBER 4002470012

THAT PORTION OF LOT 1, BUSINESS PARK AT HARBOR HILL, PER THE PLAT THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 200605235007, SAID LOT 1 BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST, W.M. PIERCE COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 1 LYING 287.61 NORTHERLY OF THE SOUTHEAST CORNER OF SAID LOT 1, AS MEASURED ALONG THE EAST LINE OF SAID LOT 1;

THENCE ALONG THE BOUNDARY OF SAID LOT 1 THE FOLLOWING COURSES:

THENCE SOUTH 01°10'47" WEST 287.61 FEET;

THENCE NORTH 88°22'24" WEST 631.54 FEET;

THENCE NORTH 01°15'21" EAST 412.28 FEET TO AN ANGLE POINT IN SAID BOUNDARY;

THENCE DEPARTING SAID BOUNDARY SOUTH 77°06'13" EAST 644.52 FEET TO THE POINT OF BEGINNING.

TAX PARCEL NUMBER 4002470030

LOT 3, BUSINESS PARK AT HARBOR HILL, PER THE PLAT THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 200605235007, SAID LOT 3 BEING PORTIONS OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST, W.M. PIERCE COUNTY, WASHINGTON.

TAX PARCEL NUMBER 4002470042

THE NORTHERLY 5.3367 ACRES OF THE REVISED LOT 4 OF THE PLAT OF THE BUSINESS PARK AT HARBOR HILL PER BOUNDARY LINE ADJUSTMENT RECORDED IN PIERCE COUNTY, WASHINGTON, AUDITOR'S FILE NUMBER 200710195003 FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL ADJACENT TO HARBOR HILL DRIVE, THENCE N 01°10'47" E ALONG THE EASTERLY MARGIN OF HARBOR HILL DRIVE 514.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING N 01°10'47" E ALONG THE EASTERLY MARGIN OF HARBOR HILL DRIVE 428.04 FEET TO THE NORTHERLY BOUNDARY OF THE PARCEL;

THENCE S 88°15'35" E ALONG THE NORTHERN BOUNDARY 585.60 FEET TO THE EASTERN BOUNDARY OF THE PARCEL;

THENCE S 05°02'54" W, 12.02 FEET;

THENCE S 27°57'14" W, 112.58 FEET;

THENCE S 01°33'50" E, 199.54 FEET;

THENCE S 00°23'25" W, 110.52 FEET TO THE SOUTHERN BOUNDARY OF THE PARCEL;

THENCE N 88°49'13" W, 545.12 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

ACCORDING TO REQUEST OF SEGREGATION AS PER CITY OF GIG HARBOR, DATED 02/06/2008.

TAX PARCEL NUMBER 4002470051

PARCEL "B" OF THE BOUNDARY LINE ADJUSTMENT RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NUMBER 200710195003, SAID PARCEL "B" BEING PORTIONS OF THE NORTHEAST QUARTER AND OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST, W.M. PIERCE COUNTY, WASHINGTON.

EXHIBIT B

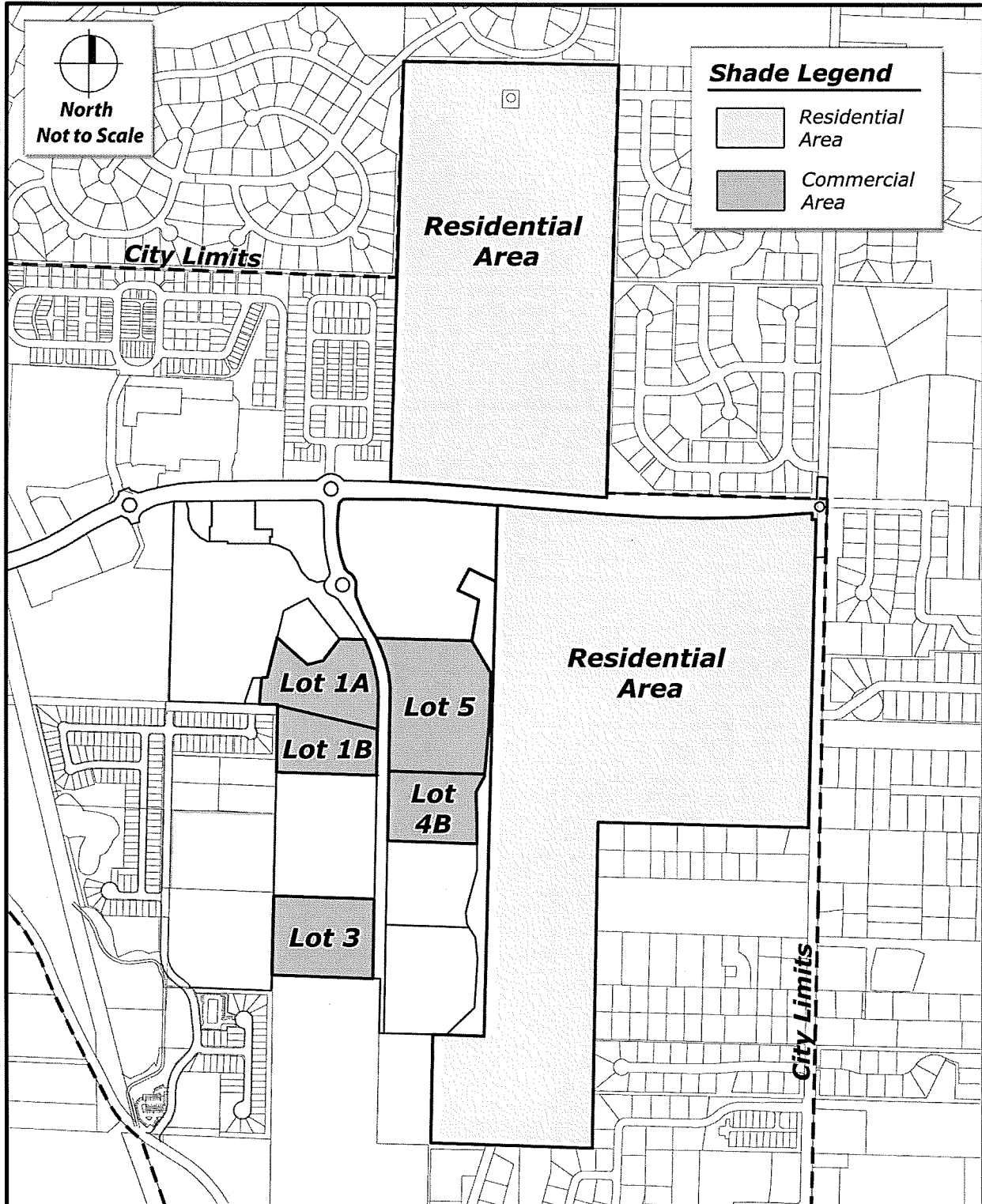


EXHIBIT C

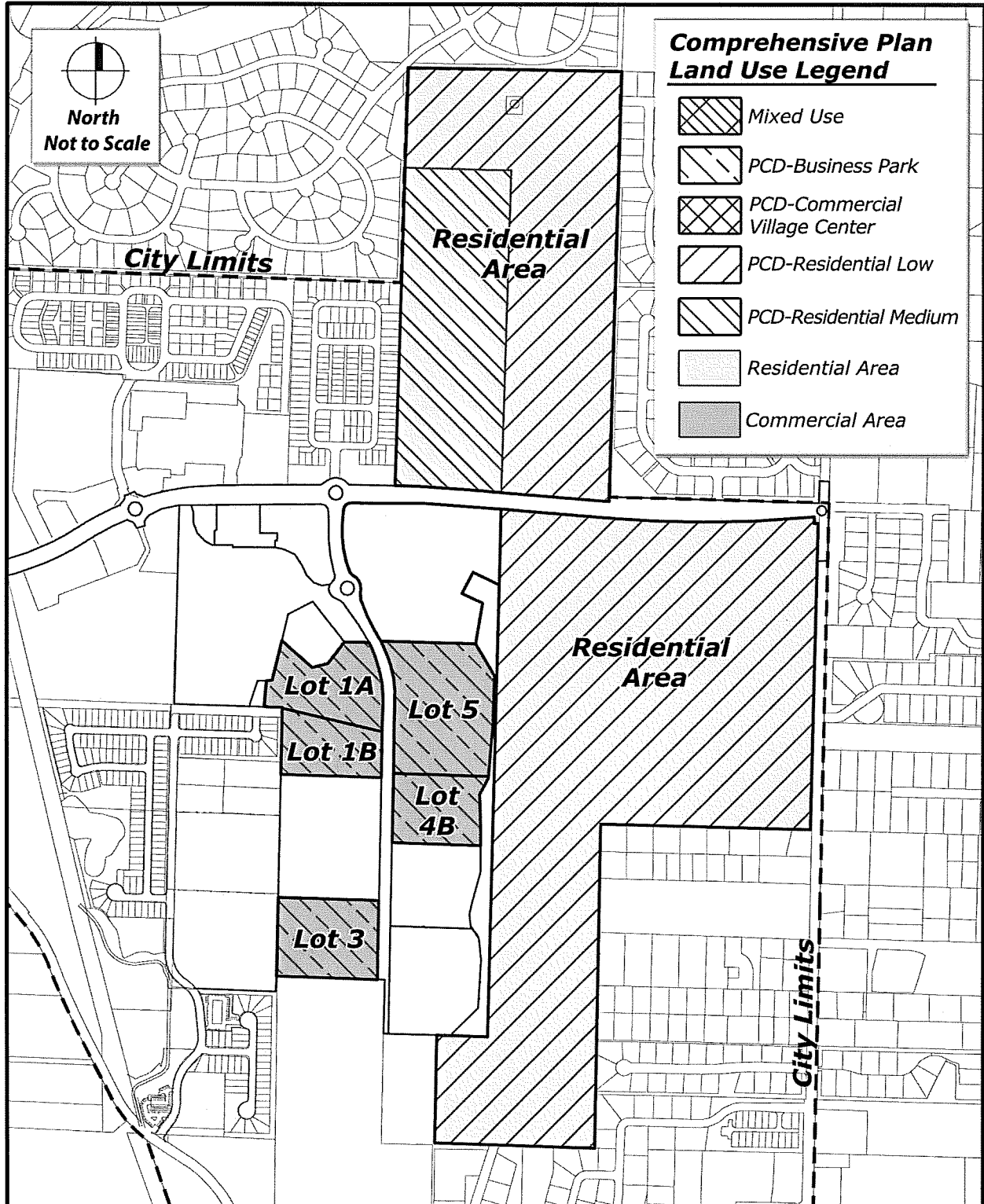


EXHIBIT D

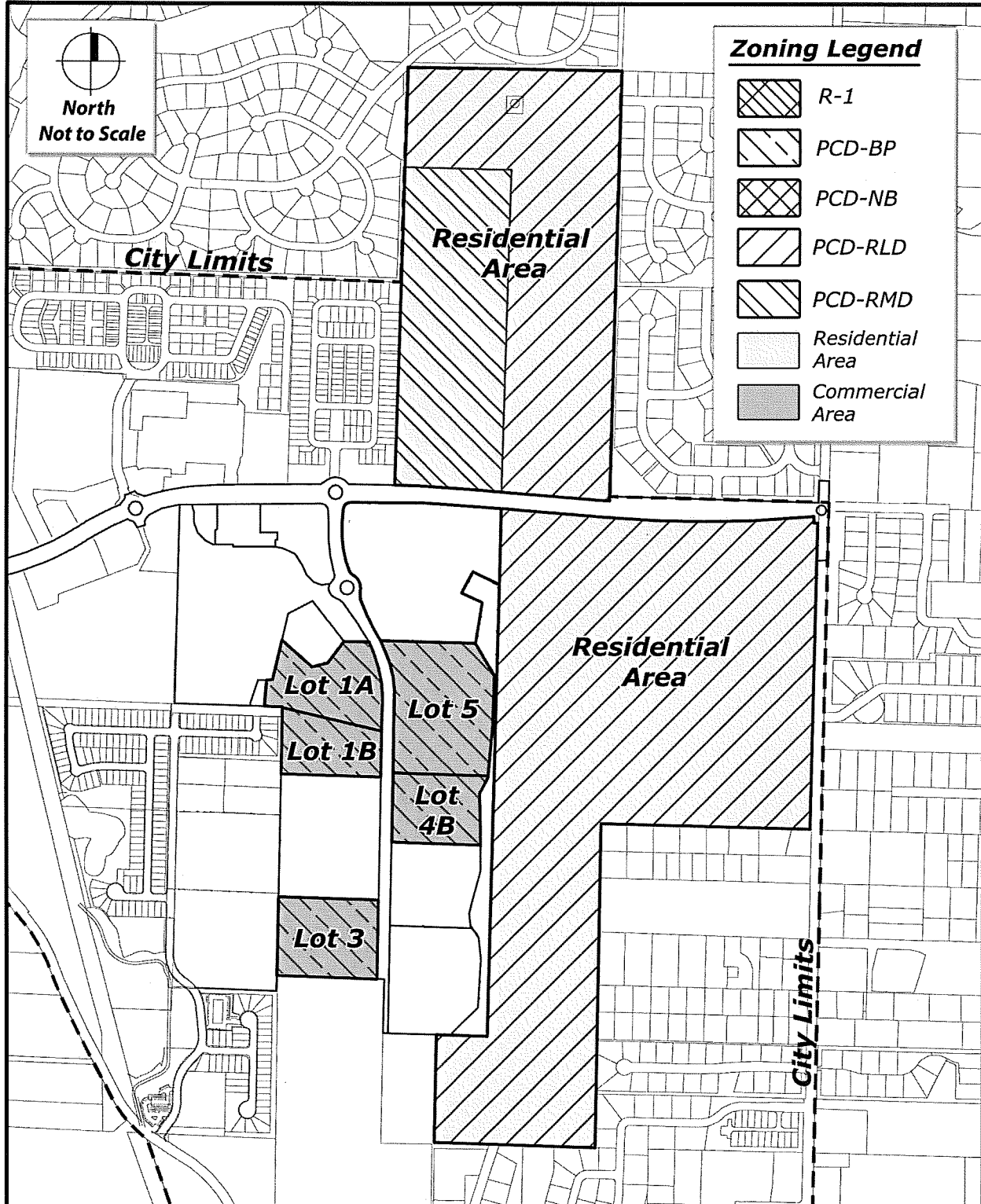


EXHIBIT E

Capacity Reservation Certificates

(See attached pages.)

EXHIBIT F

List of Environmental Documents

EXHIBIT G

SEPA Threshold Determination

EXHIBIT H

Project Description

1. Residential Area

The Residential Area shall comprise the uses and facilities described in that certain "Harbor Hill Planned Residential Development Project Description" revised August 16, 2010, prepared by Triad Associates, a copy of which is maintained in the files of the Planning Director of the City of Gig Harbor under File No. _____.

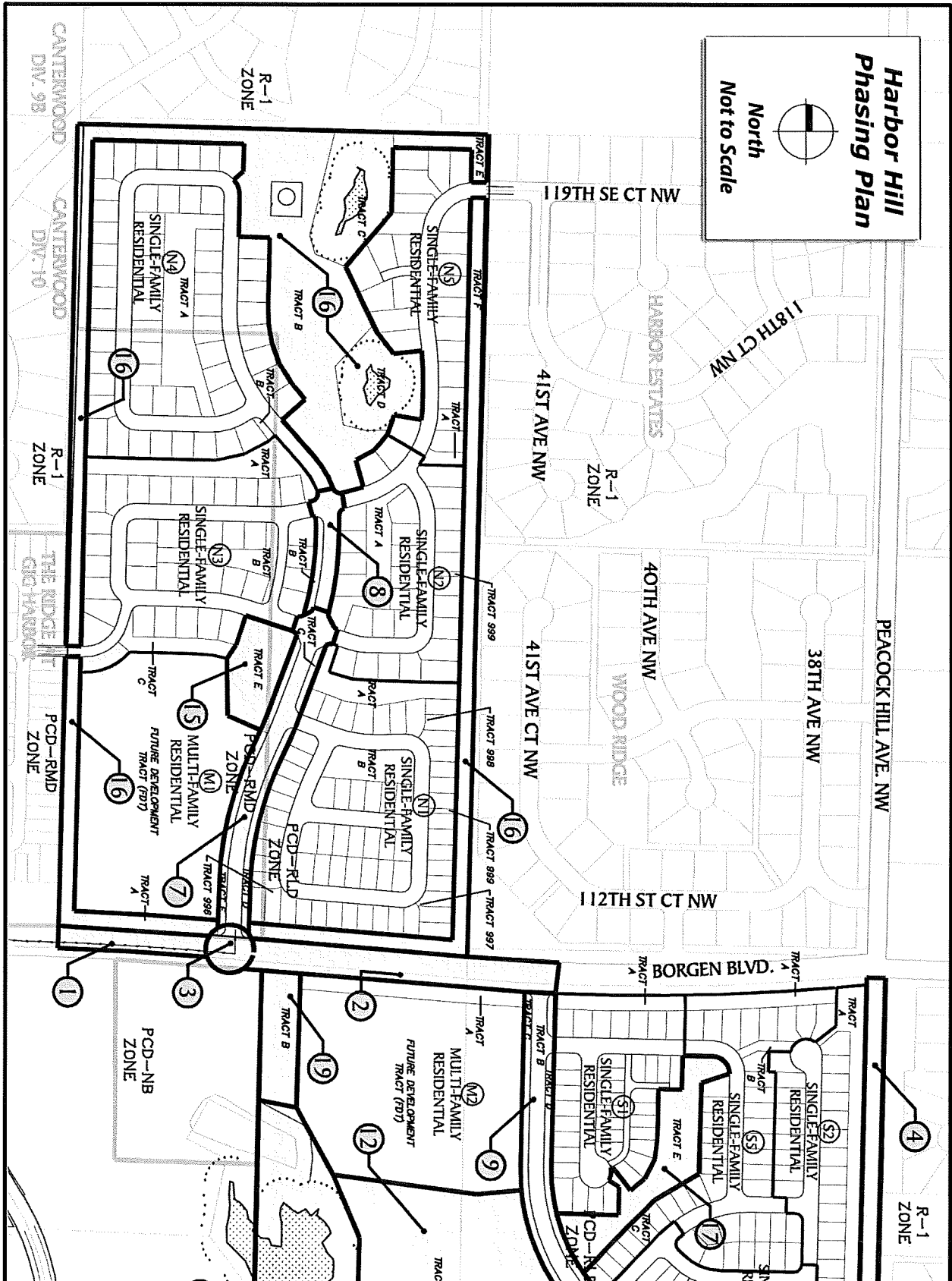
2. Commercial Area

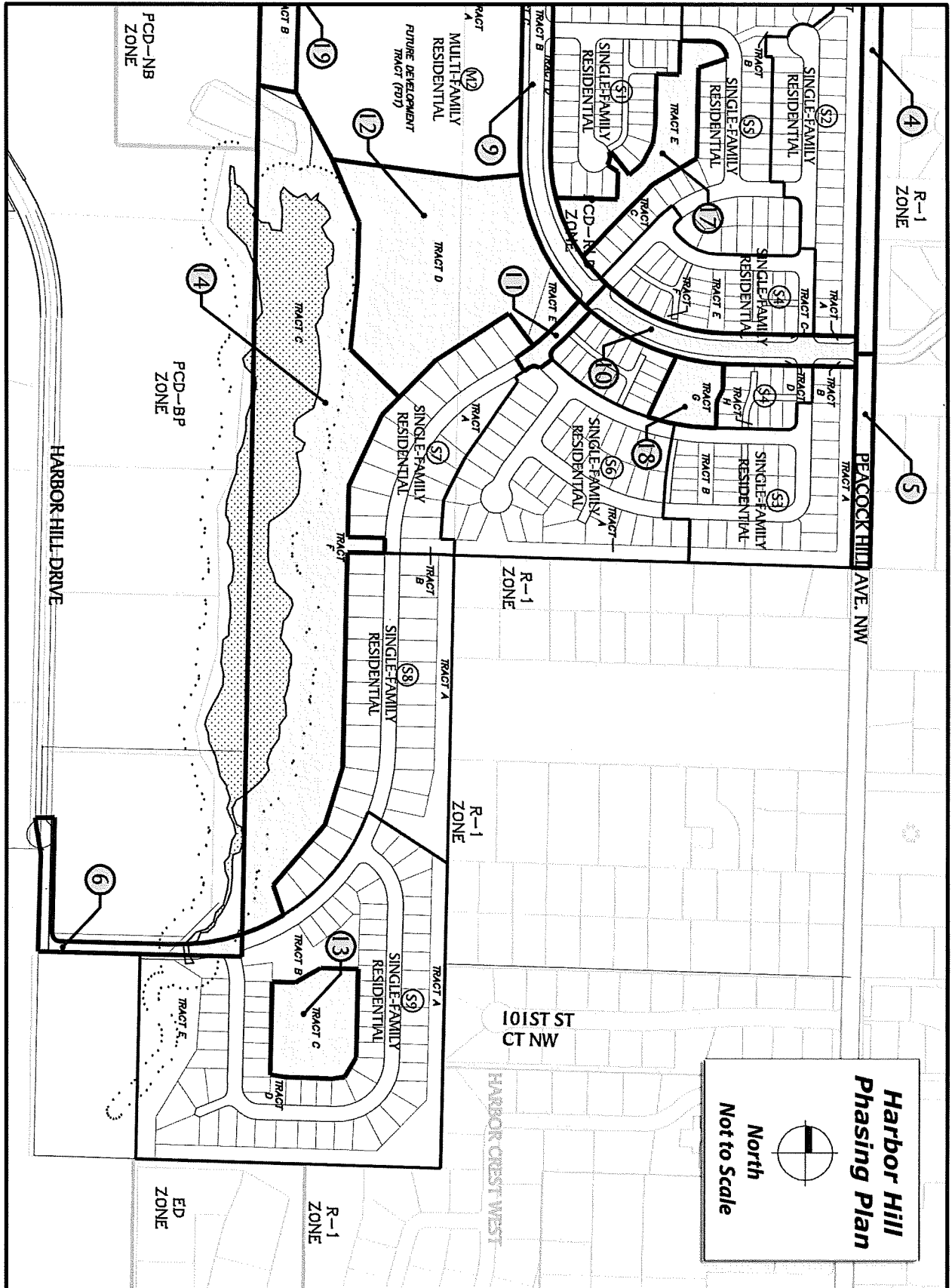
The Commercial Area shall comprise office uses, retail uses, other commercial uses, institutions, parks and open space, transportation facilities, utility facilities, and storm water facilities.

EXHIBIT I

List of Modified City Development Standards

Item No.	Description	GHMC Section	Agreement Section
1	Increased vesting periods for Project approvals		6.D
2	Reduction of Harbor Hill Business Park open space requirements from 20 percent to 15 percent of lot area based on dedication of Lot 3 for public park	17.54.030.C	13.H.iii
3	Director approval of certain revisions to Phasing Plan		13.A
4	No setbacks under GHMC 17.54.030.B required along certain boundaries of Lot 3 (future public park) of Harbor Hill Business Park	17.54.030.B	16
5	Allowing clustering of residential density		17
6	Allocations of capacity reservations		15





INFRASTRUCTURE		DEVELOPMENT PHASE																
		FDT			SFR NORTH					SFR SOUTH								
		M1	M2	N1	N2	N3	N4	N5	S1	S2	S3	S4	S5	S6	S7	S8	S9	
Dwelling Units		170	100	63	28	38	57	25	38	26	32	50	45	40	17	29	66	
ROADS	1. Borgen Blvd Frontage – West	X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
	2. Borgen Blvd Frontage - East		--	X														
	3. Roundabout on Borgen	X		X														
	4. Peacock Hill Ave Frontage – North								X									
	5. Peacock Hill Ave Frontage - South								--	X								
	6. Harbor Hill Dr Off-Site															X		
	7. North Parkway south section	X		X		X	X	X										
	8. North Parkway north section				--	--	X	X										
	9. South Parkway north section		X						X	--	--	--	X	X	X			
	10. South Parkway south section								--	X	X	X	--	--	--			
	11. South Parcel Collector stub											X		X				
	12. Detention North (M1- Tract D)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	13. Detention South (S9- Tract C)																	
	14. South Wetland /Loop Trail (M2- Tracts C, F)		X							X	X	X	X	X	X	X	X	
	15. North Central park (N1- Tract E)	X		X	X	X	X	X										
	16. North Wetland Park & Perimeter Open Space (M1- Tracts A, B, C, D, E, F)	X		X	X	X	X	X										
	17. South Connector Park (S1- Tract E)								X					X				
	18. South Central Park (S4- Tract G)										X	X	X	X				
	19. Gateway Park (M2- Tract B)		X															

- Notes
1. "X" means that infrastructure must be completed prior to or concurrent with development phase
 2. "--" means Cumulative Trigger. The noted infrastructure improvement may be triggered by a number of the indicated Parcels coming online ahead of the primary Parcel requiring the improvement. This will be determined in consultation with the City during the pre-application conference for the given parcel application.
 3. Development of some phases may depend on completion of other phases for road and utility connections
 4. Numbering of phases does not necessarily indicate sequence of development (ex: N3 and N4 could develop before N2)
 5. Parkway road improvement includes abutting open space tracts.
 6. During final engineering design, alternate design solutions may be brought forward. These may be approved if, and only if, staff find that the alternate design solution is functionally equivalent to the preliminary design shown in the Preliminary Plat/PRD plans. For example, temporary storm drainage detention could be proposed if it provided equivalent flow detention mitigation to what was proposed in the Preliminary Plat/PRD as long as there was a means to divert flows to the permanent pond when the phasing required it to be converted to permanent detention