ORDINANCE NO. 3093

AN ORDINANCE OF THE CITY OF PUYALLUP annexing for municipal purposes a 16,000 square-foot parcel of real property, commonly referred to as the North Puyallup Fire Station, which is owned by the City of Puyallup and within the City's urban growth area, and approving comprehensive plan and zoning plan designations for the property.

WHEREAS, in February 2003, the City of Puyallup ("City") entered into an Interlocal Agreement with Pierce County Fire Protection District No. 11 (now Central Pierce Fire & Rescue)("Fire District") that required the City to provide fire protection and emergency medical services within the Fire District's boundaries, which were primarily the North Puyallup area;

WHEREAS, the Fire District owned a 16,000 square foot parcel that contained a 1,760 square foot former fire station ("Fire Station Property") located at the corner of Milwaukee Avenue and 54th Street East in unincorporated Pierce County;

WHEREAS, in February 2005, the City and Fire District entered a Real Property Conveyance Agreement and as part of this agreement, the Fire District conveyed via Statutory Warranty Deed the Fire Station Property to the City;

WHEREAS, the deed conveying the property to the City requires that the property be annexed into the City by December 31, 2015 or the Fire District may take back possession of the property;

WHEREAS, RCW 35A.14.300 allows the City, for municipal purposes, to annex property by majority vote of the City Council if the property is owned by the City;

WHEREAS, because the Fire Station Property is within the City's UGA, pre-annexation comprehensive plan and zoning designations for the property were included in the City's 2007-2008 annual Comprehensive Plan amendment process;

WHEREAS, the Planning Commission held a public hearing on November 7, 2007 regarding the proposed pre-annexation comprehensive plan and zoning designations and subsequently approved a recommendation on November 14, 2007 that the Fire Station Property have a Comprehensive Plan designation of Low Density Residential (LDR) and zoning designation of Urban Density Single Family (RS -06);

WHEREAS, the City Council held a public hearing on December 3, 2007 regarding the proposed pre-annexation comprehensive plan and zoning designations and subsequently adopted an ordinance on January 22, 2008 providing for the Fire Station Property be designated Low Density Residential (LDR) and Urban Density Single Family (RS -06);

WHEREAS, under RS-06 zoning, single-family homes are the principal permitted use, however, the Puyallup Municipal Code (PMC) provides for pre-existing nonconforming uses to remain;

WHEREAS, currently, the City, Fire District, and a non-profit organization are storing vehicles and equipment in the building and pursuant to PMC 20.65.010, the "municipal storage" use would be allowed to continue;

WHEREAS, after public notice, the City Council held a second public hearing on August 11, 2015 regarding the comprehensive plan and zoning designations contained in this ordinance;

WHEREAS, adopting this ordinance is in in the interest of health, safety, morals and the general welfare of the City; and

NOW THEREFORE, the City Council of the City of Puyallup ordains as follows:

Section 1. *Annexation*. The following described parcel of real property (Pierce County Assessor Parcel No. 0420222035), which is approximately 16,000 square feet (0.37 acre), is hereby annexed to the City of Puyallup:

> A portion of Section 22, Township 20 North, Range 4 East, Quarter 24, Willamette Meridian, Pierce County, Washington: Beginning at the intersection of the north line of Goettsch Avenue East (also known as Goettsch Street East or 54th Street East) and the west line of Milwaukee Avenue East; then west along the north line of Goettsch Avenue East 200 feet; then north along the east line of 109th Avenue Court East (also known as 4th Street Northeast) 80 feet; then east to the west line of Milwaukee Avenue East; then south along the west line of Milwaukee Avenue East to the point of beginning.
>
> Situate in the County of Pierce, State of Washington.

The foregoing described property is depicted in the vicinity map, which is attached hereto as "Exhibit A" and incorporated herein by this reference.

Section 2. *Purpose*. The City of Puyallup does not intend to use the property subject to annexation herein for the purposes of a homeless shelter.

Section 3. *Comprehensive Plan and Zoning Designations*. Consistent with the City of Puyallup Future Land Use Map the property described in Section 1 of this Ordinance shall have the Comprehensive Plan Designation of Low Density Residential (LDR) and the Zoning Code designation of Urban Density Single Family (RS-06). The City's Comprehensive Plan map and Zoning map are hereby amended to conform to the annexation approved in this ordinance.

Section 4. *Duties of the City Clerk*. The City Clerk is directed to file a certificate of annexation with the Washington State Office of Financial Management as directed by RCW 35A.14.700.

Section 5. *Publication*. A summary of this ordinance shall be published as required by law.

Section 6. *Severability – Construction*.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with the other provisions of the Puyallup Municipal Code, this Ordinance is deemed to control.

Section 7. *Effective Date*. This Ordinance shall take effect and be in force five (5) days after its passage, approval, and publication as provided by law, and approval by the Pierce County Boundary Review Board.

Adopted by the City Council of the City of Puyallup on the 11th day of August, 2015.

John Knutsen
Mayor

Approved as to form:

Steve Kirkelie
City Attorney

Attest:

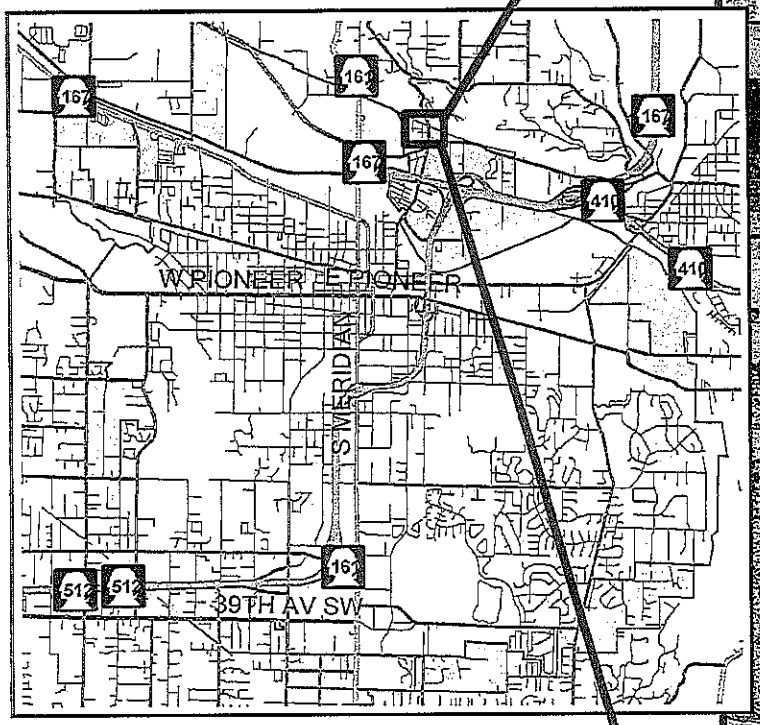
Mary Winter
City Clerk

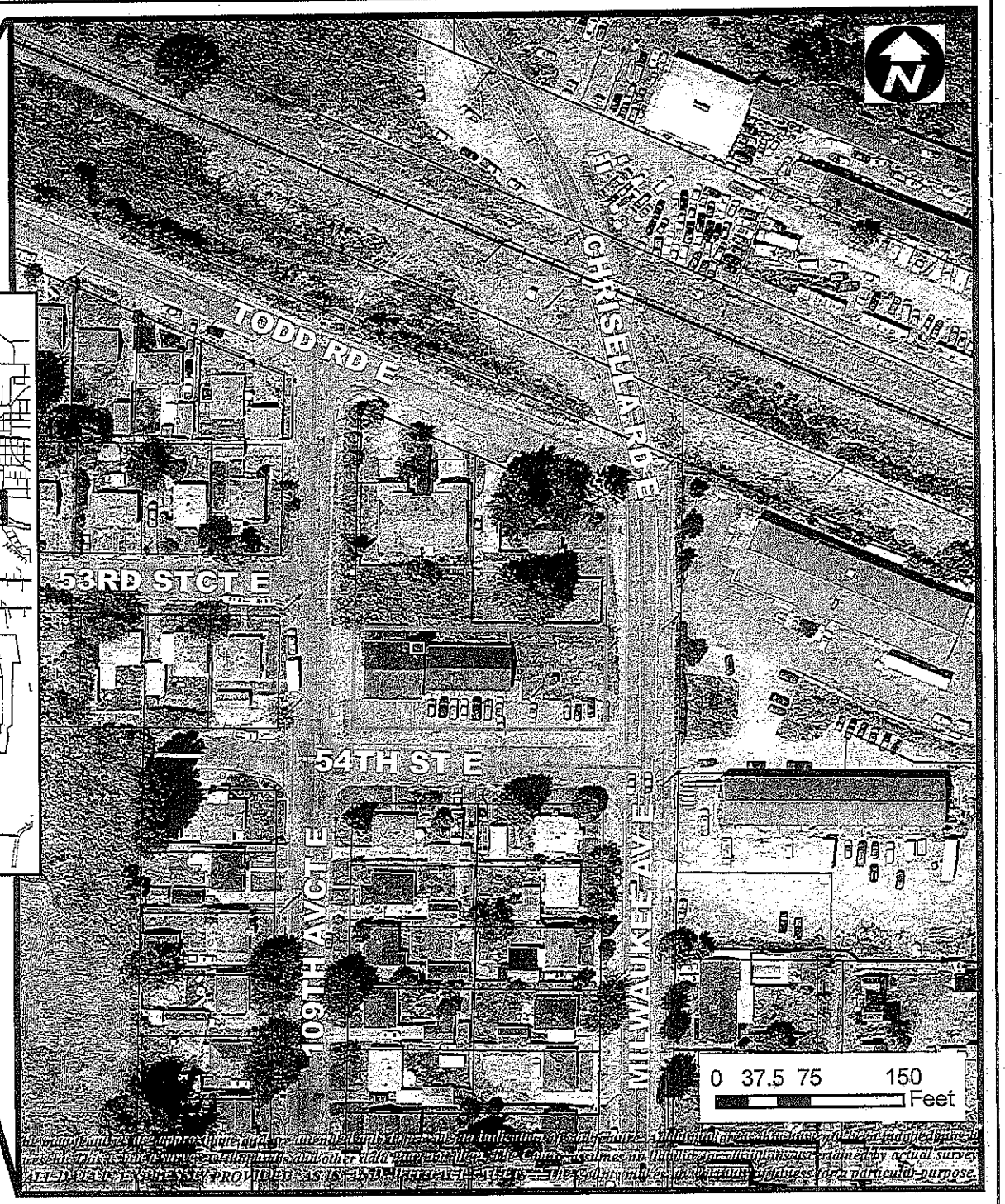
Published: August, 14, 2015, The News Tribune

Effective: ~~December 1, 2015~~ October 13, 2015

EXHIBIT A

Vicinity Map





City of Puyallup
Development Services
Department

July 2, 2015

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