

**ORDINANCE NO. 1548**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY, IDENTIFIED AS THE “VICTOR FALLS PROPERTY”, INTO THE CITY OF BONNEY LAKE, PURSUANT TO RCW 35A.14.300, FOR USE AS A PUBLIC PARK SITE, AND ASSIGNING A ZONING CLASSIFICATION OF “PUBLIC FACILITIES.”**

**WHEREAS**, RCW 35A.14.300 authorizes the legislative body of a municipal code city, by majority vote, to annex certain territory outside its city limits, whether contiguous or non-contiguous, for municipal purposes; and

**WHEREAS**, the City of Bonney Lake owns a parcel of land, approximately 8.19 acres in size, which is legally described in Exhibit A and depicted in Exhibit B, both attached hereto, and which is contiguous to the existing territorial limits of the City of Bonney Lake (hereinafter “Property”); and

**WHEREAS**, the City purchased the Property because its proximity to Victor Falls makes it a valuable property for public recreation; and

**WHEREAS** the City wishes to afford police protection to the Property, and otherwise bring it under the jurisdiction of the City; and

**WHEREAS**, on April 6, 2016, , the Planning Commission held a public hearing for the purpose of hearing testimony on the proposed zoning classification of Public Facilities (PF) for the Property; and

**WHEREAS**, on April 6, 2016, the Planning Commission formally recommended that the City Council apply the PF zoning classification to the Property; and

**WHEREAS**, the City issued a Determination of Non-Significance on May 6, 2016 regarding the modification to the City’s official zoning map to zone the Property PF; and

**WHEREAS**, the proposed annexation is found to be in compliance with the criteria for annexations established in Chapter 35A.14.300 RCW; and

**WHEREAS**, annexation actions are exempt from the application of the State Environmental Policy Act (RCW 43.21C.222); and

**WHEREAS**, it is recognized that an amendment to the City of Bonney Lake Future Land Use Map, as well as an amendment to the Pierce County Comprehensive Land Use

Map, will be necessary to acknowledge annexation of the area to the City of Bonney Lake; and

**WHEREAS**, it is recognized that an amendment to the City of Bonney Lake Shoreline Master Plan, as well as an amendment to the Pierce County Shoreline Master Program, will be necessary to acknowledge annexation of the area to the City of Bonney Lake; and

**WHEREAS**, the Bonney Lake City Council has determined that the health, welfare and safety of the people of the City of Bonney Lake will be best served if said territory is annexed for city municipal purposes and assigned a zoning designation of public facilities.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** The real property described in Exhibit ‘A’ and depicted on Exhibit ‘B’ attached hereto and incorporated herein by reference, is hereby annexed to the City of Bonney Lake pursuant to RCW 35A.14.300.

**Section 2.** Upon annexation the property shall be assigned a designation of public facilities. The City Council adopts the following findings of fact in support of its decision to adopted the Public Facilities zoning classification for the Property:

1. On April 6, 2016, the City of Bonney Lake Planning Commission held a public hearing to consider the amendments to the City’s development regulations contained in this Ordinance, as required by BLMC 14.140.080.
2. The City complied with all applicable notice, timing and comment provisions in scheduling and carrying out the above-referenced hearing.
3. At the above-referenced hearing, the City of Bonney Lake Planning Commission determined that the amendments to the City’s development code contained in this Ordinance are consistent with other BLMC development regulations and with the laws of the State of Washington.
4. Under the State Environmental Policy Act (SEPA) the adoption of this Ordinance is a non-project action as defined by WAC 197-11-704(2)(b) and the SEPA Official issued a Determination of Non-Significance (DNS) on May 6, 2016. No appeals of the DNS were submitted to the City.
5. Pursuant to RCW 36.70A.106(3)(b) the City requested expedited review of this Ordinance from the Department of Commerce. The Department of Commerce review period concluded on May 23, 2016.

**Section 3.** All property within the territory hereby annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Bonney Lake, including all indebtedness existing as of the effective date of the annexation.

**Section 4.** This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as required by law.

**PASSED BY THE CITY COUNCIL this 14th day of June, 2016.**

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Neil Johnson, Jr., Mayor

AUTHENTICATED:

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Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

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Kathleen Haggard, City Attorney